

ENVIRONMENTAL ASSESSMENT

Finance Docket No. 34040

**RIVERVIEW TRENTON RAILROAD COMPANY –
PETITION FOR AN EXEMPTION FROM 49 U.S.C. § 10901
TO ACQUIRE AND OPERATE A RAIL LINE IN WAYNE COUNTY MICHIGAN**

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VOLUME I

**Executive Summary
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EXECUTIVE SUMMARY

ES 1 – INTRODUCTION

The Section of Environmental Analysis (SEA) of the Surface Transportation Board (the Board), prepared this Draft Environmental Assessment to identify and evaluate the potential environmental impacts of Riverview Trenton Railroad Company's (RTRR) May 1, 2001 Petition for Exemption. This Petition was submitted with respect to RTRR's proposed acquisition and operation of a 1.5 mile railroad line on property RTRR owns in the Cities of Riverview and Trenton in Wayne County, Michigan. In its evaluation, SEA did not identify any significant potential adverse environmental impacts resulting from RTRR's proposed rail operations or its related operation of an intermodal terminal facility. SEA is issuing this Draft EA for public review and comment and will fully consider all comments it receives in preparing the Final EA. The Board will consider the entire environmental record, the Draft EA and the Final EA, all public comments, and SEA's final environmental mitigation recommendations in making its final decision on RTRR's acquisition proposal.

On May 1, 2001, RTRR filed a Petition for Exemption with the Board requesting an exemption from regulatory requirements otherwise applicable to its proposed rail operation. RTRR had previously filed a Notice of Exemption with the Board with respect to its proposed rail acquisition and operation proposal. The Board has initiated an investigation of that Notice of Exemption in response to protests filed by Wayne County and others. The Board is statutorily required to issue its final decision by February 15, 2002. The Board will decide, in response to RTRR's exemption filings, whether or not to issue a regulatory exemption with respect to RTRR's acquisition of the rail line at issue and its proposed initiation of rail common carrier service.

During the review process, SEA considered a broad range of environmental issues that could affect communities on a countywide and local level. This approach allowed SEA to identify and assess potential environmental impacts and develop reasonable preliminary environmental mitigation measures to address the adverse impacts identified in the Draft EA.

In conducting its environmental analysis, SEA first applied the Board's thresholds for environmental analysis from the Code of Federal Regulations (CFR) at 49 CFR Part 1105. The Board's thresholds apply specifically to air quality and noise. This Draft EA also considered the impacts resulting from RTRR's proposed intermodal operations on transportation, safety and other impacts.

ES 2 - PURPOSE AND NEED FOR THE PROPOSED RTRR ACQUISITION AND OPERATION OF THE RAIL LINE

RTRR believes that it can develop a specialized "niche" within the intermodal transportation industry that will allow industrial entities, and particularly automotive manufacturers, to benefit from

containerization of components, including automobile parts. Given the regional proximity of automotive industry suppliers and assembly plants, RTRR has stated that it will be able to develop a significant market of both in-bound and out-bound containerized freight. According to RTRR, the development of an intermodal facility offering Class I rail access and proximity to Interstate I-75 could offer substantial benefits to shippers in the region.

ES 3 - DESCRIPTION OF THE PROPOSED ACTION

RTRR proposes to acquire approximately 1.5 miles of an existing rail line, excluding sidings and spurs, and to operate over that rail line in interstate commerce. RTRR contemplates that its rail line would be operated in conjunction with an intermodal (IM) transfer facility to be located on site. RTRR anticipated operating approximately 2 trains per day. The proposed IM facility would serve as a base for which trailers and containers would be transferred between trucks and rail. The volume of trucks entering or leaving the IM facility would range from 140 initially to a projected maximum of 300 per day. Intermodal trains assembled by RTRR would connect with the mainlines of Conrail Shared Assets Operator (Conrail), the tracks of which connect with CSX Transportation, Inc. and Norfolk Southern Railway Corporation, and with Grand Trunk Western Railroad Incorporated (GTW) via existing track connections. Both outbound and inbound trailer/container traffic would be interchanged with those Class I railroads. RTRR intends to rehabilitate the rail line and construct new sidings and spurs within the intermodal terminal as necessary. Further, RTRR intends to operate as a common carrier, transporting the cargo tendered to it by any shipper.

ES 4 - THE BOARD'S ENVIRONMENTAL REVIEW PROCESS

The Board is a nonpartisan, decisionally independent adjudicatory body, which is organizationally housed within the U.S. Department of Transportation (DOT). The Board has jurisdiction over certain rail transportation matters such as rail rates, financial transactions, the licensing of new railroad operations, rail construction projects, and the abandonment of rail service. The Board licenses railroads as common carriers, requiring them to accept goods and materials for transport from all customers upon reasonable request. The Board is also authorized to exempt entities from the regulatory requirements of Section 10901 pursuant to its broad authority to issue exemptions conferred by 49 U.S.C. § 10502.

In conducting environmental reviews, the Board considers the requirements of the National Environmental Policy Act (NEPA) and the implementing regulations of the Council on Environmental Quality (CEQ); other related environmental laws and their implementing regulations; and the former ICC environmental regulations at 49 CFR 1105, which the Board has adopted.

ES 5 - DRAFT ENVIRONMENTAL ASSESSMENT PROCESS

The SEA is responsible for conducting the environmental review of the proposed RTRR rail operations and related activities on behalf of the Board. In performing its environmental analysis, SEA

reviewed the Petition for Exemption, and the Environmental Report submitted by RTRR with the Petition, to identify projected changes that could result in adverse environmental impacts. SEA has directed RTRR and its environmental contractor, URS Corporation, to perform additional environmental analyses in several areas, including air quality, noise, environmental justice, cumulative effects, and transportation. In accordance with CEQ regulations, 40 C.F.R. 1506.5(b), SEA requested RTRR, working with URS, to prepare a Preliminary Draft EA, in close coordination with SEA. SEA's participation, oversight, and guidance have been extensive throughout the process of developing this Draft EA. SEA has conducted an extensive independent review of the information submitted by RTRR and is responsible for the contents of this Draft EA.

Consulting with other government agencies and involving the public are important to SEA's environmental review process. SEA considered Federal statutes, regulations, and executive orders, and it coordinated and consulted with appropriate agencies to ensure that they were notified of the proposed action and knew about the time frames for agency review and comment on the Draft EA. After SEA considers all public comments received on this Draft EA (including comments on the recommended mitigation), reviews all other available environmental information, and conducts additional environmental analysis where appropriate, SEA will prepare a Final EA containing SEA's final environmental analysis and recommended environmental mitigation. The Board will consider the entire environmental record including the Draft EA, Final EA, and all public comments to make its final decision on RTRR's Petition.

ES 6 - SUMMARY OF ENVIRONMENTAL IMPACTS AND SEA'S RECOMMENDED MITIGATION

SEA carefully assessed the extent and potential significance of the following environmental impact areas:

- land use;
- social and economic effects;
- physiography and soils;
- water resources;
- biological resources;
- transportation systems, including local roadways, highway/rail at-grade crossings, safety, traffic delay, and emergency response delay;
- energy;
- navigation;
- air quality;
- noise;
- cultural resources;

- recreational and visual resources;
- environmental justice; and
- cumulative effects.

During its environmental review, SEA did not identify any significant impacts in the areas studied. Table ES-1 summarizes the results of this environmental assessment.

In addition to the results described in Table ES-1, SEA determined in its environmental review that the proposed RTRR project would have some positive effects on the environment. These potential benefits include reductions in fuel consumption, air pollutant emissions, highway traffic, and highway accidents. SEA's preliminary recommended mitigation measures to address potential environmental impacts are listed below:

- RTRR must notify local Emergency Response Agencies 2 hours prior to using the at-grade crossing at the north end of its property.
- RTRR must comply with the obligations of the Due Care Plan.
- RTRR must implement erosion protection in areas where the proposed action may disturb the soil to avoid runoff.

ES 7 - PUBLIC PARTICIPATION

SEA encourages the public to participate in the environmental review of RTRR's proposed activities by commenting on the Draft EA during the 30-day comment period. Comments may be submitted to the address below. When submitting comments, please provide one original and ten copies to:

Office of the Secretary
Case Control Unit
STB Finance Docket No. 34040
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Date made available to the public: October 15, 2001.
Comment due date: November 14, 2001.

The following information should appear in the lower left-hand corner of the envelope:

Attention: Troy Brady
Environmental Protection Specialist
Environmental Filing

Table ES-1. Summary of Environmental Analysis Results

Impact Area	Result of Analysis	Type of Impact
Land Use	The property has historically been devoted to industrial uses, including ancillary motor and rail transportation uses, and there is an existing rail infrastructure on the property. The State of Michigan Department of Natural Resources, has stated that the proposed project, as described, should not and will not result in any adverse impacts to rare or unique natural features	No impacts
Socio-economics	The proposed RTRR intermodal facility (IM) would result in the direct hiring of approximately 160 persons and indirectly result in the creation of several hundred additional jobs	Positive impact
	The increase in both truck traffic and train traffic may to some extent impede the response time of essential emergency services such as police, fire, and ambulance.	No significant negative impact
Physiography and Soils	The proposed IM would not exacerbate the existing soil contamination or adversely impact prime farmland. (RTRR will comply with the terms of the Due Care Plan)	No impact
Water and wetlands	No adverse environmental impacts to surface water or any marginal wetlands are expected.	No impact
	There are no wetlands that will be adversely impacted by the proposed IM, and therefore no Section 404 permits will be required.	No impact
	Groundwater would not be adversely impacted by the proposed IM.	No impact
Biological Resources	Due to the lack of flora and fauna on the RTRR's site, the proposed IM would not result in any adverse impacts to biological resources, including critical habitat, endangered or threatened species, wildlife refuges, parks, or forests	No impact
Transportation	The percent increase in existing average daily traffic (ADT) for any roadway under worst case conditions is about 3%, which is not considered significant.	No significant negative impact
	The increased truck traffic associated with the initial operation of the IM would not change the Level of Service (LOS) for the intersections through which the trucks would travel to and from I-75.	No significant negative impact
	The increased truck traffic when RTRR's operation is at its maximum capacity would not degrade intersection performance below an acceptable LOS. The maximum change in average delay is 0.3 seconds per vehicle, meaning the IM induced truck traffic adds, at most, an average of 0.3 seconds of delay to vehicles passing through the primary intersections that would be used by the new truck traffic.	No significant negative impact
	Highway/Rail At-Grade Crossing Delay –Increased truck and train traffic will not result in adverse transportation impacts to LOS at key intersections and highway/rail at-grade crossings.	Not a significant negative impact
	Emergency Vehicle Response Delay- While emergency response vehicles may experience highway/rail at-grade crossing delays at Jefferson Avenue, when RTRR utilizes its rail connection at the north end of its property, several alternative routes exist to all areas. Additionally, SEA notes that in most cases RTRR will use the grade-separated crossing at the south end of its property.	No significant negative impact
	Highway/Rail At-Grade Crossing Safety- the LOS at the highway/rail at-grade crossings along Sibley Road, King Road, and Jefferson Avenue are predicted to be no worse than LOS C.	No significant negative impact
	RTRR's proposed IM would enhance the efficient transportation of intermodal freight in the Wayne County/Detroit metropolitan area.	Positive impact
	Truck traffic congestion on local Interstates and roadways in the Wayne County/Detroit Metropolitan area would be reduced. This projection is based on the expected use of RTRR's shortline by shippers that would otherwise transport freight via highway routings.	Positive impact
Energy	The proposed action would have a positive effect on overall energy. By reducing truck traffic and increasing shipping efficiencies, the proposed IM should decrease fuel usage and therefore result in an overall increase in energy efficiency.	Positive impacts

Table ES-1. continued

Impact Area	Result of Analysis	Type of Impact
Navigation	Since the addition of ships and barges as an additional mode of transportation is not being considered for the near future (within 4 years from now), SEA did not conduct an analysis of potential adverse impacts.	Not studied
Air Quality	SEA compared the emissions changes resulting from the proposed action with the EPA's Thresholds and found that the Proposed IM would not result in adverse impacts to air quality in Wayne County.	No significant locally negative impacts. Overall regional positive impacts
Noise	Noise at Rail Line Segments and Intermodal Facilities- Near the IM- The results of SEA's projected increase in noise (L_{dn}) for residences nearest the proposed IM on the west side of Jefferson Avenue was 69.1 dBA. This is an increase of 2.3 dBA over existing noise levels. This projected increase in noise is less than the Board's criteria warranting mitigation.	No significant negative impact
	Gross Ille- SEA's projected increase in noise (L_{dn}), across the water, a distance of approximately 1300 feet was 59.5 dBA. This is a 5.5 dBA increase over the existing 53.0 dBA. SEA notes that this increase in noise is substantially below the threshold of 65 dBA and no additional modeling was conducted.	No significant negative impact
	Noise Along Truck Routes- The analysis of the existing and predicted noise levels for the anticipated north and south truck haul routes indicates minimal increases in noise levels, ranging from 0.1 – 2.1 dBA. The average peak-hour noise level is expected to increase approximately 0.5 dBA along the south haul route (Jefferson Rd./King Rd./M-85). The average peak-hour noise level is expected to increase approximately 1.4 dBA along the north haul route (Jefferson Rd./Sibley Rd.). As modeled, no receivers are considered adversely impacted according to MDOT and FHWA criteria.	No significant negative impact
Cultural Resources	There are no historic structures or archeological sites on the property.	No impacts
Recreational and Visual Resources	The proposed IM would not adversely affect existing recreational resources.	No impacts
Environmental Justice	No disproportionately high and adverse impacts to minority or low-income populations were identified.	No impacts
Cumulative Effects	No other proposed projects have been identified that would result in cumulative effects warranting study.	No impacts

GUIDE TO THE DRAFT ENVIRONMENTAL ASSESSMENT

This Draft Environmental Assessment (Draft EA) evaluates the potential environmental impacts that could result from the proposed rail and intermodal yard operations of the Riverview Trenton Railroad Company. The Surface Transportation Board (STB), Section of Environmental Analysis (SEA), has prepared this document in accordance with the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C 4321), the Council on Environmental Quality (CEQ) regulations implementing NEPA; the Board's environmental rules (49 CFR Part 1105); and other applicable environmental statutes and regulations.

CHAPTER 1

INTRODUCTION AND BACKGROUND

Chapter 1 describes the purpose and need for the proposed acquisition and operations of Riverview Trenton Railroad Company (RTRR). It describes the environmental review process for the proposed project and discusses SEA's¹ role in conducting the environmental review. Chapter 1 also highlights the role of other Federal, State, and local agencies, parties of record, communities; and other interested parties.

1.1 Board Jurisdiction Over RTRR's Project

On May 1, 2001, RTRR filed a Petition for Exemption with the Board requesting an exemption from regulatory application requirements imposed by Section 10901 of the Interstate Commerce Act ("Act"), as amended by the Interstate Commerce Commission Termination Act, 49 U.S.C. § 10901, with respect to its acquisition and operation of a railroad line in Wayne County, MI. RTRR's Petition asked the Board to exercise its authority under Section 10502 of the Act, 49 U.S.C. § 10502, which authorizes the Board to exempt actions from regulatory requirements where a regulation is not necessary to carry out the federal rail transportation policy embodied in 49 U.S.C. § 10101 and where the transaction at issue is either limited in scope or regulation of it is not necessary to protect shippers from the abuse of market power. RTRR has argued to the Board in its Petition that these criteria for regulatory exemption have been met.

Before it can issue a final decision on the merits of RTRR's Petition, the Board must comply with all Federal environmental requirements that are applicable. Under the National Environmental Policy Act (NEPA) and the Board's environmental rules in the Code of Federal Regulations (CFR) at 49 CFR Part 1105, the Board is required to conduct and complete an environmental review of RTRR's proposed actions. In that regard, the Board has decided to prepare an Environmental Assessment (EA) consistent with its Part 1105 rules.

The Board has jurisdiction under the Section 10901 of the Act over the acquisition of operation of rail lines in interstate commerce, which requires that rail lines may be acquired and operated only after the Board has issued a certificate pursuant to the procedures set forth in that statute. The Board also has jurisdiction under another provision of the Act, 49 U.S.C. § 10502, to exempt from its regulatory control matters, including the acquisition and operation of rail lines, where the criteria for exemption, as set forth

¹ "SEA" stands for the Surface Transportation Board's Section of Environmental Analysis. The Surface Transportation Board is hereafter referred to as "The Board." "RTRR" stands for Riverview Trenton Railroad Company.

in that statute and noted above, are met. Accordingly, this Draft EA will consider the environmental impacts of the proposed acquisition and operation of the RTRR's rail line, which RTRR claims is subject to the Board's jurisdiction and which it also claims satisfies the statutory criteria for exemption.

While Section 10501(b) of the Act vests the Board with exclusive jurisdiction over rail construction and facilities, 49 U.S.C. § 10501(b), the construction and operation of an intermodal facility is not a matter subject to the Board's regulatory control under the Act. In other words, the Board does not exercise separate approval or exemption authority with respect to the development or operation of intermodal facilities. Nonetheless, RTRR's intermodal facility, and the truck traffic that it is expected to generate, will be addressed in this Draft EA since the traffic and related impacts of that facility would not occur "but for" the proposed rail acquisition and operation activities that are subject to the Board's regulatory control. Under NEPA and the Council of Environmental Quality (CEQ) guidelines, matters that fall outside the Board's regulatory control must be considered to the extent that they are a direct consequence of actions, such as the acquisition and operation of a rail line, that are within the Board's regulatory control.

This Draft EA will consider the potential environmental adverse impacts of RTRR's proposed actions on truck traffic and other impacts resulting from the operation of the proposed intermodal facility. At the same time, however, there are limits to the Board's authority to impose mitigation. The Board cannot impose mitigation with respect to matters that are outside of its regulatory control, such as the specific routes that trucks may use to access RTRR's proposed facility.

1.2 Background

On November 27, 2000 the Riverview Trenton Railroad Company (RTRR) was incorporated under Michigan's railroad corporation statute. RTRR is a shortline railroad established for the purpose of providing rail transportation and operation of related intermodal terminal services in the Cities of Riverview and Trenton in Wayne County, Michigan. RTRR is a wholly owned subsidiary of Crown Enterprises Inc. (Crown); Crown is owned by CenTra, Inc., a privately owned company headquartered in Warren, MI. CenTra, Inc., and its various subsidiaries, provides transportation-related services throughout the U.S., including the operation of intermodal facilities.

RTRR proposes to acquire approximately 1.5 miles of an existing rail line, excluding sidings and spurs, all of which is within the boundaries of property that housed the former McLouth Steel Products Company (McLouth plant), in Wayne County, Michigan, and to operate over that rail line in interstate commerce. Further, pursuant to an agreement with DSC Enterprises (DSC), RTRR has obtained rights to operate trains over portions of track located on DSC property, which adjoins the site of the former McLouth Plant. RTRR contemplates that its rail line would be operated in conjunction with an intermodal transfer facility to be located on the acquired property adjacent to the rail line. That facility

would serve as a base at which trailers and containers would be transferred between trucks and rail. Intermodal trains assembled by RTRR would connect with the mainlines of Conrail Shared Assets Operator (Conrail), the tracks of which connect with CSX Transportation, Inc. and Norfolk Southern Railway Corporation, and Grand Trunk Western Railroad Incorporated (GTW) via existing track connections. Both outbound and inbound trailer/container traffic would be interchanged with those Class I railroads. RTRR intends to rehabilitate the rail line being acquired and construct new sidings and spurs within the intermodal terminal facility as necessary. Further, RTRR intends to operate as a common carrier, transporting the cargo tendered to it by any shipper. Maps depicting the location of the RTRR rail line and proposed intermodal facility are attached in Section 3 as Figures 1a, 1b and 1c.

The McLouth plant was built in the late 1940s, and expanded in 1956 and 1961. It was idled in stages during late 1995 and early 1996. The plant remained idle until July 1998 when the new owner of the property, DSC Enterprises, restarted one pickling line and portions of the facility wastewater treatment plant (BEA, 2000). Crown bought 76 acres of the former McLouth property from DSC in February 2000 and transferred it to RTRR in November of that same year. Crown's purchase of the property from DSC specifically included the rail line and other rail infrastructure on the property. Approximately half of the RTRR property is located in the City of Trenton and the other half is in the adjacent City of Riverview. The RTRR rail line traverses both cities.

The rail line RTRR proposes to operate was previously privately owned by McLouth. It has previously been used by GTW and other Class I railroads to service the McLouth plant. All rail service on the property owned by RTRR ceased about five years ago, when McLouth terminated operations. However, the DSC steel plant on the adjacent property continues to receive rail service through Conrail and GTW via tracks located on its portion of the property. The property is accessible by rail via a grade-separated crossing on the south end (at King Street and Jefferson Avenue) and a highway/rail at-grade crossing of Jefferson Avenue at the north end of RTRR's property.

RTRR contemplates the possibility that the intermodal terminal could be expanded in the future to include a third mode of transportation — water transport. Such expansion is not anticipated to occur until at least 2006 and possibly later. If the expansion is completed, containers would be transferred between ships and barges and RTRR's rail line. Docks to accommodate water traffic would be located on the RTRR property (or property to be acquired from DSC) at facilities to be sited along the Trenton Channel of the Detroit River. Given that this mode of transportation will not be implemented within a reasonably foreseeable horizon, the nature and scope of any water transportation activities are too speculative to assess at this time. Any activation of a port operation would require the cooperation of other landowners, possible facility improvements, and interaction with, and review by, other relevant agencies. Therefore, it is beyond the scope of this Draft EA to assess any impacts of water transport as it relates to RTRR's proposed project. While the Board does not have jurisdiction over the development of

port facilities or the initiation of water-rail intermodal transportation, port development activities are likely to be subject to review by other Federal or state agencies.

1.3 Purpose and Need for the Proposed Action

RTRR believes that it can develop a specialized “niche” within the intermodal transportation industry that will allow industrial entities, and particularly automotive manufacturers, to benefit from containerization of components, including automobile parts. Given the regional proximity of automotive industry suppliers and assembly plants in the region, RTRR has stated that it will be able to develop a significant market of both in-bound and out-bound containerized freight. According to RTRR, the development of an intermodal facility offering Class I rail access and proximity to Interstate I-75 could offer substantial benefits to shippers in the region.

It is well documented that there is an increasing demand for intermodal transport facilities in the Metropolitan Detroit area. Eight years ago, the Greater Detroit Area (GDA) Intermodal Study prepared for the Bureau of Transportation Planning, commissioned by the Michigan Department of Transportation, included a pressing need for additional intermodal capability in the Detroit area. In summary, the report concluded:

- Detroit is among the top 10 intermodal centers in the United States in terms of inbound and outbound trailer/container loads moving by rail.
- The biggest three automobile manufacturers in the area continue to show willingness to utilize intermodal technologies to support their operations.
- Overseas international trade tends to favor intermodal transportation and movements from/to the Pacific Rim and Europe are increasing.
- Tunnels to Canada are being improved, which will increase intermodal access.
- Intermodal movements with Canada and Mexico continue to increase spurred by The North American Free Trade Agreement (NAFTA).

The total containerizable (non-bulk) market to and from the GDA exceeds five million trailer load equivalents per year. Intermodal loads represent 8 percent of that amount, but there is tremendous potential for more utilization of intermodal transportation. The current facility capacity is a serious, growing concern in the region. The demand outlook indicates that the GDA could generate even more significant increases in intermodal volume in the near future.

The study forecasted "significant" increases in intermodal volume demand. While RTRR's proposed project would not satisfy all of the regional demands for intermodal services, it would meet some of these needs and could provide the benefits of more efficient freight transport in a short period of time given potential intermodal connections at the RTRR site.

1.4 History and Status of Proceeding

On December 11, 2000, RTRR filed a notice of exemption with the Board in Finance Docket No. 33980 to operate as a Class III railroad pursuant to 49 CFR Section 1150.31 et seq. of the Board's regulations.² Those regulations provide a so-called class exemption for certain categories of Class III rail transactions. On January 8, 2001, the Board published the public notice of the exemption in the Federal Register. Thereafter, on February 16, 2001, Wayne County, followed by the Cities of Riverview and Trenton on March 12 and 13, 2001, respectively, filed separate petitions with the Board to revoke RTRR's exemption. GTW subsequently filed a reply in support of the County's petition. The local jurisdictions contended, among other points, that RTRR was not entitled to use the class exemption procedure that it had invoked and, further, that the RTRR property should be put to alternative uses. By replies submitted March 8 and April 2, 2001, RTRR responded in opposition to each of these filings and in support of its proposal.

On May 1, 2001, RTRR initiated a new proceeding at the Board with respect to its rail plans by filing a Petition for Exemption with the Board in Finance Docket No. 34040, which included an Environmental Report. By the Petition for Exemption, RTRR seeks a Board determination that it may proceed with its acquisition and operation of a rail line free from further Board regulatory requirements that would otherwise apply pursuant to 49 U.S.C. § 10901. RTRR's Petition was filed pursuant to the provisions of the Interstate Commerce Act, 49 U.S.C. § 10502, that authorize the Board to exempt certain matters from Board regulatory control that would otherwise apply, provided that certain criteria for exemption are met. Specifically, RTRR argues that it has met the statutory standard for exemption by demonstrating that regulation is not necessary to carry out national rail transportation policy, and that it has met both of the two alternative additional tests of showing that the transaction is of limited scope and that application of regulatory control is not needed to protect shippers from an abuse of market power. In the event that the Board were to grant RTRR's Petition for Exemption in Docket No. 34040, RTRR could commence rail service without further action by the Board.

On May 15, 2001, the Board issued a decision initiating an investigation of the issues raised in the RTRR class exemption notice proceeding, Finance Docket No. 33980. By statute, 49 U.S.C. § 10502, the Board must complete that investigation by February 15, 2002. Board action on RTRR's Petition for Exemption in Finance Docket No. 34040 remains pending.

In addition to these proceedings before the Board, RTRR filed a lawsuit in U.S. District Court for the Eastern District of Michigan seeking to enjoin Wayne County from pursuing efforts to take the RTRR property through the County's power of eminent domain. *See Riverview Trenton Railroad Company v. County of Wayne*, Case No. 01-70078 (E.D. Mich, filed Jan. 5, 2001). On April 10, 2001, the District

² A Class III railroad is one that earns or anticipates annual revenues of less than approximately \$20.9 million.

Court issued a preliminary injunction as requested by RTRR on the ground that the County's eminent domain actions were preempted by the Board's exclusive jurisdiction over certain railroad activities pursuant to the Interstate Commerce Act, 49 U.S.C. § 10501(b).

RTRR also has had on-going discussions with the Cities of Riverview and Trenton. The Cities have expressed concerns regarding potential adverse impacts resulting from increased truck and train traffic, as well as related safety, air quality and noise issues. On July 19, 2001, the City of Trenton submitted a comment, set forth in Appendix F, in response to initial consultation during the preparation of this Draft EA. The City noted its concerns on these issues and stated that the RTRR's proposed project conflicts with local land use planning, as well as local, state and Federal efforts to redevelop the area. SEA understands that the City of Trenton has also proposed a review of land use in the area through the City's Brownfields Authority. The study area would embrace 315 acres between the Detroit River and Jefferson Avenue, including the 76-acre RTRR property and the adjoining DSC property. The study, if undertaken, would result in development recommendations which would not be binding on any party and that would not affect the Board's jurisdiction over RTRR's proposed rail operations.

In March 2001, RTRR retained the services of URS Corporation, an engineering and environmental services firm, to assist in the preparation of an environmental report generally responsive to the Board's obligations under the National Environmental Policy Act of 1969 (NEPA). SEA's requirements for environmental reports are provided in 49 CFR Section 1105.7. RTRR's Environmental Report was submitted to the Board on May 1, 2001, together with RTRR's Petition for Exemption. SEA thereafter reviewed the Environmental Report and requested additional information. In particular, SEA requested additional information and analysis of the environmental impact areas of noise, air quality, transportation, environmental justice and cumulative effects. This Draft Environmental Assessment (Draft EA), prepared under the direction of SEA and carefully reviewed by SEA staff, reflects SEA's views with respect to the anticipated environmental impacts of the RTRR's proposed project.

CHAPTER 2

OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS AND PUBLIC PARTICIPATION

This chapter will provide an overview of the Board's role, and that of other parties, in the Environmental Review process, as well as information about public participation.

2.1 Role of the Surface Transportation Board

This section describes the Board's role regulating railroad matters.

2.1.1 The Surface Transportation Board

The Board is a nonpartisan, decisional independent adjudicatory body, which is organizationally housed within the U.S. Department of Transportation (DOT). The Board has jurisdiction over certain rail transportation matters such as rail rates, financial transactions, the licensing of new railroad operations, rail construction projects, and the abandonment of rail service. The Interstate Commerce Commission (ICC) Termination Act of 1995³ established the Board to assume some of the rail regulatory functions that the former ICC had administered. This Act either eliminated or transferred other ICC regulatory functions to other agencies. The Board's charge is to provide an efficient and effective forum for the resolution of disputes within its jurisdiction. In all of its decisions, the Board is committed to advancing the national transportation policy goals established by Congress.⁴

The Board licenses railroads as common carriers, requiring them to accept goods and materials for transport from all customers upon reasonable request. Under 49 U.S.C. § 10901, the Board is authorized to grant applications for certificates allowing parties to provide transportation over extended or additional rail lines and must grant such applications unless it finds that such activities are inconsistent with the public convenience and necessity. The Board is also authorized to exempt entities from the regulatory requirements of Section 10901 pursuant to its broad authority to issue exemptions conferred by 49 U.S.C. § 10502. Such exemptions must be issued upon a finding by the Board that application of regulatory requirements "is not necessary to carry out the transportation policy of section 10101 of this title" and either "the transaction or service is of limited scope" or "the application in whole or part of the provision is not needed to protect shippers from the abuse of market power." As described in Section 1, RTRR's has petitioned the Board to assess whether or not to issue a regulatory exemption with respect to its proposed initiation of rail common carrier service.

³ Public L. 104-88. 109 Stat. 803 (1995).

⁴ See 49 U.S.C. 10101 *et seq.*

In conducting its environmental review, the Board considers the requirements of NEPA and the implementing regulations of the Council on Environmental Quality (CEQ); other related environmental laws and their implementing regulations; and the former ICC environmental regulations at 49 CFR 1105, which the Board has adopted.

2.1.2 Role of SEA

SEA is responsible for conducting the environmental review of RTRR's proposed rail operations and related activities on behalf of the Board. In performing its environmental analysis, SEA reviewed the Petition for Exemption, and the Environmental Report submitted by RTRR with its Petition to identify projected changes that could result in adverse environmental impacts. SEA has directed RTRR and its environmental contractor, URS Corporation, to perform additional environmental analyses in several areas, including air quality, noise, environmental justice, cumulative effects, and transportation. In accordance with CEQ regulations, 40 C.F.R. 1506.5(b), SEA requested RTRR, to prepare a Preliminary Draft EA, in close coordination with SEA. SEA's participation, oversight, and guidance have been extensive throughout the process of developing this Draft EA. In effect, URS has served as an extension of SEA's staff and SEA has throughout exercised its independent judgment in connection with the environmental analysis.

Consulting with other government agencies and involving the public are important to SEA's environmental review process. SEA considered Federal statutes, regulations, and executive orders, and it coordinated and consulted with appropriate agencies to ensure that they were notified of the proposed action and knew about the time frames for agency review and comment on the Draft EA. After SEA considers all public comments received on this Draft EA (including the recommended mitigation), reviews all other available environmental information, and conducts additional environmental analysis where appropriate, SEA will prepare a Final EA containing SEA's final environmental analysis and recommended environmental mitigation. The Board will consider the entire environmental record including the Draft EA, Final EA, and all public comments to make its final decision on RTRR's Petition.

2.2 Roles of Other Parties

2.2.1 RTRR

RTRR has provided information to SEA on its proposed railroad operations and anticipated environmental effects. Throughout the process, SEA has provided appropriate oversight and guidance to RTRR and its environmental contractor regarding data collection, methods for analyzing potential environmental effects, and verification of analysis results. If the Board exempts the proposed action with conditions, including environmental conditions, RTRR would be responsible for implementing any conditions the Board may impose.

2.2.2 Other Agencies

Agency consultation activities were conducted to inform public agencies about the proposed action. Consultations were made with appropriate Federal, state, and local public agencies through correspondence and telephone consultation. (See Appendix F). Data and information was gathered about the study area and the comments that the public agencies submitted were carefully assessed. SEA will carefully consider the comments of other agencies in preparing the Final EA and in recommending mitigation to the Board, which will exercise its authority with due regard for its own jurisdiction and the jurisdiction and expertise of other Federal agencies.

1. **Environmental Protection Agency (EPA)**- EPA has broad oversight and implementing responsibilities for many environmental laws, including the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation, and Liability Act; and Superfund Amendment and Reauthorization Act.
2. **U.S. Army Corps of Engineers (The Corps)**- The Corps is responsible for maintaining and operating certain navigation and flood control projects. In addition, under Section 404 of the Clean Water Act, the Corps is responsible for regulating the discharge of dredge and fill materials into the nation's waters, including wetlands.
3. **Advisory Council on Historic Preservation (ACHP)**- National Historic Preservation Act (NHPA) requires Federal agencies to consider the effects of their actions on historic and cultural resources.
4. **U.S. Fish and Wildlife Service (FWS)**- FWS is the Federal agency with primary responsibility for fish, wildlife, and natural resources issues. FWS is also responsible for implementing the Endangered Species Act, and through its regional offices, for consulting with other Federal agencies on potential impacts on threatened and endangered species.
5. **Natural Resources Conservation Service (NRCS)**- This agency, formerly the Soil Conservation Service, is charged with protecting farmlands, particularly those classified as prime, unique, or of state or local importance.
6. **Federal Emergency Management Agency (FEMA)**- FEMA identifies 100-year floodplains. Consultation with FEMA is intended to verify compliance with the National Flood Insurance Act of 1988 and Executive Order 11988 on National Floodplain Insurance, concerning construction in floodplains.

In addition, comments have been requested from the following Michigan State agencies, local governments and organizations with respect to highway, natural resources and other potential impacts of the RTRR proposal:

- Michigan Department of Transportation;
- Michigan Department of Natural Resources;
- Michigan Department of Environmental Quality;
- Wayne County Department of the Environment;
- Michigan Historic Center;

- Southwest Michigan Council of Governments (SEMCOG);
- City of Riverview;
- City of Trenton; and
- The Downriver Community Conference.

Several of these parties have submitted comments in response to consultation. These comments are set forth in Appendix F.

2.3 Thresholds for Environmental Analysis

Table 2-1 outlines the Board's thresholds for environmental analysis, as set forth in Part 1105. Given the nature of RTRR's proposed project, the rail line construction and rail yard thresholds are not applicable to this project. As discussed in detail in Chapter 5, RTRR's proposed actions will add a maximum of 300 trucks per day to local roads, exceeding the Board's 50 or more trucks-per-day threshold for air quality and noise analysis. In addition, Jefferson Avenue exceeds the average daily traffic (ADT) of 5000 vehicles threshold for highway/rail at grade crossings delay analysis.

2.4 Scope of Environmental Review

SEA has evaluated the environmental effects of the proposed RTRR rail project for the following areas:

- Highway/rail at-grade crossings, including safety, delay and emergency response delay;
- Transportation systems, including highways and local roadways;
- Air Quality;
- Noise;
- Environmental Justice;
- Cumulative Effects;
- Freight Rail Operation Safety;
- Energy;
- Land Use;
- Social and Economic Effects;
- Soils;
- Water Resources; and
- Biological Resources.

2.5 Agency Notification Activities and Draft EA Comment Process

After full consideration of all agency and comments received on this Draft EA, SEA will conduct any additional analysis that is necessary, review all environmental information available to date, and

Table 2-1. Board's Thresholds for Environmental Analysis

Environmental Impact Category	Activities Evaluated for Potential Environmental Effects		
	Rail Line Segments	Intermodal Facilities	Rail Yards
Safety			
Freight Rail Operations	Rail line segments with an average increase of eight or more freight trains per day. [RTRR will have less]	N/A ^a	N/A ^a
Hazardous Materials Transport	Rail line segments with an increase in the annual volume of hazardous materials transported. [No hazardous wastes will be transported by RTRR]	All intermodal facilities.	All rail yards.
Passenger Operations	Rail line segments with existing passenger rail traffic and an average increase of one or more freight trains per day. [No passenger rail traffic]	N/A	N/A
Highway/Rail At-grade Crossing Safety	All highway/rail at-grade crossings on rail line segments with an average increase of eight or more trains per day. [RTRR will have less trains]	N/A	N/A
Traffic and Transportation			
Highway/Rail At-grade Crossing Delay	Highway/rail at-grade crossings on segments that meet or exceed the Board's thresholds or for environmental analysis, ^b and with average daily traffic (ADT) of 5,000 vehicles or greater, or crossings closer than 800 feet apart. [Jefferson Avenue currently exceeds ADT of 5,000 vehicles]	N/A	N/A
Passenger Rail Service Capacity	Rail line segments with existing passenger rail traffic and an increase of one or more freight trains per day. [No passenger rail traffic]	N/A	N/A
			Highway/rail at-grade crossings created by proposed constructions on rail line segments that meet or exceed the Board's thresholds for environmental analysis and with ADT of 5,000 or more, or crossings closer than 800 feet. [No crossings will be constructed]

Table 2-1. continued

Environmental Impact Category	Activities Evaluated for Potential Environmental Effects			
	Rail Line Segments	Intermodal Facilities	Rail Yards	Constructions
Roadway Capacity	NA	Intermodal facilities with an increase of 50 or more trucks per day or a 10% increase in ADT on affected roadways. [RTRR will have approximately 300 trucks per day]	N/A	N/A
Navigation	Movable-span bridges on all rail line segments.	N/A	N/A	N/A
Energy	System-wide evaluation of truck-to-rail diversions.	System-wide evaluation of intermodal facilities.	System-wide evaluation of rail yards.	N/A
Air Quality				
Attainment or Maintenance Areas	Rail line segments with an increase of eight or more trains per day or at least a 100% increase in rail traffic (measured in annual gross ton-miles). [RTRR will have less than eight trains per day]	Intermodal facilities with an increase of 50 or more trucks per day or a 10% increase in ADT on affected roadways. [RTRR will have 300 trucks per day]	Rail yards with a 100% or greater increase in carload activity per day.	All constructions.
Nonattainment Areas	Segments with an increase of three or more trains per day or at least a 50% increase in rail traffic (annual gross ton-miles). ^b	Intermodal facilities with an increase of 50 or more trucks per day or a 10% increase in ADT on affected roadway. [RTRR will have 300 trucks per day]	Rail yards with a 20% or greater increase in carload activity per day.	All constructions.
Noise	Rail line segments with an increase of eight trains per day or a 100% increase in annual gross ton-miles. [RTRR will have less than eight trains per day]	Intermodal facilities with an increase of 50 or more trucks per day or a 10% increase in ADT on affected roadways. [RTRR will have 300 trucks per day]	Rail yards with an increase of 100% carload activity per day.	All constructions.

Table 2-1. continued

Environmental Impact Category	Activities Evaluated for Potential Environmental Effects			
	Rail Line Segments	Intermodal Facilities	Rail Yards	Constructions
Cultural Resources	N/A	N/A	N/A	All constructions.
Hazardous Waste Sites	N/A	N/A	N/A	All constructions.
Land Use	N/A	N/A	N/A	All constructions.
Natural Resources	N/A	N/A	N/A	All constructions.
Environmental Justice	All activities exceeding Board thresholds for environmental analysis.	All activities exceeding Board thresholds for environmental analysis.	All activities exceeding Board thresholds for environmental analysis.	All activities exceeding Board thresholds for environmental analysis.

ADT = Average Daily Traffic

N/A = Not Applicable.

^a Included in rail line segment analysis.

^b Air Quality Nonattainment Area: Increase of at least three trains per day, or a 50 percent increase in annual gross ton-miles. Air Quality Attainment or Maintenance Area: Increase of at least eight trains per day or a 100 percent increase in annual gross ton-miles.

consult further with appropriate public agencies. SEA will then prepare a Final EA, which will include its final recommendations to the Board regarding potential environmental impacts and recommended mitigation for the proposed rail line and intermodal terminal. The Board will then consider the entire environmental record, including the Draft EA, the Final EA, and all agency comments in making its final decision in this case regarding the proposed rail line and intermodal terminal.

2.6 How to Submit Comments

SEA encourages the public to participate in the environmental review of RTRR's proposed activities by commenting on the Draft EA during the 30-day comment period. Comments may be submitted to the address below. When submitting comments, please provide one original and ten copies to:

Office of the Secretary
Case Control Unit
STB Finance Docket No. 34040
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

The following information should appear in the lower left-hand corner of the envelope:

Attention: Troy Brady
Environmental Protection Specialist
Environmental Filing

Date made available to the public: October 15, 2001.

Comment due date: November 14, 2001.

CHAPTER 3

PROJECT DESCRIPTION

This chapter describes the alternatives considered -- the proposed action and the no-action alternative, and the thresholds used in conducting the environmental analysis. An overview of the existing environment is set forth in Chapter 4. The environmental and social impacts of each alternative is addressed in Chapter 5.

3.1 Proposed Action

The proposed action is defined as the acquisition, rehabilitation and operation of an existing rail line, and the operation of a related intermodal terminal. Figure 1a, Vicinity Map, shows the general location of various activities as currently planned.

3.1.1 Track Rehabilitation and Related Activities

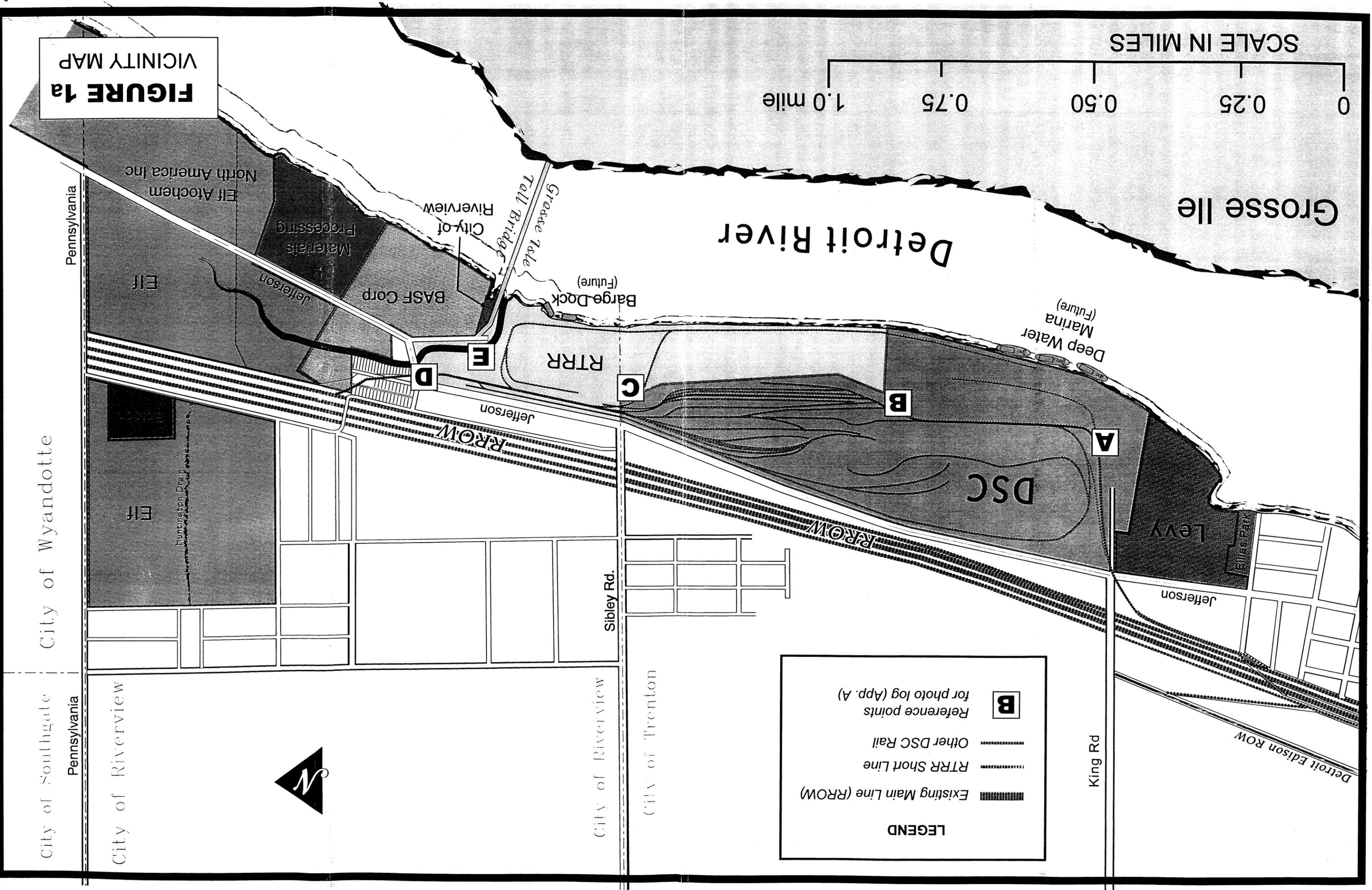
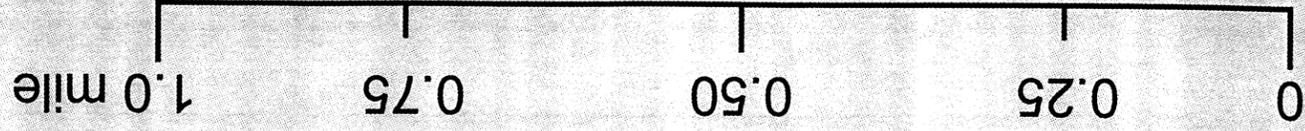
Track rehabilitation will consist of potential replacement of sub-ballast, ballast, rail, ties, and possible realignments. New rail yard tracks will require the same. Figure 2 depicts a typical cutaway section of new rail segment showing dimensions of track and components. Rail rehabilitation activities will include operation of earth-moving equipment such as graders as well as specialized track laying vehicles and equipment. All track rehabilitation will be conducted on RTRR property or on DSC property within the right of way of the rail line over which RTRR proposes to operate. In addition, RTRR proposes to pave over large areas on its property where containers are to be stored, repaired, and where cargo will be transferred from trucks to trains and vice versa. Rehabilitation activities will be confined to daylight hours. In a future phase of the project, possibly within 4 years or longer, barge and ship transloading facilities will be developed.

3.1.2 Operational Activities

An intermodal terminal is essentially a large parking lot with cranes and conveyance systems for moving containerized cargo from one transportation mode to another. The terminal is expected to primarily serve the automobile manufacturing industry. Therefore, cargo will consist of containerized automobile parts and equipment, although other non-hazardous cargo will also be accommodated. Insignificant levels of hazardous materials may be stored on site for the purpose of repairing and maintaining containers and possibly railroad rolling stock or locomotives. These may include materials such as lubricants, degreasers, and paints.

FIGURE 1a
VICINITY MAP

SCALE IN MILES

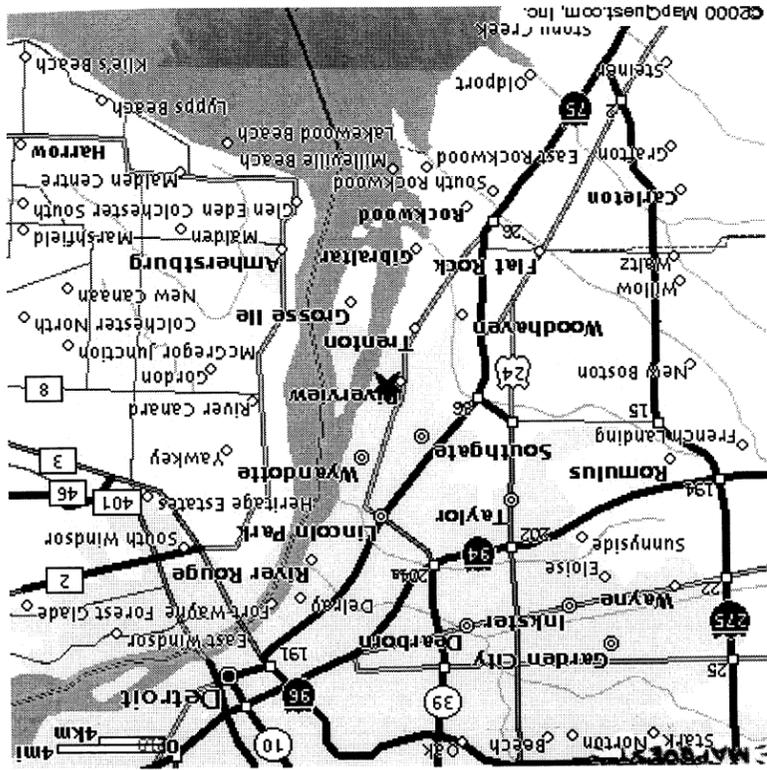
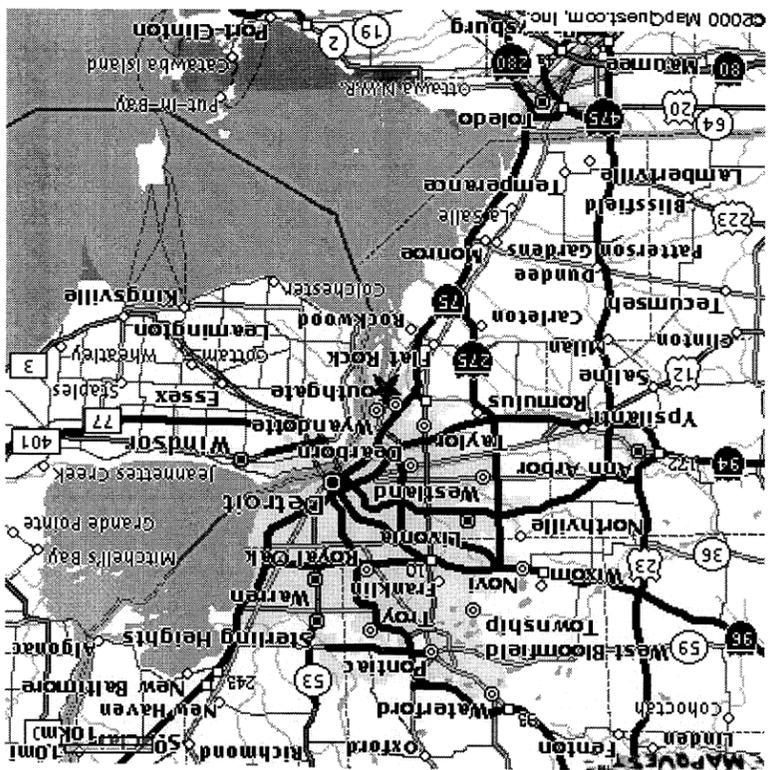
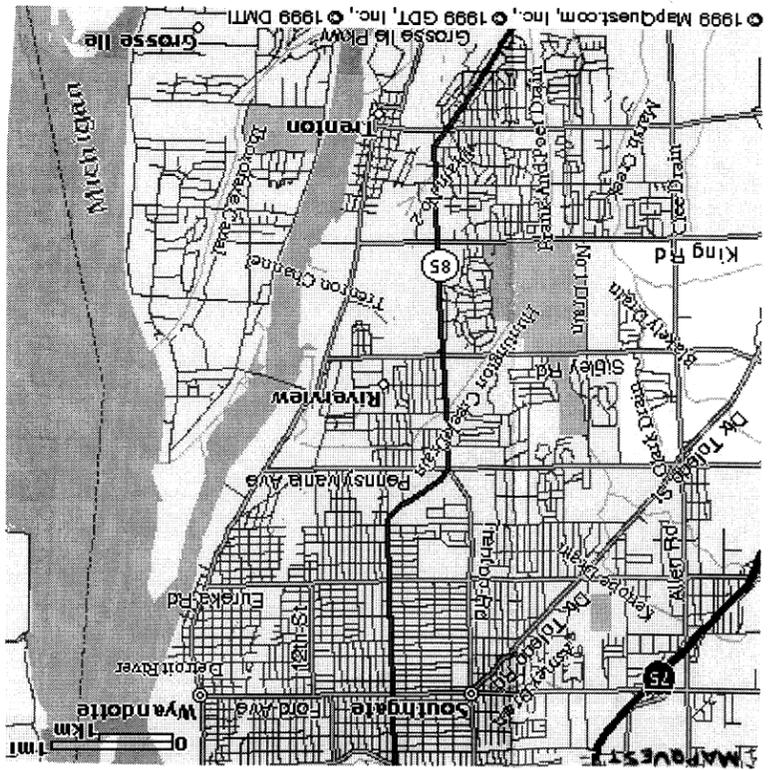


LEGEND

-  Existing Main Line (RROW)
-  RTRR Short Line
-  Other DSC Rail
-  Reference points
for photo log (App. A)



Figure 1b. General Location Map



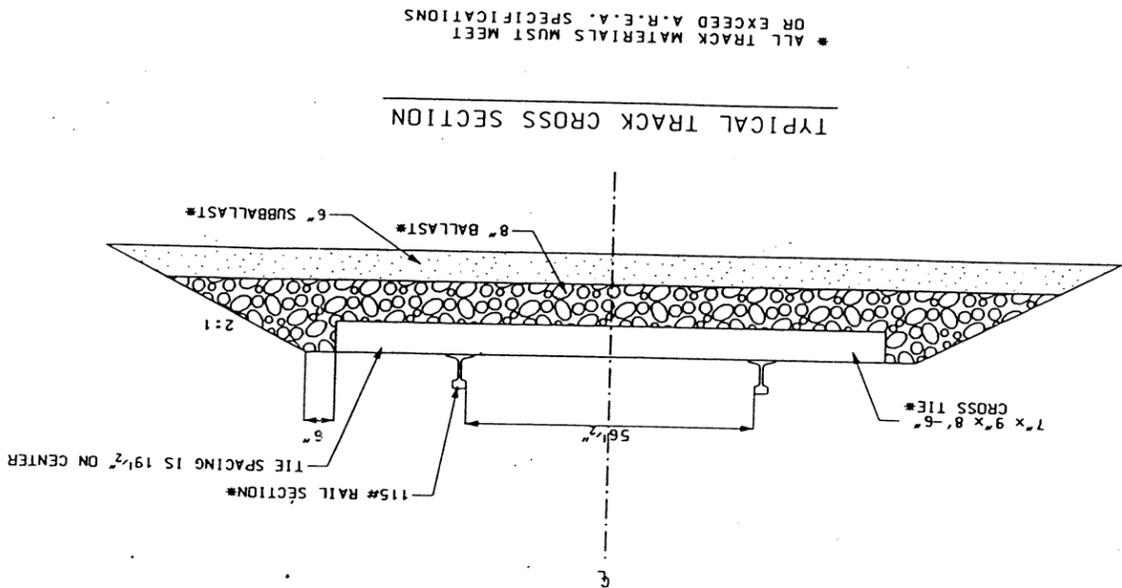
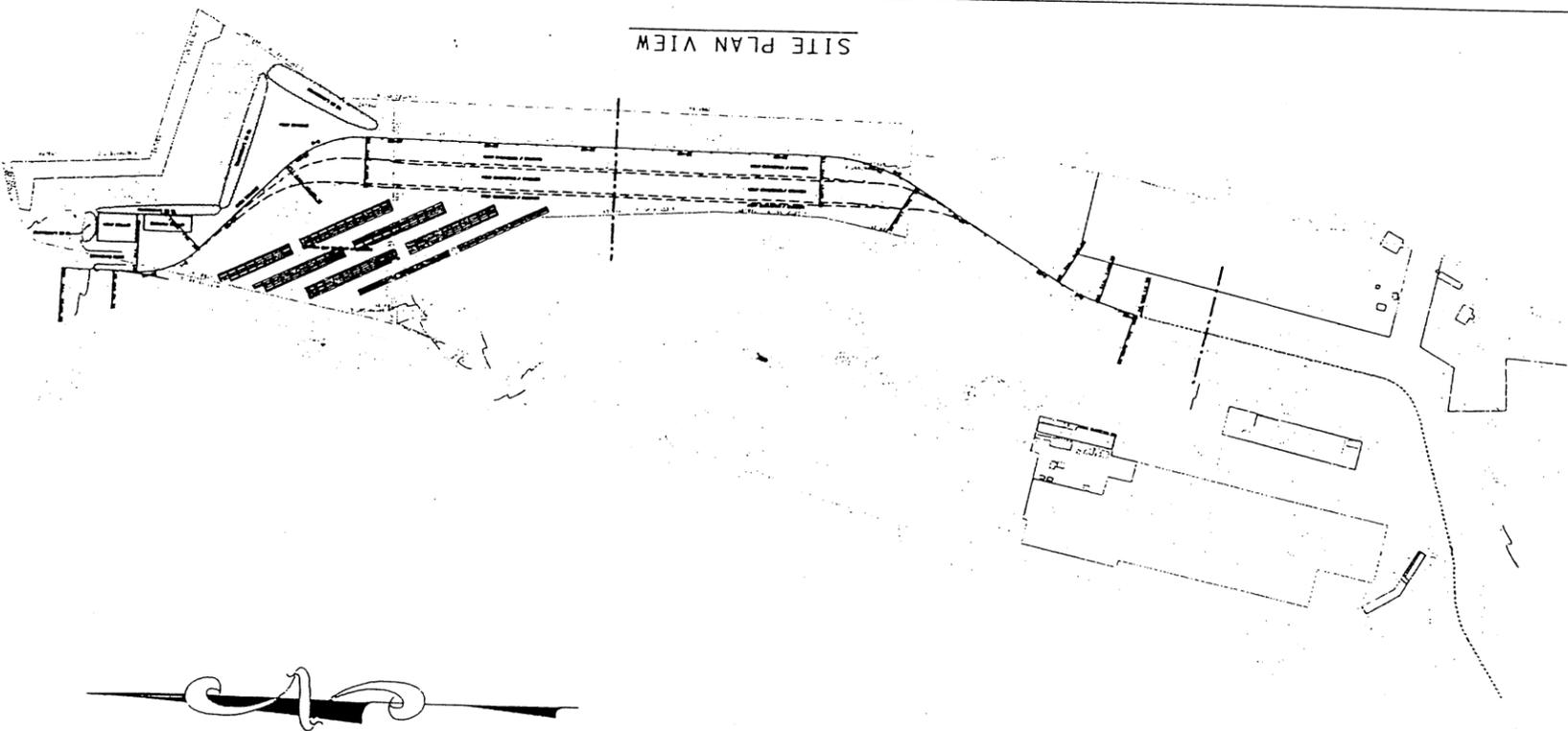
By	CHKD	Description	Date

Drawn: PEK
 Checked: RAJD
 Designed: .PEB
 Approved:

RIVERVIEW TRENTON RAILROAD
 INTERMODAL CONTAINER FACILITY
 DETROIT, MICHIGAN

Drawing Title: RIVERVIEW TRENTON RAILROAD MAIN LINE PLAN AND TYP. SECTION
 Date: 4/6/01
 Sheet No.: 01
 CTE Project No.: 40360

Figure 2. Site Plan for Intermodal Terminal



CURVE DATA

Station	PI	N	E	Δ	R	LC	T
C-1	54+32.20	173.811	811.2479	38°	13	355.55	188.53
C-2	44+19.53	173.066	9353	25°	10	573.00	259.44
C-3	15+70.55	170.205	2937	6°	13	441.00	355.55
C-4	3+12.73	169.140	5777	13°	10	573.00	259.44

Approximately 160 employees will be hired or contracted to perform work on the site. These employees will consist of the train crews and other personnel required for operation of the railroad, drivers, equipment operators, lifts), as well as management, dispatching and logistics personnel. RTRR estimates that approximately 200 additional secondary jobs will be created at other facilities as a result of the proposed action.

RTRR has located a building on the property to house the personnel who will be responsible for development of the facility, including the rehabilitation and operation of the rail line. This is a modular building, the dimensions of which are approximately 12 feet by 70 feet. The building is located on the portion of the property within the City of Riverview. RTRR intends to replace this modular structure with a more permanent structure at or near the same location. SEA has been advised that RTRR has supplied the City of Riverview with information concerning the building and a map identifying its precise location. In addition, a container repair and maintenance facility is also planned. The latter facility will be used to inspect containers interchanged between transportation modes.

The volume of trucks entering or leaving the proposed IM would range from 140 trucks per day initially to a maximum of 300 trucks per day. Truck traffic likely will be limited to the hours of 7 am to 10 pm. As noted previously (See Chapter 1, Section 1.1), the Board will assess in this Draft EA the impacts of proposed new truck traffic related to the intermodal facility. SEA analyzed potential impacts because such traffic increases would not exist but for the fact that RTRR's proposed acquisition and operation of a rail line is subject to the Board's regulatory control.

It is anticipated that, at least at the initial operational stages, there will be approximately two trains per day leaving or entering the proposed IM. The maximum length per train will be approximately 100 cars. At a length of approximately 80 feet per car, this would result in a train of approximately 8000 feet in length. Traveling at approximately 6 mph, a worst-case delay of approximately 16 minutes could result at the highway/rail at-grade crossing at Jefferson Avenue (see detailed discussion in Section 5.5). RTRR will primarily utilize the grade-separated crossing at King Street and Jefferson Avenue on the south end of the facility to access the GTW and Conrail lines. When this grade-separated crossing is used, Jefferson Avenue will not be adversely impacted by the rail operations or train traffic entering or leaving the facility. No trains other than those destined or leaving to and from the RTRR facility will use the highway/rail at-grade crossing at Jefferson Avenue.

3.2 No Action Alternative

In addition to the proposed action described above, SEA has considered a no action or no build alternative. The no action alternative would arise if RTRR were to be denied the right to redevelop the site or if RTRR were to elect on its own not to go forward with its plans as described above. In this event,

the 76-acre RTRR's property would remain essentially as it is at the present time, with the only activity occurring being that related to on-going remediation and/or containment of soil and water contamination from previous industrial activity. Existing traffic levels would be unchanged. Therefore, none of the anticipated benefits or environmental effects of the proposed action would occur.

CHAPTER 4

OVERVIEW OF THE EXISTING ENVIRONMENT

This chapter briefly describes the location, land use, social economic setting, physiography and soils, water resources, biological resources, transportation infrastructure, climate and air quality, noise, cultural resources, recreational resources, and environmental justice populations as they currently exist on or near the site of the proposed project.

4.1 Location

RTRR's shortline railroad and the 76-acre site on which it proposes to construct and operate its intermodal terminal facility (proposed project) are located in southeast Michigan. The site is located approximately 12 miles south-southwest of downtown Detroit, in Wayne County. As shown in Figure 1, Vicinity Map, RTRR's tract is partially located in the Cities of Riverview (northern portion comprising 40.49 acres) and Trenton (southern portion comprising 35.51 acres). Directly opposite the RTRR site, and separated from the site by the Trenton Channel of the Detroit River, is the island of Grosse Ile. East of Grosse Ile is the main channel of the Detroit River that separates the U.S. from Canada.

The site of RTRR's proposed project, occupies the northeast portion of the former McLouth Steel plant. The McLouth plant was located along the Detroit River in the 1940s allowing it to take advantage of both rail and river access to the Great Lakes and the Atlantic Ocean ports.

4.2 Land Use

The Photo Log in Appendix A contains photos with annotations that portray neighboring land uses discussed below. As shown in Figure 1, Vicinity Map, the site of RTRR's proposed project is bound the Trenton Channel on the east. The River is extensively used for shipping and recreational purposes. To the south is the largely underutilized remains of the McLouth plant. Some pickling operations previously owned and operated by the former McLouth Plant are now owned by Detroit Steel Center (DSC). The plant has been in continuous industrial use for more than 50 years. There is existing rail infrastructure on the property which was developed in connection with prior industrial use of the property.

To the west, RTRR's site is bordered by Jefferson Avenue, which is bounded by properties which exhibit mixed land uses. The northern portion of Jefferson Avenue (in Riverview) is primarily residential with older, two story, single and multifamily structures. The southern portion of Jefferson Avenue adjoins the former steel mill (McLouth or DSC) while areas south of Sibley Road are comprised of mixed retail, industrial and residential development. Some of the structures are abandoned and are also in a poor state of repair.

As shown in Figure 1a, beyond the area of mixed residential and commercial uses along Jefferson Avenue are the rail lines of the Grand Trunk Western Railroad (GTW) and the Conrail Shared Assets Operator (Conrail) which RTRR proposes to interchange. As seen in Figure 1a, other heavy industries such as Levy, BASF, Elf Atochem, Materials Processing, and Edison are located in the immediate vicinity. To the east of the Trenton Channel is a relatively upscale residential community located on the island of Grosse Ile. One of two connecting bridges between Grosse Ile and the mainland is the Grosse Ile toll bridge. This bridge, accessed via Bridge Road, joins Jefferson Avenue at the northern end of RTRR's property.

Several police stations, hospitals, fire stations, churches, libraries, and school facilities are all located within a two-mile radius of RTRR's property. There is significant urban infrastructure in the immediate area. The locations of all identified sensitive receptors and emergency response facilities that have the potential to be adversely impacted by the proposed project are shown in Figures 3a - 3c. See Appendix B for a listing of the sensitive receptors and emergency response facilities shown on Figures 3a - 3c.

The 76 acres on which RTRR has proposed to construct and operate have been cleared as a result of remediation activities. With the exception of a modular building, the remnants of a foundation, and the existing rail infrastructure, the property is vacant.

Following RTRR's acquisition of the 76-acre parcel in November 2000, it commissioned TMH Environmental, LLC, an environmental services firm, to prepare a Due Care Plan with respect to the remediation of the property with respect to contaminants and hazardous substances located on the property. This Plan was developed consistent with the provisions of the Michigan Natural Resources and Environmental Protection Act and specifies a series of remedial measures to address contamination on the property, including RTRR cooperation with the Michigan Department of Environmental Quality and DSC in conducting on-going remediation on the site. The Plan is discussed further in Chapter 7 of this Draft EA and a copy of the Plan is located in Appendix C. The remediation efforts are briefly discussed in Section 4.4, physiography and soils.

The site is currently zoned as industrial. The Cities of Riverview and Trenton have stated their intent to rezone the property to prohibit industrial uses. Further, the City of Trenton Brownfields Authority has expressed its intent to undertake a study of land development in the area between the Detroit River and Jefferson Avenue that includes the RTRR property. The study would result in non-binding recommendations for development of the area. Also, Wayne County has taken initial steps to take RTRR's property by eminent domain and thereby preclude its use for railroad operations. As noted previously in Chapter 1, RTRR was successful in obtaining a preliminary injunction from the U.S. District Court in April 2001 enjoining Wayne County from initiating condemnation proceedings.



LEGEND:

- C CHURCH MAP IDENTIFIER
- RECEPTOR LOCATION

LOCATION OF SENSITIVE RECEPTORS
(CHURCHES)

FIGURE
3a

N.T.S.



LEGEND:

- (SX)** SCHOOL MAP IDENTIFIER
- (NX)** NURSING HOME MAP IDENTIFIER
- RECEPTOR LOCATION

LOCATION OF SENSITIVE RECEPTORS
(SCHOOLS & NURSING HOMES)

FIGURE
3b

N.T.S.



LEGEND:

- (FX)** FIRE DEPARTMENT MAP IDENTIFIER
- (PX)** POLICE DEPARTMENT MAP IDENTIFIER
- (HX)** HOSPITAL MAP IDENTIFIER
- RECEPTOR LOCATION

LOCATION OF EMERGENCY RESPONSE FACILITIES (FIRE & POLICE STATIONS & HOSPITALS)	
FIGURE 3c	

4.3 Social and Economic Setting

Although the cities of Riverview and Trenton are considered suburbs of Detroit, the communities exhibit several of the characteristics of the inner city—declining population and abandoned commercial and industrial properties. According to the recently released year 2000 census data, Wayne County continues to lose population. In 1980 the county had 2,337,891 persons, which declined to 2,111,687 in 1990, and to 2,061,162 in 2000. Population trends for Riverview and Trenton exhibit a similar pattern of decline. The population of the Cities for the same three years are, listed in Table 4-1 below.

Table 4-1. Population Trends for Riverview and Trenton

City	1980	1990	2000
Riverview	14,569	13,894	13,272
Trenton	22,762	20,586	19,584

Unlike Wayne County, which is racially diverse with 42 percent black, 52 percent white, and 6 percent “other,” Riverview and Trenton are 94 and 97 percent white, respectively.

4.4 Physiography and Soils

The RTRR property, as well as much of the northern portion of the former steel mill site is flat. All of the native soils have been disturbed by decades of industrial activity. The current site is composed of 5 to 25 ft of fill material (primarily slag, but also debris). The thickness of the fill increases from west to east such that it forms an escarpment near the eastern side of the property near the River’s edge. Concrete bulkheads or steel sheet pilings define much of the boundary between the site and Trenton Channel. The adjoining ground surface lies approximately 6 to 15 ft above the normal level of the River, about 570-ft above mean sea level. (Trenton BEA, 2000) The built up nature of the RTRR property places it above surrounding natural landforms and therefore above the 100-year floodplain.

Site stratigraphy generally consists of fill overlying a 10 to 20-ft native, luustrine clay stratum, which, in turn, overlies limestone bedrock. (Techna, 1997) The soils are contaminated as a result of previous industrial activities. Several site investigations and two sets of baseline environmental assessments have been conducted by TMH Environmental, LLC. The results of the site investigations confirmed the presence of hazardous waste constituents in the soil and groundwater. The hazardous waste constituents detected in the soil that have been determined to exceed the State of Michigan’s Part 201 residential criteria for barium, cadmium, chromium, and lead. The presence of volatile organic compounds (VOCs) has not been detected in the soils. (Trenton BEA, 2000)

Previous site investigations have concluded that the source of the soil contamination was the fill material discussed above rather than process discharges from the McLouth plant. Remediation activities

are currently being conducted pursuant to a Consent Order entered between DSC and the Michigan Department of Environmental Quality (MI-DEQ). As reflected in the Due Care Plan prepared for RTRR (See Appendix C), RTRR has agreed to fully cooperate in these remediation efforts.

4.5 Water Resources

4.5.1 Surface Water and Wetlands

The RTRR property lies on the west bank of the Trenton Channel. The Detroit River connects Lake Huron with Lake Erie and is a major national and international waterway.

The River has importance for both ship and barge transport and as a source of recreation and wildlife habitat. A portion of the Trenton Channel just south of RTRR's property is heavily contaminated with oil, mercury, and polychlorinated biphenols (PCBs). This area is considered the most acutely toxic site on the Detroit River. Federal and State authorities have designated nine million dollars to remove and dispose of the approximately 30,000 cubic yards of contaminated sediment. (Hair, 2001)

Mongaugon Creek is located near the north boundary of RTRR's property and Bridge Road (Bridge Road connects Grosse Ile to the mainland via a toll bridge. (See Photo Log for pictures of toll bridge and Mongaugon Creek.) The portion of Mongaugon Creek passing through RTRR's property was re-routed in the late 1950s by McLouth allowing it to consolidate activities to the south of the Creek. By 1967 the mouth and original channel of Mongaugon Creek had been completely filled with slag, debris and other industrial fill material. (Trenton BEA, 2000)

There are no wetlands within the area proposed for development by RTRR and therefore no delineation of jurisdictional wetlands was conducted. The narrow margins of Mongaugon Creek and along the Detroit River are presumed to be jurisdictional wetlands, but no development, including dredging and fill activities, are anticipated in these areas. Prior to being developed for industrial uses in the earlier part of this century, the immediate area and the site itself was a large hardwood wetland. Remnants of this extensive wetland area are seen in a small tract of land at the northern end of RTRR's property. This is also the area where RTRR proposes to connect its rail operations with GTW and Conrail. In Photo 1 in Appendix A, the dense vegetation growth at the left side of the photo is part of this remnant.

4.5.2 Groundwater

Shallow groundwater lenses exist within the fill material covering RTRR's property. The groundwater flow is from west to east with discharge into the Trenton Channel. Groundwater has not been observed at the native clay-bedrock interface. (Techna, 1997)

As noted above in the discussion of soil contamination, previous site assessments have confirmed the presence of contaminated groundwater on RTRR's property. Shallow groundwater concentrations of barium, chromium, cadmium, and lead exceed State's Part 201 residential criteria. (Trenton BEA, 2000) This groundwater does not come in contact with aquifers and does not pose a threat to drinking water supplies. (Techna, 1997)

4.6 Biological Resources

As noted earlier and evidenced in the Photo Log (Appendix A), RTRR's property is virtually devoid of vegetation with the exception of a narrow band of hardwoods that line the banks of Monguagon Creek. With the exception of several small trees growing near a fence on the west side of RTRR's property, there is virtually no habitat available for terrestrial fauna.

Although polluted, the Detroit River provides an important habitat for several species of birds. Regionally, at least 29 species of waterfowl and 65 species of fish dwell in and along the Detroit River and its associated tributaries. Moreover, the Detroit River serves as a major migration route for both fish and birds. The Detroit Audubon Society has observed more than 300 species of birds along the Detroit River corridor with 150 known to breed in the area. (Hartig, 1999)

As noted earlier, most of the shoreline bordering RTRR's property has been significantly altered through installation of the steel sheet pilings and concrete bulkheads. These man-made structures discourage wildlife habitation. The nature of the fill material as it approaches the shoreline, pilings, and bulkheads create an inhospitable environment.

Important biological resources identified by the State within the vicinity of RTRR's property include possibly rare, threatened, or endangered species as catalogued by the Michigan Natural Features Inventory (MNFI). See Appendix E for a detailed list of these biological resources.

4.7 Transportation

This site was selected for RTRR's proposed project because of its existing rail infrastructure, good connections with nearby Class I railroads and the potential to bring together the three legs of a true intermodal facility--truck access via nearby interstate highways, rail access via interchange with GTW and Conrail, and the potential for future development of barge and ocean-going ship access. The current on-site barge and ship docking facilities will require substantial improvements prior to initiating their use. Jefferson Avenue, a State Trunkline, is a 4-lane thoroughfare running roughly parallel to the Detroit River with an average daily traffic (ADT) of 10,400 (SEMCOG, 1999). The current ADTs for Sibley Road, King Street, and Fort Road are presented in Section 5.5 Tables 5-1.

A detailed transportation impact analysis is presented in Section 5.6.

4.8 Air Quality

Despite its heavy industrial character and a population exceeding 5 million, southeastern Michigan is in attainment for all national ambient air quality standards established under the Federal Clean Air Act and administered by the U.S. Environmental Protection Agency. Air quality throughout Michigan has improved over the past 30 years. (MDEQ, 2000) The improvement in air quality results from a combination of several factors, including superior emission controls at industrial point sources and automobiles, increased fuel efficiency standards in automobiles, and relatively low population growth as compared to other parts of the U.S.

Michigan's climate is favorable for the dispersion of air pollutants and prevention of climatic patterns that contribute to the formation of ground level ozone and other pollutants. The preventative climatic factors include prevailing westerly winds, locally induced lake to shore and shore to lake breezes, and high precipitation that tends to cleanse the atmosphere. (MDEQ, 1999)

Data collected July 18-20, 2001 was used to determine potential adverse environmental impacts to air quality. Section 5.9 describes in detail the air quality impact analysis.

4.9 Noise

Currently, there is no significant noise generated at RTRR's property. Vehicular traffic on Jefferson Avenue is the predominant source of noise generated in the vicinity of RTRR's property. Historically, the former McLouth Plant was a significant source of noise in the community.

4.10 Cultural Resources

As discussed earlier in Sections 4.2, Land Use and 4.4, Soils and Physiography, the entire site has been disturbed and covered with several feet of fill material. Additionally, the entire area has been heavily industrialized for more than 100 years.

4.11 Recreational and Visual Resources

There are no on-site recreational facilities. There are several county and city parks within a two mile radius of the site. The Cities of Trenton and Riverview have 16 and 12 public parks, respectively. The aesthetic quality of the immediate vicinity is poor due to the area's industrial setting. Many buildings and equipment at the former McLouth Plant have rusted and show obvious signs of age and deterioration. See Appendix A for photographs of the site. With a few exceptions, the commercial and residential structures in the immediate vicinity reflect general deterioration.

The local governments on both sides of the Trenton Channel have stated that they have plans to redevelop the shoreline from heavy industry to recreational, planned residential units, and retail.

CHAPTER 5

ENVIRONMENTAL CONSEQUENCES OF PROPOSED RAILROAD AND INTERMODAL FACILITY

This Chapter evaluates the potential environmental effects resulting from the construction and operation of RTRR's proposed short line railroad and intermodal terminal facility (proposed IM). The Chapter discusses the following environmental impact areas: land use; social and economic effects; physiography and soils; water resources; biological resources; transportation systems - local roadways, highway/rail at-grade crossings, safety, traffic delay, and emergency response delay; energy; navigation; air quality; noise; cultural resources; recreational and visual resources; environmental justice, and cumulative effects.

The Board's thresholds for environmental analysis, as defined by 49 CFR 1105.7(e)(6), specify noise and air quality analyses for the following:

- All rail line segments where traffic would, as a result of the RTRR's proposed intermodal freight operations, increase by at least eight trains per day or at least 100 percent as measured in annual gross ton-miles.
- All rail yards with an increase in carload activity of at least 100 percent.
- All intermodal facilities with an increase of at least 50 trucks per day or 10 percent of the average daily traffic on affected roadways, including passenger cars and trucks.

Based on RTRR's Application, SEA determined that the proposed increase in train traffic, approximately 2 additional trains per day, does not exceed the Board's threshold for noise and air quality analyses. However, RTRR's proposed increase in new truck traffic, initially 140 new trucks per day and increasing to approximately 300 new trucks per day, on local roadways exceeds the Board's threshold for noise and air quality analyses. See Table 2-1.

5.1 Land Use

SEA believes that the project, as proposed by RTRR, would be consistent with existing land use and zoning. The State of Michigan Department of Natural Resources, has stated that the project, as proposed, should not result in adverse impacts to rare or unique natural features (See Appendix F). The property on which RTRR's proposed project would be located has historically been devoted to industrial and related transportation use and currently has the rail infrastructure in place.

SEA notes that the City of Trenton has objected to the use of the property as proposed by RTRR, and that the City hopes to redevelop the property for mixed use purposes. The City's intentions in this regard are not consistent with RTRR's rail plans over which the Board has exclusive jurisdiction. SEA notes in this regard that the U.S. District Court for the Eastern District of Michigan has determined through its issuance of an injunction barring Wayne County's efforts to take the RTRR property for other uses, that RTRR is entitled to proceed with its rail plans notwithstanding that local governments may prefer other uses for the property.

5.1.1 Social and Economic Effects

The proposed project would result in the direct hiring of approximately 160 persons and indirectly result in the creation of several hundred additional jobs. This would essentially restore job losses resulting from the decline and eventual closing of the McLouth Plant, which had approximately 5,000 employees at its height. SEA believes that this project, as proposed, would help to offset the industrial decline that has taken place in recent years. In addition, the proposed project would generate much needed local tax revenues.

The projected increase in both truck traffic and train traffic (approximately two trains per day) may impede the response time of essential emergency services such as police, fire, and ambulance. However, any potential infrequency of train traffic using the highway/rail at-grade crossing into and out of the facility (most trains will use the grade separated crossing of Jefferson Ave.) will minimize any adverse impacts. Transportation and safety impacts resulting from projected truck traffic increases are described in Section in 5.5.

5.2 Physiography and Soils

The proposed project would not exacerbate the existing soil contamination or adversely impact prime farmland. The site has been plagued by years of industrial use and extensive backfilling with contaminated fill material. SEA also notes that because RTRR intends to operate under the provisions outlined in the Due Care Plan that the local physiography will not be adversely impacted. These provisions of the Due Care Plan are discussed in Chapter 7, Proposed Mitigation. A copy of the Due Care Plan is presented in Appendix C.

5.3 Water Resources

5.3.1 Surface Water and Wetlands

Because no disturbance or surface water runoff will be permitted by the Due Care Plan from the proposed project in the vicinity of the Trenton Channel and Mongaugon Creek no adverse environmental impacts to surface water or any marginal wetlands are expected. All surface water discharge issues are governed by the provisions of the Due Care Plan as well as any storm water discharge permit that may be

required by local authorities or under the National Pollution Discharge Elimination System (NPDES) administered by MDEQ and EPA. See Chapter 7, Proposed Mitigation for a complete discussion of the Due Care Plan. The proposed project is consistent with applicable Federal, state, and local water quality standards. There are no wetlands that will be adversely impacted by the proposed project, and therefore no Section 404 permits will be required. Groundwater would not be adversely impacted by the proposed Project. As stated above, all actions that may result in impacts to surface and/or ground water are governed by the Due Care Plan.

5.4 Biological Resources

Due to the lack of flora and fauna on the RTRR's site, the proposed project would not result in any adverse impacts to biological resources, including critical habitat, endangered or threatened species, wildlife refuges, parks, or forests.

5.5 Transportation

The proposed project and associated IM would result in transportation changes that are both positive and negative. As noted in Chapter 1, the proposed project would meet a pressing regional transportation need. Currently, shipments of automotive and other industry freight suffer from the absence of sufficient capacity at existing intermodal transfer facilities. RTRR's proposed IM would enhance the efficient transportation of intermodal freight in the Wayne County/Detroit metropolitan area.

As noted above, RTRR projects a decrease in truck traffic in the Wayne County/Detroit metropolitan area. This projection is based on the expected use of RTRR's shortline railroad and intermodal terminal facility by shippers that would otherwise transport their freight via all-highway routings. As a result, traffic congestion on local Interstates and roadways would be reduced.

SEA believes that the addition of approximately 300 trucks per day and two trains per day of up to 100 rail cars in length crossing Jefferson Avenue would result in some, but not significant adverse transportation impacts to the surrounding area. These potential adverse impacts are the most frequently stated rationale for the opposition to the proposed project voiced by local government officials. See Section 5.6.4 for a complete discussion of safety impacts.

SEA analyzed potential traffic related impacts within the study area. As part of its analysis, SEA examined the existing traffic conditions (under the worst case scenario) to determine what affect truck traffic generated by the proposed project would have considering projected traffic growth in the year 2008. It is at this time that the proposed project is expected to be operating at its peak. In addition, the currently dormant Jefferson Avenue highway/rail at-grade crossing, north of RTRR's property, will be operational on or before that time.

5.5.1 Transportation Effects to Local Roadways and Identification of Alternative Truck Routes

The most likely truck routes between RTRR's proposed project and I-75 were identified based on observations and timed test runs of all alternative routes.

The most efficient truck routes between the proposed project and I-75 were identified using the following criteria:

- Existing truck activity ;
- Density of residential development ;
- the number and density of signalized or all-way stop-controlled intersections;
- weight restrictions;
- speed limits; and
- number of lanes.

Timed test runs were performed while driving the alternative routes to determine the most likely truck routes to be utilized. SEA used the results of observations and timed test runs to determine which routes could most efficiently handle a majority of the site-generated truck traffic. Since more than one alternative route is available, SEA estimated the percentage of trucks that would use the various alternative routes. The alternative truck routes evaluated by SEA are described below:

Proposed Routes to be Used by Trucks Arriving from and Heading towards the North

After measuring travel times, it was determined that trucks exiting the proposed IM heading northbound (NB) toward I-75 would use the routes described below. Similarly, those trucks arriving to the proposed IM from the north would use the same routes in a reverse fashion.

- Site entrance left onto Jefferson Ave, south on Jefferson Ave to Sibley Rd, west on Sibley Rd to NB I-75. It was determined that this route will carry a majority of the site-generated truck traffic to and from the north. It was assumed that 90% of the site-generated truck traffic would use this route.
- Site entrance left onto Jefferson Ave, south on Jefferson Ave to Sibley Rd, west on Sibley Rd to Fort St, north on Fort St to NB I-75. It was assumed that 5% of the site-generated truck traffic would use this route.
- Site entrance right onto Jefferson Ave, north on Jefferson Ave to Eureka Rd, west on Eureka Rd to Allen Rd, north on Allen Rd to NB I-75. It was assumed that the remaining 5% of the site-generated truck traffic would use this route.
- Likewise, it was assumed that trucks traveling from the north (from SB I-75 to the proposed IM) would use the routes described above in reverse.

Proposed Routes to be Used by Trucks Arriving from and Heading towards the South

After measuring travel times, it was determined that trucks exiting the proposed IM heading southbound (SB) toward I-75 would use the routes described below. Similarly, those trucks arriving to the proposed IM from the south would use the same routes in a reverse fashion.

- Site entrance left onto Jefferson Ave, south on Jefferson Ave to King Rd, west on King Rd to Fort St, south on Fort St to SB I-75. It was determined that this route will carry a majority of the site-generated truck traffic to and from the south. It was assumed that 90% of the site-generated truck traffic would use this route.
- Site entrance left onto Jefferson Ave, south on Jefferson Ave to Sibley Rd, west on Sibley Rd to SB I-75. It was assumed that 5% of the site-generated truck traffic would use this route.
- Site entrance left onto Jefferson Ave, south on Jefferson Ave to King Rd, west on King Rd to Allen Rd, south on Allen Rd to West Rd, west on West Rd to SB I-75. It was assumed that the remaining 5% of the site-generated truck traffic would use this route.
- Likewise, it was assumed that trucks traveling from the south (from SB I-75 to the proposed IM) would use the routes described above in reverse.

The volume of trucks entering or leaving the proposed IM will range from an initial 140 trucks per day to a projected level of approximately 300 trucks per day all of which likely will be limited to the hours between 7 am to 10 pm. These trucks will typically be 18-wheel, semi-tractors. Each additional truck would increase the average daily traffic (ADT) of affected roadways in the vicinity of the proposed IM by two truck trips (haul statistics from IM facilities show an average of 32% of trucks arrive or leave empty).⁵ Table 5-1 presents the existing ADT levels and the expected percentage increase as a result of the proposed project.

Table 5-1. Percentage Increases in Traffic Due to IM Truck Traffic

Road	Existing ADT	Added Trucks (Initial)	Percentage Increase	Projected 2008 ADT	Added Trucks (Maximum capacity 2008))	Percentage Increase
Jefferson	10,400	140	1.35%	11,200	300	2.68%
Sibley	8,000	92	1.15%	8,600	195	2.27%
King	6,800	45	0.66%	7,300	95	1.3%
Fort (N)	40,500	5	0.01%	43,500	10	0.02%
Fort (S)	17,600	42	0.24%	18,900	90	0.48%

⁵ ADT data was obtained from the Michigan Department of Transportation, the Wayne County Division of Roads, and the local Metropolitan Planning Organization (MPO), Southeast Michigan Council of Governments (SEMCOG), for each alternative truck route.

Without access to origin and destination data, SEA made the following assumptions:

1. Two-thirds, or 67%, of the trucks would travel to and from the north and one-third, or 33%, would travel to and from the south. This assumption was based on the majority of automotive industry being located north of RTRR's proposed project. Due to the relatively small percentage of increased traffic, the traffic analysis results are not sensitive to changing this assumption.
2. 10% of the daily, site-generated truck traffic would be traveling to and from the proposed IM during the peak hour (the hour in which the highest volume of traffic occurs). See Appendix I for details of site-generated truck traffic volume and summaries.

As shown in Table 5-1, the percent increase in ADT for any roadway under worst case conditions is about 3%, which is not considered significant.

Intersection Capacity Analysis

Conventional analysis of intersection capacity involves a determination of the *level of service* (LOS). LOS "A" describes intersection performance with minimal delay, while LOS "F" describes intersection failure with extensive delays and long vehicular queues.⁶ Level of services A and B are characterized by primarily free flow conditions. Level of service C provides stable operations, but lane changes require added care from the driver. All vehicles clear a signal in one signal cycle with levels of service A, B, and C. Level of service D borders on unstable flow. A minor accident would cause queuing of vehicles. Most vehicles would clear the signal in one cycle, but a few turning vehicles, especially multiple trucks in a row, may not clear the signal in one cycle. Level of service F is characterized by queues and congestion. Changing lanes is difficult with LOS F. Some lanes of traffic may take two or more signal cycles to clear the intersection. For most transportation projects, LOS C is the preferred minimum, with LOS D acceptable. SEA concluded that multiple train events would result in a significant deterioration if LOS A-C decreased to LOS D or worse as a result of the additional site-generated truck traffic and/or blocked highway/rail at-grade crossings. This method defines LOS in terms of delay, or more specifically, control delay per vehicle (delay induced by traffic signal control). See Table 5-2, "Level-of-Service Criteria for Signalized Intersections," below.

⁶ The Analysis of signalized intersections for this study was conducted utilizing the operational analysis procedure as outlined in the Highway Capacity Manual 2000 (HCM).

Table 5-2. Level-of-Service Criteria for Signalized Intersections

Level of Service (LOS) Characteristics	Average Stopped Delay Per Vehicle (seconds)
A	≤10.0
B	>10.0 and ≤20.0
C	>20.0 and ≤35.0
D	>35.0 and ≤55.0
E	>55.0 and ≤80.0
F	>80.0
Source: Highway Capacity Manual 2000	

SEA analyzed the effects of increased site-generated truck traffic on local roadways during the peak hour (when traffic is at its highest) by calculating the change in LOS and delays at key intersections along the most likely traveled truck routes between the proposed IM and I-75. The following signalized intersections within the study area were analyzed:

- Jefferson Avenue/Sibley Road.** The intersection of Jefferson Avenue and Sibley Road is a three-legged signalized intersection. Jefferson Avenue, with an ADT of 10,400 north and south of Sibley Road, provides two lanes of traffic in each direction. The northbound leg has two through lanes and a left turn bay while the southbound leg has a through lane and shared through/right lane. Sibley Road is an east-west local road with an ADT of 8,000 at Jefferson Avenue and has both a right-turn and left-turn lane.
- Jefferson Avenue/King Road.** The intersection of Jefferson Avenue and King Road is a three-legged signalized intersection. Jefferson Avenue, with an ADT of 10,400 north of King Road and an ADT of 11,400 south of King Road, provides two lanes of traffic in each direction separated by a narrow median. The northbound leg has two through lanes and a left turn bay while the southbound leg has a through lane and shared through/right lane. King Road is an east-west local road with two lanes in each direction and an ADT of 6,800 at Jefferson Avenue and has both a right-turn and left-turn lane.
- Fort Street (M-85)/Sibley Road.** The intersection of Fort Street (M-85) and Sibley Road is a four-legged signalized intersection. Fort Street, with an ADT of 40,500 north of Sibley Road and an ADT of 17,600 south of Sibley Road, provides three lanes of traffic in each direction separated by a wide, grass median. The northbound leg has three through lanes and right-turn bay while the southbound leg has two through lanes and a shared through/right lane. There are indirect left-turn crossovers on Fort Street to accommodate all left-turn movements. Sibley Road is an east-west local road with an ADT of 12,500 east of Fort Street and an ADT of 16,800 west of Fort Street. The eastbound and westbound legs both have a through lane and a shared through/right lane. To simplify analysis, this intersection was analyzed as a regular four-legged intersection as opposed to a wide median separated intersection.

- **Fort Street (M-85)/King Road.** The intersection of Fort Street (M-85) and King Road is a four-legged signalized intersection. Fort Street, with an ADT of 17,600 north and south of King Road, provides three lanes of traffic in each direction separated by a wide, grass median. The northbound and southbound legs have two through lanes and a right-turn bay. There are indirect left-turn crossovers on Fort Street to accommodate all left-turn movements. King Road is an east-west local road with an ADT of 6,800 east of Fort Street and an ADT of 16,800 west of Fort Street. The eastbound and westbound legs both have a through lane and a shared through/right lane. To simplify analysis, this intersection was analyzed as a regular four-legged intersection as opposed to a wide median separated intersection.

While it was not possible to perform turning movement counts at each intersection, 15-minute turning movement counts were performed at the following locations allowing SEA to estimate the turning movements percentages:

- Jefferson Avenue at Sibley Road, all movements;
- Jefferson Avenue at King Road, all movements; and
- Fort Street (M-85) at Sibley Road, westbound Sibley Road.

Turning percentages at Fort Street on westbound King Road were assumed to be similar to those on westbound Sibley Road. Assumptions for the turning percentages for the remaining turning movements were also made. See Appendix I for the turning movement percentages at each intersection.

Peak-hour ADT volumes were determined using a 10 percent factor to convert ADT volumes, in vehicles per day, to peak-hour traffic volume, in vehicles per hour. A 53 percent factor was then used to convert two-way traffic to peak-direction traffic.⁷ The turning movement percentages (based on data collected in the field using the 15-minute turning counts described above) were then used to distribute peak-hour volumes at each intersection (Please see Appendix I for the intersection volume and turning movement summaries).

Tables 5-3 and 5-4, “Projected Peak-Hour Intersection Performance” and “Projected Peak-Hour Intersection Performance,” present the results of SEA’s analysis of LOS and vehicle delays at each of the aforementioned intersections. Table 5-3 shows that the new truck traffic associated with the initial operation of the proposed IM does not decrease the LOS for the intersections through which new truck traffic would travel to and from I-75. Table 5-4 shows that new truck traffic calculated for the "maximum operation" condition does not degrade intersection performance below an acceptable LOS. As seen in tables below, the maximum change in average delay is 0.3 seconds per vehicle, meaning the proposed new truck traffic adds, at most, an average of 0.3 seconds of delay to vehicles passing through the primary

⁷ This conversion factor was calculated from the 24-hour counts provided by the Wayne County Division of Roads.

intersections to be used by the trucks. Therefore, SEA does not believe increased truck traffic resulting from RTRR's proposed project will adversely impact LOS on local roadways.

Table 5-3. Existing Peak-Hour Intersection Performance

Intersection	Existing		Existing + Site-Generated Truck Traffic ^a	
	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
Jefferson Ave / Sibley Rd	B	15.8	B	15.8
Jefferson Ave / King Rd	A	9.7	A	9.8
Fort St (M-85) / Sibley Rd	B	17.3	B	17.5
Fort St (M-85) / King Rd	B	15.5	B	15.5

^aExisting traffic volume plus initial 140 trucks/day

Table 5-4. Projected Peak-Hour Intersection Performance

Intersection	Projected Maximum Operation Year		Projected + Site-Generated Truck Traffic ^b	
	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
Jefferson Ave / Sibley Rd	B	16.0	B	16.2
Jefferson Ave / King Rd	A	9.8	A	9.9
Fort St (M-85) / Sibley Rd	B	19.8	C	20.1
Fort St (M-85) / King Rd	B	16.1	B	16.2

^bProjected 2008 traffic volume plus 300 trucks/day.

5.5.2 Transportation: Highway/Rail At-Grade Crossing Delay

SEA evaluated the impact of vehicle delays at highway/rail at-grade crossings just west of Jefferson Avenue on Sibley Road and King Road. RTRR intends to use the separated grade crossing at King Road and Jefferson Avenue located at the south end of its property to access the GTW and Conrail main lines most of the time. Under this scenario, Jefferson Avenue will not be adversely affected by the increase of train traffic. However, there will be occasions when the highway/rail at-grade crossing located on the north end of the RTRR's property will be used and impact traffic flow on Jefferson Avenue, although this highway/rail at-grade crossing on Jefferson Avenue will not be used during the base year.

Vehicle delays from single train events were analyzed by calculating the following parameters:

- Blocked crossing time per train;
- Crossing delay per stopped vehicle; and

- Maximum vehicle queue.

To evaluate the effects that would occur over an entire day from multiple train events the following parameters were analyzed:

- Number of vehicles per day;
- Average delay for all vehicles; and
- level of service (LOS).

Transportation: Level of Service (at-grade crossing)

The LOS criteria for signalized intersections (discussed above) was considered acceptable for estimating vehicle delay at highway/rail at-grade crossings for the following reasons: (1) similarities between signalized intersections and highway/rail at-grade crossings, and (2) the lack of a similar measure of efficiency for highway/rail at-grade crossings.

The LOS at intersections and highway/rail at-grade crossings for both existing and projected truck traffic and train volumes during both the existing and projected years traffic volumes was determined in order to estimate their impact on traffic operations. Table 5-5 presents the results of the analysis of LOS at intersections and highway/rail at-grade crossings, based on calculations for crossing delays and vehicle delay counts included in Appendix I.

As seen in the Table 5-5, SEA's analysis indicates that projected increase in truck and train traffic will not result in adverse transportation impacts to LOS at key intersections and highway/rail at-grade crossings. Therefore, no mitigation is warranted.

5.5.3 Transportation: Emergency Vehicle Response Delay

In many communities, fire, police, and emergency medical response vehicles rely on the ability to use highway/rail at-grade crossing in order to respond to emergencies. Because blocked highway/rail at-grade crossings can delay emergency response vehicles, the extent to which these projected delays may result from the increased numbers of trains originating from RTRR's proposed project were evaluated. In addition, the Cities of Riverview and Trenton have raised concerns about emergency response.

Police facilities are located north of Tollbridge Road, on Grosse Ile, west of the project area, and south of the project area in Trenton. Fire departments also have access from all compass points including numerous routes devoid of highway/rail at-grade crossings. Hospitals are located north of Bridge Road, between Bridge Road and Grosse Ile Parkway, and south of Grosse Ile Parkway. The emergency response personnel that staff these facilities are accustomed to working around active highway/rail at-grade crossings. While emergency response vehicles may experience adverse impacts due to a

highway/rail at-grade crossing, multiple, alternative routes exist as described above in Table 5-6. Figure 3c shows the location of all identified emergency response facilities while Appendix B identifies these emergency response facilities by name and address.

While emergency response vehicles may experience highway/rail at-grade crossing delays, at Jefferson Avenue, when RTRR utilizes its rail connection at the north end of its property, several alternative routes exist to all areas. See Table 5-6 for a list of other grade-separated crossings in the vicinity of the proposed project. Additionally, SEA notes that in most cases RTRR will use the grade-separated crossing at the south end of its property.

Table 5-5. Highway/Rail At-Grade Crossing Vehicle Delay and Queues

	Number of Lanes	ADT	Avg. Train Speed (mph)	Trains per Day*	Avg. Train Length (feet)	Blocked Crossing Time per Train (min)	Crossing Delay per Stopped Vehicle (min)	Max Vehicle Queue	No. of Vehicles Delayed per Day	Average Delay for all Vehicles (sec)	Level of Service
Sibley Rd (Just West of Jefferson Ave.)											
Existing Traffic	2	8,000	12	37	1,920+	2.00	1.31	15	412	8.09	A
Existing Traffic + site traffic	2	8,091	12	40**	2,380++	2.75	1.81	20	619	16.65	B
Projected Traffic	2	8,600	12	37	1,920+	2.00	1.34	16	442	8.29	A
Projected Traffic + site traffic	2	8,795	12	40**	2,380++	2.75	1.87	22	673	17.12	B
King Rd (Just West of Jefferson Ave.)											
Existing Traffic	4	6,800	12	37	1,920+	2.00	1.25	7	350	7.73	A
Existing Traffic + site traffic	4	6,845	12	40**	2,380++	2.75	1.73	9	524	15.87	B
Projected Traffic	4	7,300	12	37	1,920+	2.00	1.28	7	376	7.88	A
Projected Traffic + site traffic	4	7,395	12	40**	2,380++	2.75	1.77	9	566	16.21	B
Jefferson Ave (Just Southwest of Bridge Rd)											
Projected Traffic	4	11,200	6	2	8,000+++	15.65	11.75	78	244	30.63	C
Projected Traffic + site traffic	4	11,210	6	2	8,000+++	15.65	11.75	78	244	30.64	C

* includes all events requiring gate closings: train crossings, moving trains, maintenance work, etc.

** includes three (3) trains entering/exiting from RTRR's facility using the grade separated crossing at King Road and Jefferson Avenue.

+ average train length: 37 trains per day at 1,920 ft each.

++ average train length: 37 trains per day at 1,920 ft each and 3 trains per day (from RTRR's facility) at 8,000ft each.

+++ average train length: 2 trains per day (from RTRR's facility) at 8,000ft each.

Table 5-6. Grade-Separated and At-Grade Crossings Near RTRR's Proposed IM

Type of Crossing	Location	Comments
Grade-separated crossings		
Eureka Road underpass	Approximately 2,900 feet west of Jefferson Avenue.	
West Road overpass	Approximately 1,300 feet west of Jefferson Avenue.	
Jefferson Avenue underpass	McLouth Steel plant connection at King Road.	This is the grade-separated crossing by which RTRR will access the Conrail and GTW mainline tracks.
Highway/rail at grade crossings		
Pennsylvania Avenue	Approximately 1,800 feet west of Jefferson Avenue.	
Sibley Road	Approximately 400 feet west of Jefferson Avenue.	
King Road	Approximately 400 feet west of Jefferson Avenue.	
Jefferson Avenue	Approximately 400 feet southwest of Bridge Road.	This is the at-grade crossing by which RTRR will access the Conrail and GTW mainline tracks.

5.5.4 Transportation: Highway/Rail At-Grade Crossing Safety

Safety concerns increase when LOS deteriorates to LOS E and LOS F. At LOS E and LOS F, drivers become frustrated and lose patience. Drivers may make rash decisions and attempt to negotiate around activated or gates in the down position to beat an oncoming train. Drivers may also assume that it is safe to cross after a train has passed even while the gates are still activated, not realizing that a second train may be coming behind the first train or on another track. However, the LOS at the highway/rail at-grade crossings along Sibley Road, King Road, and Jefferson Avenue are predicted to be no worse than LOS C. Moreover, these occurrences are minimized with proper warning mechanisms such as pavement markings, signage, and train-activated devices like gates, flashing lights, bells, and highway traffic signals which are already in place.

5.6 Energy

Energy was not treated as a topic for environmental baseline. Instead, estimates of energy impacts were treated qualitatively as trade-offs between truck and rail fuel efficiency. RTRR's proposed acquisition and operation of a rail line and intermodal facility would have a positive effect on overall energy. By reducing truck traffic and increasing shipping efficiencies, the proposed project should decrease fuel usage and therefore result in an overall increase in energy efficiency. No energy resources or recyclables will be transported and the proposed project will have no known impact on recyclable commodities. The effects on the transportation of energy resources such as coal or oil were not

quantified. However, it is estimated that these slight changes would not result in adverse impacts the transportation of energy resources.

5.7 Navigation

The addition of ships and barges as an additional mode of transportation is not being considered for the near future (within less than 4 years from now). Therefore, SEA did not conduct an analysis of potential adverse impacts. When this mode of transportation is considered for implementation, the impacts of increased freight train traffic on rail line segments with movable bridges crossing navigable waterways will be evaluated at that time. In addition, any impacts on changes in the volume of freight handled by the port will also be evaluated.

5.8 Air Quality

SEA evaluated potential effects on air quality County wide. SEA assessed the effects of RTRR's proposed changes in rail operations and related changes in freight-truck traffic operations on air quality. Trains and trucks emit pollutants that include the following: Nitrogen oxides (NO_x), Sulfur Dioxide (SO₂), VOCs (which generally are hydrocarbons [HC]), Carbon Monoxide (CO), particulate matter less than 10 microns in diameter (PM₁₀), and lead. U.S. Environmental Protection Agency (EPA) has developed National Ambient Air Quality Standards (NAAQS) for each of these pollutants, except VOCs, which contribute to the formation of ozone (O₃). EPA established a NAAQS for O₃. These standards identify the allowed concentrations of these criteria pollutants to protect public health and welfare. (See Table 5-7, "NAAQS for Criteria Pollutants")

Table 5-7. NAAQS for Criteria Pollutants

Pollutant	Averaging Period	NAAQS	
		Ppm ^a	µg/m ₃ , ^b
Particulate Matter Less Than 10 Microns in Diameter (PM ₁₀)	Annual	N/A	50
	24 Hour	N/A	150
Sulfur Dioxide	Annual	0.030	80
	24 Hour	0.14 ^c	365 ^c
	3 Hour	0.5	1,300
Nitrogen Dioxide (NO ₂)	Annual	0.053	100
Ozone (O ₃)	1 hour	0.12 ^c	235 ^c
	8 hour	0.08	157
Carbon Monoxide (CO)	8hour	9 ^c	10,000 ^c
	1 hour	35 ^c	40,000 ^c
Lead	Calendar Quarter	N/A	1.5

^a Concentration of criteria pollutant in ambient air in parts per million.

^b Measured in micrograms per cubic meter.

^c Measured concentration is not to exceed NAAQS more than once per year.

N/A Not applicable

Source: 40 CFR Part 50 (National priority and Secondary Ambient Air Quality Standards)

Current Attainment Status of the NAAQS

The EPA has classified the air quality control regions within the State of Michigan as either attainment, nonattainment, or unclassifiable based on their compliance with NAAQS. An area is classified separately for each criteria pollutant. An area whose air quality is within the NAAQS for a criteria pollutant is designated as attainment for that pollutant. Areas that fail to meet the NAAQS for one of the criteria pollutants are termed nonattainment for that pollutant. Nonattainment areas are further classified as extreme, severe, serious, moderate, or marginal depending on the severity of the air pollution problem. An area may be designated as unclassifiable if insufficient data exists to make an attainment determination. Additionally, an area that was previously designated nonattainment and subsequently redesignated to attainment is referred to as a maintenance area.

Wayne County is currently designated as attainment for NO_x, VOC, and Pb. The County is designated as maintenance for CO, O₃ and PM₁₀. Wayne County was redesignated as attainment-maintenance for CO effective August 30, 1999 (64 FR 35017). The redesignation as attainment-maintenance for O₃ was effective April 6, 1995 (60 FR 12459) and the redesignation of Wayne County as attainment-maintenance for PM₁₀ took effect August 5, 1996 (61 FR 40516).

State Implementation Plan (SIP)

Because the County has been classified as a maintenance area for CO, O₃ and PM₁₀. The State is required, by EPA, to submit a SIP that identifies control strategies for maintaining the attainment status for these three pollutants. The County is classified as attainment for all other NAAQS; therefore, the SIP for these pollutants is designed to maintain the present attainment status. The SIP is a plan that includes emission limitations and control measures used to attain and maintain the NAAQS. The SIP is a dynamic plan that is continuously revised to reflect new information, as it becomes available.

5.8.1 Governing Regulatory Agencies

Wayne County's air quality planning and protection is governed by Federal, state and local regulatory agencies. These agencies, their responsibilities, and their role as it pertains to this Draft EA are discussed below.

Federal Agencies

The U.S. Environmental Protection Agency (EPA) is the Federal agency with primary responsibility for establishing the nation's policies for air quality, promulgating air quality standards, and providing oversight to state and local agency air quality programs. Wayne County is under the jurisdiction of EPA's Region 5, which is headquartered in Chicago, Illinois. The EPA will have an opportunity to review and comment on the Air Quality Assessment presented in this Draft EA for consistency with the goals and guidelines that have been established for improving and protecting air quality.

As stated in Section 3, the U.S. Department of Transportation (DOT) is the Federal agency with primary responsibility for the development of Federal transportation programs and transportation policies. The DOT oversees air, water, and land transportation systems, collects transportation statistics, and is charged with ensuring safe transportation methods. DOT performs many of its responsibilities through several agencies, including the Federal Railroad Administration, Federal Motor Carrier Safety Administration, Federal Aviation Administration and the U.S. Coast Guard. The Surface Transportation Board, which is another sub-unit of DOT, is the Federal agency with primary responsibility for the preparation of this Draft EA.

State Agencies

The EPA has delegated regulatory and compliance authority to the Michigan Department of Environmental Quality (MDEQ) Air Quality Division. MDEQ is authorized to issue permits for the control of air pollution, inspect facilities for compliance with air pollution laws and regulations, and enforce those laws and regulations to correct noncompliance.

Local Agencies

The Wayne County Department of Environment (WCDE), Air Pollution Management Division has authority over local air emission sources. The WCDE enforces the Wayne County Air Pollution Control Ordinance, which adopts, by reference, significant portions of these State's Air Pollution Control regulations.

5.8.2 Applicable Air Quality Regulations

The governing air quality regulations are discussed below.

Federal Clean Air Act

The Federal Clean Air Act (CAA) of 1970 and CAA Amendments of 1977 and 1990 regulate air emissions from area, stationary, and mobile sources. The CAA authorized the EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. In addition to setting maximum pollutant standards, the CAA directs states to develop air quality plans called State Implementation Plans (SIP). A summary of the NAAQS and the MI SIP was previously provided.

National Ambient Air Quality Standards

The CAA established two types of NAAQS. Primary standards were set to protect public health, while secondary standards were set to protect public welfare (EPA OAQPS criteria, 2000). The EPA Office of Air Quality Planning and Standards (OAQPS) has set NAAQS for six "criteria" pollutants. These criteria pollutants are ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), respirable particulate matter (PM), and lead (Pb) (EPA OAQPS criteria, 2000). The MDEQ has adopted these NAAQS. (see Table 5-7)

Criteria Pollutants

A description of the criteria air pollutants, likely emissions sources, and a description of their potential health and environmental effects are presented in Appendix H. This information was obtained from the EPA Office of Air and Radiation (EPA OAR aqtrnd, 1998 and EPA OAR greenbk, 2000).

County-wide Analysis

SEA evaluated whether increases in rail activity, truck-to-rail diversions, and increase in potential traffic delay would affect air quality on a county level to identify potential local air quality impacts. SEA used the county level to represent local air quality because EPA evaluates air quality on a county level.

SEA estimated the emissions for Wayne County because of projected increases in rail or related truck activities would exceed the Board's thresholds for environmental analysis of air quality in 49 CFR 1105.7. In this case, RTRR's proposed activities would result in two new trains per day and an initial 140 new trucks per day eventually increasing to 300 new trucks per day on local roadways. It is this increase in new truck traffic, an increase of more than 50 vehicles per day on local roadways, which exceeds the Board's Environmental Thresholds requiring analysis. RTRR believes that some adverse air quality impacts may be experienced locally, however, this would be offset by improved air quality regionally. RTRR believes that air quality will improve regionally because movement of goods by rail is much more efficient than movement of goods by truck. See Table 2-1, Summary of Board's Environmental Thresholds and the Board's regulations at 49 C.F.R. § 1105.7(e)(5).

General Conformity

As required by the 1990 CAA Amendments, EPA also promulgated rules applicable to nonattainment and attainment areas subject to maintenance plans to ensure that new projects conform to the SIP. One of these rules is the General Conformity. The intent of this provision is to foster the attainment or maintenance of the NAAQS and ensure consistency with the SIP by evaluating air quality impacts of Federal actions before they are undertaken.

The General Conformity Rule is codified in Federal Regulation 40 CFR 93, Subpart B. The General Conformity Rule applies to Federal actions (e.g., permitting or funding an entity that will emit air pollutants within maintenance or nonattainment areas). In this case, the volume of traffic on the rail line is projected to be so low that the emissions would be de minimus and therefore exempt from general conformity.

5.8.3 Emission Sources

Emissions inventories are created as a means of identifying and quantifying the types and amounts of emissions associated with an activity, operation, or source. Emissions inventories are detailed reports that identify emissions by the type and location of the sources. Regulators and planners use

emissions inventories to develop air quality plans and assess potential air quality impacts. Emission sources are classified for air quality planning purposes into the following five categories: stationary point sources, area sources, on-road mobile sources, off-road mobile sources, and biogenic sources.

To accurately estimate the emissions inventory for all sources, SEA relied on estimates generated by an EPA computer model. The emissions inventory for the RTRR’s proposed IM includes both on-road mobile sources and off-road mobile sources. No significant stationary sources, area sources or biogenic sources are part of RTRR’s activities. The on-road mobile sources consist of automobiles, trucks, motorcycles and other vehicles that are registered to travel on local, state and Federal highways. The on-road mobile sources analyzed for the Proposed IM are limited to the Heavy Duty Diesel Vehicles (HDDVs) used to transport materials to and from the intermodal facility. The off-road mobile source category includes commercial and general aircraft operations, marine vessels, railroad locomotives, and mobile equipment including construction equipment, industrial equipment and smaller items like chain saws and lawn mowers.

5.8.4 Screening Analysis

Air quality impacts resulting from the Proposed IM are based on the results of the emissions inventory, which is then compared to screening criteria. For the Proposed IM, the emissions inventory is based on the change in emissions that will result from the construction and operation of the proposed IM. Any increases in emissions estimated by the inventory are compared to air quality screening criteria to determine if the Proposed IM will potentially result in significant impact to the air quality. SEA used EPA's emission screening thresholds in tons per year (tpy) (See Table 5-8) which is used to determine if emissions from stationary sources would require a Federal or state-issued permit. These thresholds were chosen because no similar thresholds exist for mobile sources of emissions. Emissions changes, which do not exceed the EPA screening criteria, are considered insignificant and no further analysis is required.

Table 5-8. EPA Screening Criteria

Pollutant	Emissions Threshold	Basis
NO _x	100 tpy	Title V Major Source Threshold for O ₃ Maintenance Area
PM ₁₀	100 tpy	Title V Major Source Threshold for PM Maintenance Area
CO	100 tpy	Title V Major Source Threshold for CO Maintenance Area
VOC	100 tpy	Title V Major Source Threshold for O ₃ Maintenance Area
SO _x	100 tpy	Title V Major Source Threshold for Attainment Area

The comparison of the emissions inventory to the screening criteria is conservative because of the difference between the emission characteristics of mobile and stationary sources. Mobile source emissions generated by the Proposed IM will occur county-wide. Therefore, pollutant dispersion will be much greater than would be true for a stationary source. The resultant air quality impact from mobile source emissions would not be as great as would be expected from a stationary source with similar emissions.

5.8.5 Project Related Emissions

The Proposed IM anticipates the shift in freight movement from trucks to rail, which originates or terminates at RTRR's proposed facility. Because the proposed IM is anticipated to begin operations in 2002 and reach full capacity by 2008, emissions estimates were calculated for these two. Due to the regulatory environment surrounding mobile sources, emissions for RTRR's proposed IM will likely decrease after 2008 because of increasingly stringent Federal emission standards for HDDV trucks, locomotives, and non-road equipment.

The Proposed IM includes the operation of the following emission sources:

- Locomotives (due to increased train movements);
- Container Handling Equipment (due to container lifting and transfer); and
- HDDV Transport Trucks (due to container movements to/from end users).

Changes in emissions resulting from the operation of these sources at the Proposed IM are calculated for comparison to the EPA Screening-Thresholds (See Table 2-1 above). Emissions changes occur as a result of the shift of freight from trucks to rail freight. In order to calculate the emissions changes, a baseline emissions inventory was calculated which accounts for the emissions associated with the freight movements without the consideration of the Proposed IM. These emissions occur exclusively as a result of truck transport instead of rail freight transport and are proportional to the number of vehicle miles traveled (in Wayne County) by those trucks. Because the Proposed IM assumes that the facility will ultimately handle 300 trucks per day, the baseline assumes that currently, 300 trucks per day are transporting materials in the absence of the proposed project. The emissions inventory for the Proposed IM includes the emissions resulting from 140 trucks per day and 2 trains per day in 2002 and 300 trucks per day and 2 trains per day in 2008 as well as the container handling equipment in those years. The details of the methodology used to calculate the emission inventory for the baseline and the proposed IM is included in Appendix H.

The baseline emissions inventory is shown in the Table 5-9 below for both 2002 and 2008.

Table 5-9. Baseline Emissions

Year of Analysis	Emissions (Tons / Year)				
	NO _x	PM	CO	VOC	SOX
2002	64.5	30.8	5.4	4.1	2.7
2008	53.7	30.3	5.3	2.8	2.6

The emissions for each emission source resulting from the Proposed IM are shown in Table 5-10 below.

Table 5-10. Proposed IM Emissions

Year	Source	Project Emissions (tpy)				
		NO _x	PM	CO	VOC	SOX
2002	HDDV Transport Trucks	26.4	10.2	6.9	2.6	1.5
	Locomotive Operations	61.1	1.7	6.7	2.5	0.8
	Container Handling Equipment	13.2	8.8	2.9	3.2	4.1
	Totals	100.6	20.6	16.5	8.4	6.5
2008	HDDV Transport Trucks	47.0	20.7	15.1	4.1	2.4
	Locomotive Operations	42.3	1.5	6.7	2.2	0.8
	Container Handling Equipment	16.0	10.8	3.0	4.6	6.2
	Totals	105.4	33.0	24.7	11.0	9.4

To calculate the emissions increases resulting from the Proposed IM, SEA subtracted the baseline emissions from the Proposed IM Emissions. The emissions changes are then shown in Table 5-11 below.

Table 5-11. Emissions Changes Resulting from the Proposed IM

	Emissions (tpy)				
	NO _x	PM	CO	VOC	SOX
2002	36.1	-10.1	11.1	4.3	3.7
2008	51.7	2.6	19.4	8.2	6.8

SEA compared the emissions changes to EPA's Thresholds and found that the Proposed IM would not result in adverse impacts to air quality in Wayne County. A comparison of the results to the EPA Screening Thresholds is shown in Table 5-12 below.

Table 5-12. Comparison of Proposed IM Emissions to Screening Criteria

	Emissions (tpy)				
	NO _x	PM	CO	VOC	SOX
2002	36.1	-10.1	11.1	4.3	3.7
2008	51.7	2.6	19.4	8.2	6.8
Thresholds	100	100	100	100	100
Significance ? (yes / no)	No	No	No	No	No

5.9 Noise

As a result of RTRR’s proposed Acquisition and operation of an intermodal terminal facility (proposed IM), additional train traffic and increased freight handled the proposed intermodal facility could increase noise in communities near the proposed IM. To determine whether these noise increases would have significant adverse effects, SEA evaluated potential increased noise for the rail line, intermodal facility, and truck routes that met the Board’s thresholds for noise analysis.

5.9.1 Noise at Rail Line Segments and Intermodal Facilities

Methods

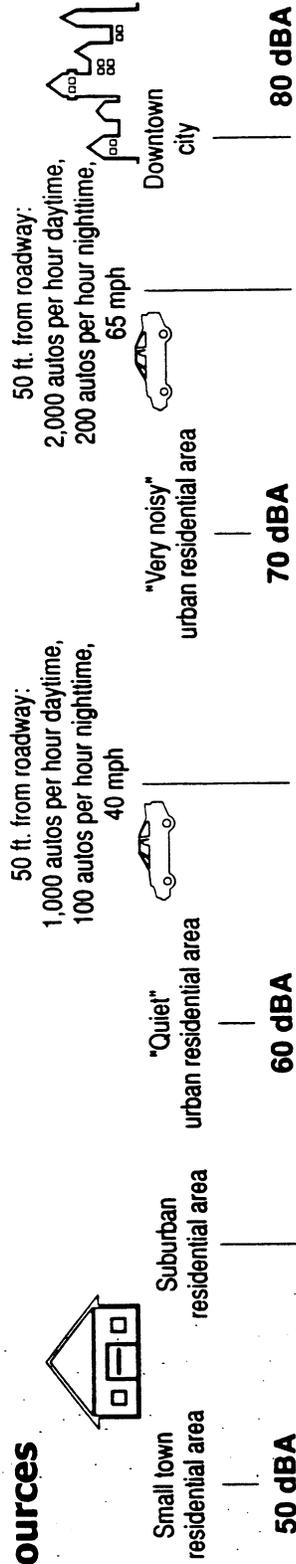
Consistent with the Board's rules at 49 CFR 1105.7(e)(6), SEA used L_{dn} , the day-night equivalent sound level to characterize community noise. L_{dn} is a measure of cumulative noise over a 24-hour period, adjusted to account for the perception that a noise at night is more bothersome than the same noise during the day. The unit for L_{dn} is dBA, or A-weighted decibel. A-weighting approximates the manner in which the human ear responds to sound. Figure 4, “Typical L_{dn} Levels for Communities,” illustrates typical L_{dn} levels for various types of communities and activities.

The Board’s rules further specify that the noise analysis should determine the number of noise-sensitive receptors (residences, schools, hospitals, and churches) in two areas:

- Those areas that would experience an L_{dn} of 65 dBA or greater (regardless of the incremental increase).
- Those areas with an incremental increase of 3 dBA L_{dn} or greater.

These Board thresholds are in the range of but not identical to other Federal agencies’ noise criteria. The Federal Transit Authority’s threshold is a sliding scale based on existing noise levels. (*Transit Noise and Vibration Impact Assessment*, Final Report, April 1995). For instance, for an existing L_{dn} of 55 dBA, an increase of 3 dBA is tolerated, while for an existing L_{dn} of 70 dBA, an increase of only 1 dBA is tolerated. The Federal Highway Authority’s threshold is 67 dBA for L_{eq} and 70 dBA for L_{10} , the noise level that is exceeded ten percent of the time. The Federal Highway Authority’s threshold also includes reference to noise levels substantially exceeding the existing noise level. (*Highway Traffic Noise Analysis and Abatement Policy and Guidance*, June 1995).

Non-Transit Sources



L_{dN}

One freight train per day during daytime hours

Three freight trains during daytime hours, One during nighttime hours

Three freight trains during daytime hours, One during nighttime hours, close to highway/rail at-grade crossing

30 freight trains per day equally distributed between daytime and nighttime hours; near highway/rail at-grade crossing

Railroad Sources (All at 100 feet)

30 freight trains per day equally distributed between daytime and nighttime hours



Figure 4. Typical L_{dN} Levels for Communities

RTRR's proposed project would increase noise levels in the adjacent community and along truck routes. The following discussion summarizes the procedures used to estimate the noise levels near these facilities.

The operation of freight trains and related activities within the proposed project boundaries creates numerous noise sources. Some of the main noise sources include the following: (1) squeal noise of steel wheels on tight radius curves, (2) locomotive movements in the intermodal yard, (3) idling locomotives and trucks, and (4) equipment including primarily the hoists or fork lift trucks. SEA used actual field measurements to estimate the noise that would be produced by these sources. SEA then used noise exposure versus distance curves to predict noise levels for identified receptors near the project area. The intermodal operations would add new truck traffic to a number of local roadways. Therefore, SEA determined potential noise levels along potential truck routes using the Federal Highway Administration's Traffic Noise Model.

To establish existing noise levels, SEA used the Federal Transit Administration (FTA) rail noise models and field monitoring for a 24-hour period at eight monitoring locations. SEA also used the model to predict noise levels generated by the proposed project at full operational capacity.

When estimating noise levels, SEA considered the following factors: the number of movements by blocks of railcars in and out of the facility from the north and south; the average length of a block of railcars; the average number of locomotives per train; the average number of trucks per day; and the reference sound levels for locomotives, warning horns, freight cars, idling locomotives and trucks, and equipment operations. The following assumptions, based on the operational plan for the proposed project, were also used in developing the noise projections:

- Two-thirds of trucks approach the facility from or leave the facility to the north.
- Sixty percent of trains arriving at or leaving from the facility use the grade-separated structure to the south of the facility.
- Blocks of container railcars enter and leave the facility with an average of 100 railcars per block.
- Blocks of railcars using the highway/rail at-grade crossing at Jefferson Avenue have an average speed of six miles per hour.

SEA identified noise-sensitive receptors that could be affected increased noise levels from the proposed IM and potential truck routes. All noise sensitive receptors were modeled under existing and predicted noise levels. A list of sensitive receptors within a 2-mile radius from the proposed IM is provided in Appendix B.

Criteria of Significance

SEA used the following criteria to determine adverse noise impacts: (1) 65 dBA or greater L_{dn} combined (existing plus intermodal operations) noise levels, and (2) an increase in L_{dn} of 3 dBA or greater caused by the intermodal operations. Intermodal operations include the projected increase in trains, at-grade train crossings, intermodal yard operations, and the increase in truck volumes.

Existing Conditions

RTRR has acquired the site of the former McLouth Steel Plant and its associated industrial sidings. RTRR is seeking an exemption from the Board so that it may acquire and operate a shortline railroad over the existing industrial siding. In addition, RTRR has proposed to construct and operate an intermodal terminal facility. The proposed IM would initially see 140 new trucks per day, which would increase to approximately 300 new trucks per day when operational capacity is reached.

Analysis Results

Using all available information about changes in train traffic and increases in new truck traffic, SEA used noise models to determine the projected noise levels at various identified noise-sensitive receptors. Noise modeling was based on maximum operational capacity which includes the following:

- 300 trucks per day entering and leaving the intermodal facility.
- An average of 265 containers per day entering and leaving the facilities.
- Two blocks of cars enter from or leave to the north each day (at full capacity, the two blocks of cars to/from the north would use the GTW tracks crossing Jefferson and thus movements would block traffic on Jefferson while being moved into or out of the yard).
- An average of 3.2 blocks of cars (worst case scenario) enter from or leave to the south each day they use the separated grade crossing (these blocks of cars would use the grade separated structure just south of King and Jefferson).
- Trains can and will be assembled at the IM. However, to the extent that they are not assembled on site, they would be assembled at the rail yards of the Class I railroads. In that case, blocks of cars would be unloaded and loaded and then moved off site to be assembled.
- Two-thirds of trucks travel to or from the north.

SEA used vehicle probes to determine the routes most likely to be used by the new truck traffic to and from I-75. The use of vehicle probes consisted of charting the route used by trucks entering or leaving industrial facilities in the vicinity of the proposed IM. Travel distances and times were measured, in each direction, for each route. SEA assumed that those routes with the least travel time would be used by the new truck traffic. SEA found that existing truck traffic chose routes based on travel time and their ability to avoid congestion. The results of the vehicle probes identified two likely truck routes dependent upon whether trucks were entering and/or leaving the proposed IM from the north or the south. SEA assumed that each truck, when leaving the facility, would use the same route as was used to arrive at the

facility. *To the north* – South on Jefferson Avenue for a short distance, turning west on Sibley Road continuing west to I-75. *To the south* – South on Jefferson Avenue for a short distance, turning west on Sibley Road. West to Fort Street, then south on Fort Street to I-75. If the truck stop on West Road at I-75 was an intermediate destination before entering I-75, some trucks may turn west off Fort Street to access I-75.

The modeling resulted in the following noise levels for the representative noise receptors studied.

Intermodal Facility Operations

SEA modeled potential noise levels under a scenario that represented the maximum operational capacity for RTRR's proposed project. The projected noise levels considered noise generated by locomotive movement, locomotive idling, truck idling, equipment operations (including hoists or fork lift trucks), and potential wheel squeal generated as trains from the north negotiate a tight turn inside the proposed project.

In determining the existing ambient noise levels, SEA selected the RTRR's site in its current state as the base condition. The projected noise levels are expected to be substantially less than the level of noise generated under its prior use. Table 5-13 summarizes the results of the noise analysis. Details of noise modeling are found in Appendix G.

Table 5-13. Summary of Noise Analysis for Rail Segment and Intermodal Facility

Noise Source Receptors	L _{dn} Existing	L _{dn} Projected	Adverse Impact?
Intermodal Yard Operations Residences along Jefferson Avenue	66.8 dBA	69.1 dBA	No (<3 dBA increase)
Intermodal Yard Operations Residences on Grosse Ile	53.0 dBA	59.5 dBA	No (<65 dBA)

Results of Noise Analysis: Residences nearest the Proposed IM

SEA used a worst-case scenario, a hard surface covering the entirety of the proposed IM. However, in specific areas where the Due Care Plan prohibits a hard surface, RTRR has indicated that landscaping would be used to reduce the noise level. Appropriate landscaping could reduce the increase in the L_{dn} to as little as 0.5 dBA.⁸

⁸ However, since mitigation measures for the contaminated soil have not yet been designed, and since the worst-case scenario of paving 100% of the site does not exceed the noise impact threshold, detailed analysis with landscaping assumptions was not conducted.

The results of SEA's projected increase in noise (L_{dn}) for residences nearest the proposed IM on the west side of Jefferson Avenue were 69.1 dBA. This is an increase of 2.3 dBA over existing noise levels. This projected increase in noise is less than the Board's criteria warranting mitigation.

Results of Noise Analysis: Grosse Ile

SEA used the same worst-case assumption for potential adverse noise impacts to residences on Grosse Ile. To model the maximum potential noise increase, SEA assumed that, in the future, containers might be moved via the deep water marina and all rail yard operations would be moved closer to the deep water marina. (Note that *this would not occur*, but this worst case was modeled to project the maximum possible noise level.) Under this worst case, SEA's projected increase in noise (L_{dn}), across the water, a distance of approximately 1300 feet was 59.5 dBA. This is a 5.5 increase over the existing 53.0 dBA. SEA notes that this increase in noise is substantially below the threshold of 65 dBA warranting mitigation, and therefore no additional modeling was conducted.

Based on the detailed noise analysis, SEA concludes that RTRR's Project, as proposed, would not result in adverse noise impacts to the surrounding communities, therefore noise mitigation is not warranted.

5.9.2 Noise Along Truck Routes

This section presents the results of a Highway Noise Analysis completed for the truck haul routes to and from the proposed IM. This analysis includes the ambient noise levels within the Study Area, which are used to determine potentially adverse noise impacts resulting from the addition of new truck traffic on local roadway.

New truck traffic would most likely approach the facility from I-75 by way of two primary routes. Trucks traveling to and from the south would likely use Jefferson Avenue to King Road to M-85 to Southbound I-75. Trucks traveling to and from the north would likely use Jefferson Avenue to Sibley Road to Northbound I-75. SEA predicted ambient noise levels for these roadways using existing site conditions and a design year of 2008 with and without the additional new truck traffic.

It is important to note that if sensitive-receptors are adversely impacted by noise generated by the increase in new truck traffic along the routes to and from the IM, SEA cannot recommend mitigation. The Board lacks jurisdiction over truck routing and the operation of truck drivers. Accordingly, the Board cannot impose mitigation conditions with respect to the projected operations of trucks moving to and from the proposed IM.

Noise Abatement Criteria

Highway Noise Fundamentals

The Federal Highway Administration (FHWA) has established procedures and criteria to determine and evaluate impacts associated with vehicular use of roadways. The primary problems associated with highway noise are activity interference and general annoyances. Therefore, it is the goal of abatement programs to minimize these impacts to exterior land uses.

Traffic noise is the sound generated by automobiles and trucks on streets and highways. The sound generated is composed of tire, engine, and exhaust noise.

The A-weighted equivalent sound level (L_{eq}) is the descriptor used most frequently in highway noise analyses. The L_{eq} is the equivalent steady state sound level which represents the mean energy or sound intensity level for a given time period. This is the descriptor that will be used in this highway noise analysis.

The dBA scale de-emphasizes the very low and very high frequencies and emphasizes the middle frequencies, thereby closely approximating the frequency response of the human ear. Table 5-14 provides examples of common outdoor noise levels and their respective noise level decibels. To place the noise levels into a context that some people can more easily relate to, Table 5-14 also provides the equivalent common indoor noise levels.

Table 5-14 - Common Outdoor and Indoor Noise Levels¹

Common Outdoor Noise Levels	Noise Level Decibels	Common Indoor Noise Levels
	110	Rock Band
Jet Fly Over at 1,000 feet	100	Inside Subway Train (NY)
Gas Lawn Mower at 3 feet		
Diesel Truck at 50 feet	90	Food Blender at 3 feet
Noisy Urban Daytime	80	Garbage Disposal at 3 feet or Shouting at 3 feet
Gas Lawn Mower at 100 feet	70	Vacuum Cleaner at 10 feet
Commercial Area		Normal Speech at 3 feet
	60	
		Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Small Theater, Large Conference Room (Background)
Quiet Suburban Nighttime		Library
	30	
Quiet Rural Nighttime		Bedroom at Night, Concert Hall (Background)
	20	
		Broadcast & Recording Studio
	10	Threshold of Hearing
	0	

¹ Adapted from Guide on Evaluation and Attenuation of Traffic Noise, AASHTO-1974.

The extent to which individuals are affected by noise sources is controlled by several factors, including:

- The duration and frequency of sound;
- The distance between the sound source and the receptor;
- The intervening natural or man-made barriers or structures; and
- The ambient environment.

The level of highway traffic noise depends primarily upon:

- The volume of traffic;
- The speed of traffic; and
- The number of trucks in the flow of traffic.

Generally, heavier traffic volumes, higher speeds, and greater numbers of trucks increase traffic noise. Consequently, the FHWA has established the following vehicle categories to use in traffic noise analysis:

- Heavy duty trucks, defined as vehicles having three or more axles;
- Medium duty trucks, defined as vehicles with two axles and six wheels;
- Automobiles, defined as vehicles with two axles and four wheels;
- Buses; and
- Motorcycles.

Heavy-duty trucks typically produce more noise than medium-duty trucks traveling at the same speed. Medium duty trucks, in turn, typically generate more noise than automobiles.

Traffic noise is measured and described according to FHWA guidelines, which prescribe the use of the hourly equivalent sound level ($L_{eq}[h]$) as the primary descriptor for noise analysis. $L_{eq}(h)$ is defined as the equivalent steady state sound level, which in one hour contains the same acoustic energy as the time-varying sound level during the same one-hour period.

Typically, noise level changes between 2 and 3 dBA are barely perceptible, while a change of 5 dBA is readily noticeable by most people. A 10-dBA increase is usually perceived as a doubling of loudness, and conversely, noise is perceived to be reduced by one-half when a sound level is reduced by 10 dBA.

Identification of Abatement Criteria and Land Use Relationships

Noise abatement criteria for various land uses have been established by the FHWA in 23 CFR, Part 772. The noise abatement criterion for land uses occurring in this project study area is Category B (67 dBA Leq). Future year 2020 noise levels for the project were predicted using the FHWA’s TNM.

According to the procedures described in 23 CFR, Part 772, Table I; (see Table 5-15) noise impacts occur when predicted traffic noise levels for the design year approach or exceed the noise abatement criterion prescribed for a particular land use category, or when the predicted noise levels are substantially higher than the existing ambient noise levels. The Michigan Department of Transportation (MDOT) and FHWA define approach as 66 dBA for Category B and uses a 10 dBA increase to define a substantial increase. This analysis was completed in accordance with Federal procedures and evaluated in accordance with the MDOT’s Sound Barrier Policy.

**Table 5-15 - Noise Abatement Criteria (NAC)
Hourly A-Weighted Sound Level in Decibels (dBA)¹**

Activity Category	L_{eq}(h)	L₁₀(h)	Description of Activity Category
A	57 (Exterior)	60 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (Exterior)	70 (Exterior)	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 (Exterior)	75 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	--	--	Undeveloped lands.
E	52 (Interior)	55 (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

¹ Either L_{eq}(h) or L₁₀(h) (but not both) may be used on a project. These sound levels are only to be used to determine impact. These are the absolute levels where abatement must be considered. Noise abatement should be designed to achieve a substantial noise reduction - not the noise abatement criteria.

Ambient Noise Level Measurements

Noise Measurement Procedures

Noise measurements were conducted in accordance with techniques described in the FHWA Report No. FHWA-DP-45-1R, “Sound Procedures for Measuring Highway Noise.” A set of four Metrosonics 3100 Intergrade Sound Level Meters were used to monitor ambient noise levels using the established FHWA procedures. Acoustic calibrators were used to calibrate the meters before and after each measurement interval. Locations where measurements were collected were considered representative receptors of existing ambient noise levels throughout the Study Area.

The sound level meters were operated on the A-weighted network and the slow meter response as recommended by the manufacturer. Measurements were not collected if roadway pavement was wet, or if wind speed exceeded 10 miles per hour. A porous windscreen was used on the sound level meter during all measurement procedures. All of the measurements were taken with the sound level meters mounted approximately five feet above the ground surface. This height is generally considered representative of the average listener's ear level. Wherever possible, measurement sites were located in open areas away from buildings or other potentially reflective surfaces.

Receptor Site Description

SEA selected eight receptor sites to provide representative sound levels throughout the Study Area for both the rail and highway analysis. The Complete Noise Receptor Monitoring Profiles, which include descriptions, photographs, site sketches, weather data, classified vehicle counts and time history reports for each noise-monitoring site are presented in Appendix J.

In acoustical studies, measurement of the ambient noise levels is required to establish the basis of impact analysis. Twenty-four-hour noise measurements were performed to identify the peak hour highway noise level and to provide a characterization of how hourly sound levels fluctuate throughout a 24-hour period.

Prediction Methodology

In order to verify the accuracy of the traffic noise computer model, all measurement sites were modeled using the FHWA's Traffic Noise Model Version 1.1 (TNM).⁹ TNM contains a database of noise emission levels that accounts for the effects of accelerating vehicles such as those affected by traffic control devices (e.g., stop signs, signals, toll booths) or on-ramps and the effects of roadway upgrades. Sound propagation is computed taking into account the effects of atmospheric absorption, divergence (i.e., geometric spreading of sound energy over distance), intervening ground types and their acoustical characteristics, topography, man-made barriers, vegetation, and rows of buildings. To improve accuracy, all TNM databases and calculations are based on 1/3 octave band data (i.e., data is broken down into individual frequency bands), and then the results are recombined to give noise levels in the standard formats used in highway noise analysis.

Traffic Noise Model Calibration

The current configuration for the truck haul routes was used as the baseline for the traffic noise model. Project mapping for the Study Area was limited for this project. Roadway centerlines were identified based on mapping received from Wayne County Department of Transportation. SEA relied on

⁹ TNM includes a database of speed-related noise emissions levels for five vehicle types (automobiles, medium trucks, buses, and motorcycles) under cruise (constant speed) conditions. An adjustment is first applied to account for the numbers of each vehicle type and their speed as defined by the user.

U.S. Geological Survey maps with 5-foot contour elevations to identify roadways and terrain line elevations. Aerial photography available through commercial sources on the worldwide web was used to identify and locate buildings and other physical features included in the model. The monitored data was used to calibrate the traffic noise model. Monitored and modeled results that vary by less than three decibels are considered accurate. The difference between the monitored and modeled locations are considered accurate as they differ by less than three decibels.

Summary of Traffic Parameters

The traffic volumes used for the TNM analysis were provided by Wayne County Department of Transportation with growth factors to calculate the design year 2008 traffic. Truck percentages were developed based upon existing conditions. It is anticipated that an additional 300 trucks per day would be generated to and from the RTRR site. For modeling purposes it was estimated that 20 percent of the truck traffic would occur during the peak hour. This anticipated increase in truck volume has been included in determining the potential increase in noise levels in design year 2008 along the access routes to I-75. The traffic information and truck percentages are included in Appendix I.

Prediction Results

Using the FHWA's TNM, receiver sites within the Study Area were analyzed. Projected traffic volumes provided by Wayne County were used for the noise analysis and are included in Appendix I. A total of 43 receivers were included in the Study Area. The receiver locations and model results are shown in Appendix J for the Study Area. The receiver locations provide a full representation of the Study Area. The majority of the receivers represent residences along the various haul routes, with receivers placed in anticipated outdoor-activity areas based on aerial photographs. A summary of the predicted noise levels for each receiver for all roadways is shown in Table 5-16.

Impact Analysis

Impact analysis was performed in compliance with FHWA and Michigan Department of Transportation (MDOT) guidelines. Category B sensitive sites (residences, parks) falling within the 66-dBA contour and category C (commercial, industrial) falling within the 72-dBA contour are classified as impacted according to State and Federal Noise Abatement Criteria (NAC). In addition, impact occurs if a substantial increase of 10 dBA or more is found in predicted noise levels over the existing noise levels, even though the NAC level is not exceeded.

The analysis of the existing and predicted noise levels for the anticipated north and south truck haul routes indicates minimal increases in noise levels, ranging from 0.1 – 2.1 dBA. The average peak-hour noise level is expected to increase approximately 0.5 dBA along the south haul route (Jefferson Rd./King Rd./M-85). The average peak-hour noise level is expected to increase approximately 1.4 dBA along the north haul route (Jefferson Rd./Sibley Rd.). As modeled, no receivers are considered adversely impacted according to MDOT and FHWA criteria.

Table 5-16. Summary of Noise Analysis for Truck Related Traffic

	2001 Existing Conditions	2008 No-Build	2008 RTRR		2001 Existing Conditions	2008 No-Build	2008 RTRR
Receiver N1	62.7	62.8	64.7	Receiver S1	58.4	58.6	59.5
Receiver R-N2	62.6	62.8	64.7	Receiver S2	59.4	59.5	60.3
Receiver N3	60.6	60.7	62.8	Receiver R-S3	66.8	67.0	67.7
Receiver N4	60.3	60.6	62.4	Receiver S4	57.1	57.3	58.4
Receiver N5	60.7	61.0	62.7	Receiver S5	58.7	59.0	59.9
Receiver R-N6	63.8	64.2	66.0	Receiver S6	61.8	62.1	62.5
Receiver N7	53.9	54.3	56.2	Receiver S7	55.7	56.0	56.4
Receiver N8	59.1	59.4	60.5	Receiver S8	59.8	60.1	60.4
Receiver N9	55.8	56.2	57.3	Receiver S9	59.5	59.8	60.2
Receiver N10	62.4	62.8	63.8	Receiver S10	52.9	53.2	53.5
Receiver N11	60.9	61.2	62.3	Receiver S11	61.3	61.6	62.0
Receiver N12	61.2	61.6	62.7	Receiver S12	60.1	60.4	60.8
Receiver N13	55.1	55.5	56.6	Receiver S13	53.3	53.6	54.0
Receiver N14	54.7	55.1	56.3	Receiver S14	59.8	60.1	60.5
Receiver N15	60.8	61.2	62.3	Receiver S15	59.8	60.1	60.5
Receiver N16	60.3	60.7	61.6	Receiver S16	50.7	51.3	51.4
Receiver N17	64.9	65.2	66.0	Receiver S17	54.0	54.3	54.7
Receiver N18	61.3	61.7	62.5	Receiver S18	59.7	60.0	60.4
				Receiver S19	60.8	61.1	61.5
				Receiver S20	60.0	60.3	60.7
				Receiver S21	61.8	62.2	62.5
				Receiver S22	61.0	61.3	61.7
				Receiver S23	61.6	62.0	62.5
				Receiver S24	59.9	60.2	60.7
				Receiver S25	59.1	59.4	59.9

Conclusion

Based on the results obtained through the traffic noise model, no significant increase in sound levels were identified for the Study Area. The percentage of truck traffic for the Study Area would introduce less than 1 dBA increase in the hourly sound levels. Typically, noise level changes between 2 and 3 dBA are barely perceptible, while a change of 5 dBA is readily noticeable by most people. Therefore, SEA believes that the proposed increase in new truck traffic would not result in adverse noise impacts.

5.10 Cultural Resources

As noted in Section 4.10, it is very unlikely that any archeological or historic structures exist on areas to be developed under the proposed IM. Similarly, there are no historic structures on site. For these reasons, the proposed IM would not adversely affect cultural resources.

5.11 Recreational and Visual Resources

The proposed IM would not adversely affect existing recreational resources. Some residences in Riverview and Trenton that now have unimpeded views of the river and Grosse Ile over the now-vacant RTRR parcel would have a diminished view once the intermodal transfer operations are underway. However, the current views are limited both in quality and the number of persons who can take advantage of the view.

5.12 Environmental Justice

SEA evaluated the potential effects of the proposed RTRR Project to determine if such effect would be borne predominately or disproportionately by minority or low-income (environmental justice) populations. This section presents the results of SEA's environmental justice analysis of the proposed RTRR's Proposal. The following paragraphs describe the methods for analyzing environmental justice impacts and the results of SEA's evaluation.

Evaluation Approach

Executive Order No. 12898, *Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*, directs individual federal agencies to develop approaches that address environmental justice concerns in their programs, policies, and procedures. Although the Executive Order does not require independent agencies such as the Board to conduct environmental justice analyses, SEA conducted an environmental justice analysis of the proposed RTRR Project because:

- The President requested that independent agencies comply with the Executive Order, particularly during the NEPA process;
- Orders and guidance documents from various Federal agencies emphasize addressing environmental justice concerns; and
- The Board is responsible for ensuring that the proposed RTRR Project is consistent with the public interest.

In the context of the proposed RTRR Project, SEA determined that the Executive Order, Federal agency guidance, and the public interest warrant addressing:

- Whether the proposed RTRR Project could have disproportionate high and adverse impacts on minority or low-income populations;
- If so, whether reasonable and feasible measures could eliminate or mitigate disproportionately high and adverse impacts; and
- Whether it is appropriate to modify recommended mitigation measures to meet the needs of a disproportionately affected minority or low-income populations.

In developing the approach, SEA examined relevant documents from other Federal agencies.¹⁰

Board's Thresholds for Analysis

SEA used thresholds to identify the changes in rail activities that have the potential to cause environmental effects and thus require environmental review. Table 5-17 lists the thresholds used in the environmental justice assessment.

SEA conducted its environmental justice analysis using a method similar to the one employed in the recent Conrail Acquisition proceeding and Canadian National and Illinois RTRR merger proceedings acquisitions.¹¹ The five steps of the method are listed in Table 5-18.

Table 5-17. Thresholds for Environmental Analysis

Rail Activity	Evaluation Criteria	Proposed IM	Include in Environmental Justice Analysis
Rail Line Segments	<ul style="list-style-type: none"> - Increase of up to 8 trains/day - New Key Route or New Major Key Route, irrespective of changes in frequency 	<ul style="list-style-type: none"> - Increase of 2 trains/day - N/A 	No
Constructions	<ul style="list-style-type: none"> - New Key Route or Major Key Route, irrespective of changes in frequency - All other new constructions 	<p>N/A</p> <p>Construction of new track, sidings, and spurs within the intermodal terminal (considered in evaluation of intermodal terminal)</p>	No
Intermodal facilities	All Intermodal Facilities	Operation of intermodal terminal	Yes
Rail yards	All Rail Yards	N/A	No

¹⁰ Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, 59 Fed. Reg. At 7630; U.S. Department of Transportation's Order "To Address Environmental Justice in Minority Populations and Low-Income Populations," February 3, 1997; U.S. Environmental Protection Agency, "Interim Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses, Office of Federal Activities," September 30, 1997; Council on Environmental Quality, "Environmental Justice: Guidance Under the National Environmental Policy Act," Executive Office of the President, December 1997.

¹¹ Surface Transportation Board, Conrail Acquisition, Final Environmental Impact Statement, Appendix M, "Cumulative Impacts Methods and Analysis," 1998, provides a complete description of the methods used in environmental justice evaluation of the Conrail Acquisition.

Table 5-18. Environmental Justice Evaluation Method

Step	Description
1	Identify Potential Effects. Identify potential environmental and human health effects that could result from the proposed acquisition and identify those that could meet or exceed the Board’s thresholds for analysis.
2	Identify Potential Effects on Environmental Justice Populations. Determine whether significant potential effects exist that would impact minority or low-income populations.
3	Assess whether potential effects on environmental justice populations could be high and adverse. Use established methods for each environmental resource area with potential significant effects on environmental justice populations to assess whether potential effects on those populations could be high and adverse.
4	Determine Disproportionality. Identify disproportionate effects in areas with minority and low-income populations. SEA defines effects to be disproportionate if they are predominately borne, more severe, or greater in magnitude in environmental justice areas than in other areas.
5	Evaluate Potential Mitigation Measures. Review potential mitigation measures in areas where disproportionate high and adverse impacts are found to be borne by minority and low-income populations. Determine whether additional potential mitigation measures are appropriate.

Step 1. Identify Potential Effects

The primary potential environmental and human health effects resulting from operation of the RTRR line and intermodal terminal include safety, traffic, air quality, and noise impacts. The majority of these impacts are due to the possible increase in traffic of up to 300 trucks per day. Other activities that may have potential effects include operation of cranes transferring cargoes, increased train traffic, and construction of new track, sidings, and spurs within the intermodal facility. Based on the thresholds for environmental analysis presented in Table 5-14, rail activities with the potential to cause high and adverse effects are limited to impacts resulting from operation of the intermodal terminal.

Step 2. Identify Potential Effects on Environmental Justice Populations

To determine whether the potential effects of the proposed RTRR Project would occur in areas with minority or low-income populations, an analysis was conducted to identify the minority and low-income characteristics of the populations in the geographic areas over which the potential effects of the intermodal facility could occur. Minority and low-income characteristics were evaluated for block groups from the 1990 *Census of Population and Housing*. The portions of block groups within areas where potential effects of the intermodal facility could occur are defined as areas of potential effect (AoPE). Based on SEA's Environmental Justice Methodology, AoPEs were identified as portions of block groups within:

1. One mile from the center of the facility; or
2. 400 feet on both sides of major truck access routes to the nearest interstate highway.

A total of 42 AoPEs were identified within the area where potential effects could occur. Data from the 1990 *Census of Population and Housing* were extracted for the AoPEs to determine whether minority or low-income populations are:

- At least 50 percent of the total population; or
- At least 10 percentage points greater than the population in the county where the Census block groups are located.

AoPEs meeting either of these two criteria are defined as areas of environmental justice concern. The minority and low-income population percentages in Wayne County, where the intermodal facility will be located, are 42.58 and 30.18, respectively. Based on this information and the criteria identified above, areas of environmental justice concern were defined as AoPEs in which the populations are either greater than or equal to 50 percent minority or greater than or equal to 40.18 percent low income.

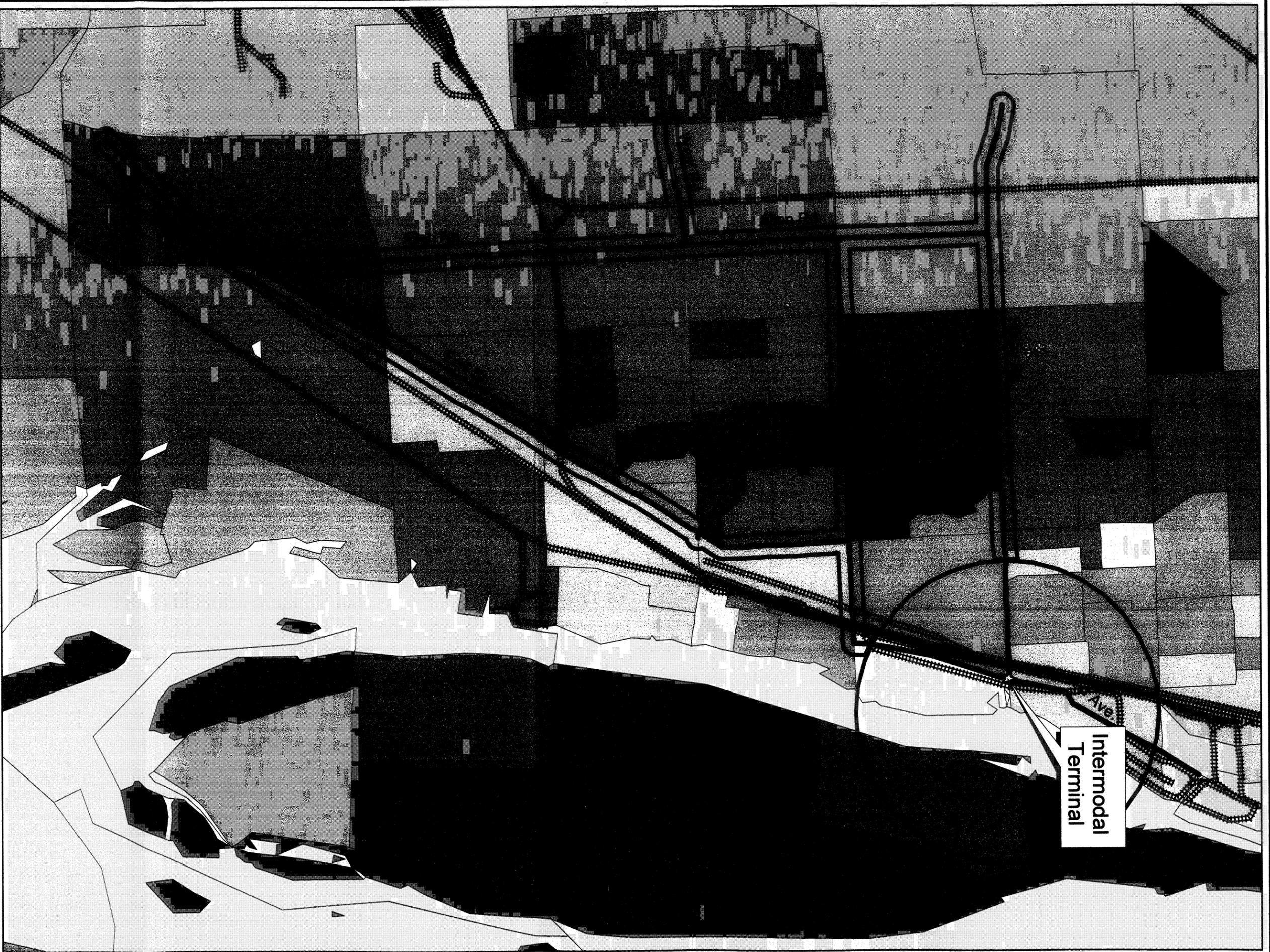
A summary of the minority and low-income demographic data for all AoPEs are provided in Table 5-19. Figures 5 and 6 present income and minority population distribution in areas of potential effects and the proposed routes to be used by the trucks delivering materials to and from the Intermodal Terminal. Based on the 1990 Census data evaluated for this analysis, none of the 42 identified AoPEs meets the criteria for an area of environmental justice concern. Based on 1990 census data, an estimated 6,657 persons live in all AoPEs. Approximately 164 persons or 2.46 percent are minorities. Approximately 1,034 persons, or 15.53 percent, had annual incomes in 1989 below the threshold used to identify low-income populations.

Step 3. Assess whether Potential Effects on Environmental Justice Populations could be High and Adverse

Since there are no AoPEs with minority or low-income population percentages above the thresholds used to identify areas of environmental justice concern, there is little possibility for potential high and adverse effects on minority or low-income populations. However, as shown in Table 5-19, there are minority and low-income individuals who could be potentially affected by the proposed RTRR Project. Based on the analysis conducted for each environmental issue area affected by the proposed RTRR Project, potential impacts were identified in four areas. A qualitative discussion of the severity of these impacts is provided below. SEA determines the severity of highway-at-grade crossing delays based on the number of impacted at-grade crossings within the AoPE. Projects that have 1 to 2 impacted at-grade crossings are assigned an Environmental Resource Score (ERS) of 3. Based on the SEA Environmental Justice Methodology, an ERS equal to 3 is considered to be low to moderate impact. Therefore, these impacts would generally not be substantial enough to be considered high and adverse.

Table 5-19. Riverview Trenton Railroad Environmental Justice Assessment

AoPE		Estimated					Environmental Justice Concern	
Tract	Block Group	Population	Minority Persons	Percent Minority	Low-Income Persons	Percent Low-Income	Minority	Low-Income
5915	9	201.08	16.79	8.35	33.06	18.77	No	No
5919	9	981.38	32.82	3.34	64.27	8.40	No	No
5930	1	5.24	0.19	3.64	0.46	11.43	No	No
5930	1	404.29	14.73	3.64	35.36	11.43	No	No
5930	2	311.71	11.26	3.61	35.53	12.09	No	No
5930	9	26.98	0.81	3.02	5.76	22.97	No	No
5931	1	20.85	0.73	3.49	1.42	7.46	No	No
5931	3	10.73	0.57	5.27	0.46	4.79	No	No
5940	1	37.94	0.59	1.55	3.82	12.94	No	No
5940	1	11.13	0.17	1.55	1.12	12.94	No	No
5940	1	346.21	5.37	1.55	34.89	12.94	No	No
5940	2	28.04	0.56	2.00	2.97	11.31	No	No
5940	5	88.72	4.62	5.21	12.28	14.78	No	No
5941	1	517.01	11.94	2.31	74.65	13.51	No	No
5941	2	125.50	5.59	4.45	10.60	9.05	No	No
5941	3	72.59	0.93	1.28	10.47	16.44	No	No
5941	5	178.45	6.09	3.41	1.57	1.08	No	No
5942	1	123.82	2.22	1.79	2.38	2.37	No	No
5942	4	146.71	3.50	2.38	12.72	9.61	No	No
5943	1	179.75	4.26	2.37	21.30	10.87	No	No
5943	2	102.45	0.49	0.48	17.62	17.41	No	No
5944	3	411.87	6.93	1.68	154.15	39.29	No	No
5944	4	71.96	0.94	1.30	15.82	21.09	No	No
5945	1	172.77	1.61	0.93	16.15	10.36	No	No
5945	4	453.59	12.43	2.74	81.00	19.63	No	No
5950	1	246.01	3.71	1.51	60.34	31.33	No	No
5950	2	820.65	8.90	1.08	168.09	23.29	No	No
5950	3	39.14	0.47	1.20	8.46	20.50	No	No
5950	3	257.71	3.08	1.20	55.69	20.50	No	No
5950	4	40.66	0.88	2.17	4.64	14.09	No	No
5950	6	133.78	0.13	0.10	25.03	19.85	No	No
5950	7	408.28	6.73	1.65	74.78	18.52	No	No
5951	3	257.47	7.99	3.10	30.69	13.83	No	No
5951	9	132.70	15.66	11.80	16.82	14.83	No	No
5952	1	193.73	16.08	8.30	52.60	21.41	No	No
5952	3	144.87	3.59	2.48	0.00	0.00	No	No
5952	9	32.70	0.63	1.91	13.30	32.54	No	No
5952	9	35.12	0.67	1.91	14.28	32.54	No	No
5960	1	167.80	6.25	3.72	3.97	2.62	No	No
5960	5	677.18	20.97	3.10	31.45	4.88	No	No
5970	9	0.45	0.00	0.00	0.00	0.00	No	No
5990	9	0.42	0.01	2.46	0.10	22.65	No	No
Totals	--	6,657	164	2.46	1,034	15.53	--	--



LEGEND

	Truck Routes
	Railroads
	Evaluation Area
	Water Bodies

	\$0 - \$10,000
	\$10,000 - \$20,000
	\$20,000 - \$30,000
	\$30,000 - \$40,000
	\$40,000 - \$50,000
	\$50,000 - \$60,000
	\$60,000 - \$70,000
	\$70,000 - \$80,000
	No Data

Figure 5
Income Distribution in Areas
of Potential Effects / Truck Routes



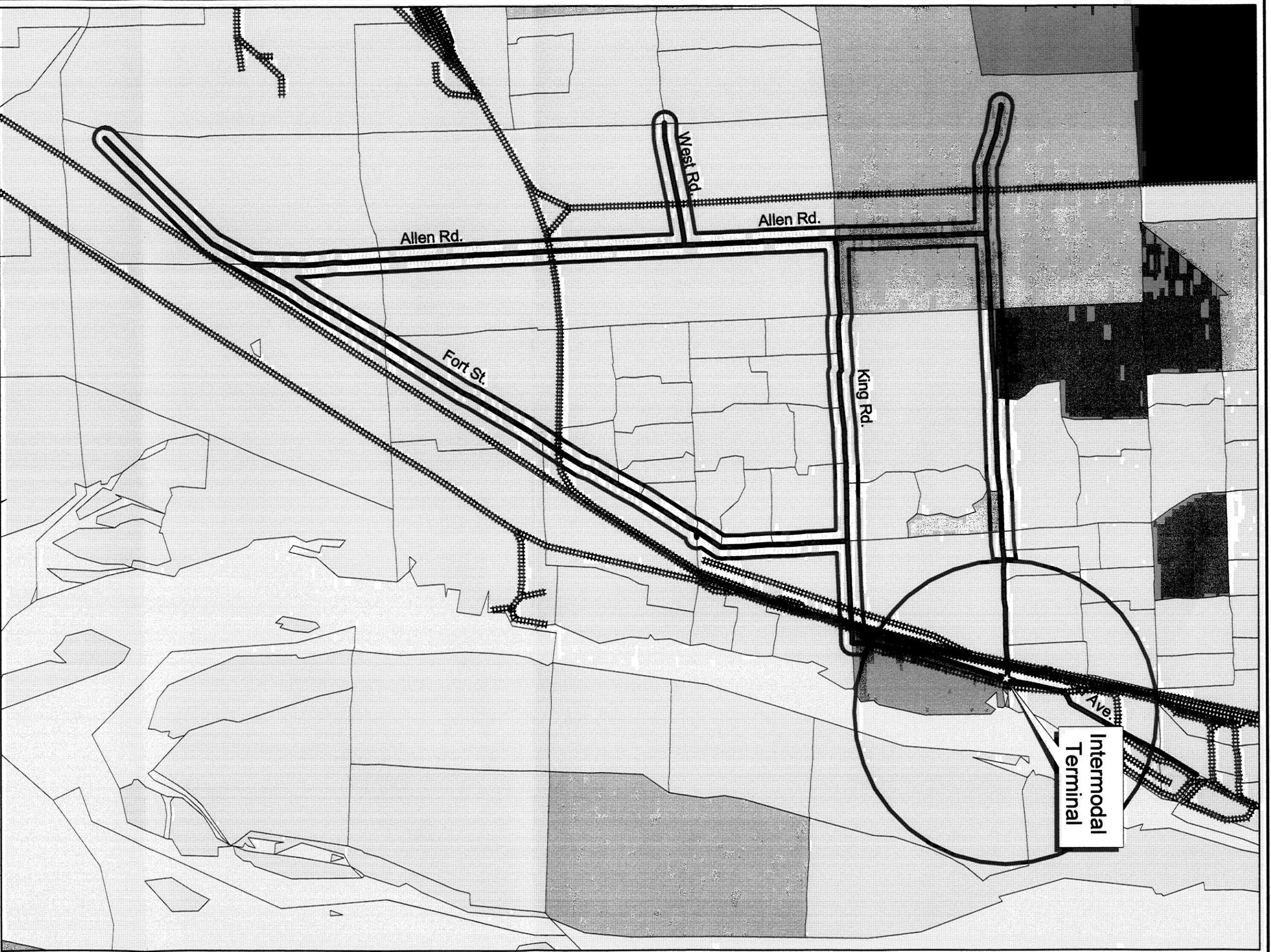


Figure 6
 Minority Population Distribution in Areas
 of Potential Effects / Truck Routes

LEGEND

Minority Population Distribution

- 0 - 5%
- 5% - 10%
- 10% - 15%
- 15% - 20%
- 20% - 25%
- 25% - 30%
- No Data

Truck Routes

Railroads

Evaluation Area

Water Bodies



Traffic

The proposed RTRR Project is expected to increase truck traffic along Jefferson Avenue from 140 initially to a maximum of 300 trucks per day. Jefferson Avenue is a 4-lane road and currently handles 10,400 vehicles per day. Based on this data, the proposed RTRR Project is expected to increase the volume of traffic by approximately 3 percent. Since this represents a relatively small increase, the impact of the proposed RTRR Project is not expected to have a significant impact on traffic flow. Therefore, these impacts would generally not be substantial enough to be considered high and adverse. See Section 5.5 for a detailed assessment of traffic impacts.

Air Quality

Air quality is not expected to be significantly impacted by the proposed RTRR Project. See Section 5.8 for a detailed assessment of air quality impacts.

Noise

Noise levels are expected to increase in the area as a result of increased truck traffic, increased train traffic, operation of cranes transferring containerized cargoes, and construction activities resulting from the installation of new track, sidings, and spurs within the intermodal terminal. Noise from train horns is not expected to be a significant factor. Since only two additional trains are expected per day and construction activities will be limited to a small segment of track and for a limited time, the primary source of increased noise generation from the proposed RTRR Project is the additional 300 trucks per day entering and exiting the intermodal terminal. Therefore, these impacts would generally not be substantial enough to be considered high and adverse. See Section 5.9 for a detailed analysis of noise impacts.

Step 4. Determine Disproportionality

Data from 42 AoPEs were obtained to determine whether the proposed RTRR Project could have high and adverse effects on populations of environmental justice concern. None of the 42 AoPEs exceeded the criteria identified in Step 2 to define areas of environmental justice concern. A quantitative analysis of disproportionality is therefore not possible, since there are no AoPEs of environmental justice concern, and no resource areas that exceed low to moderate Environmental Resource Scores.

In general, increased truck traffic is expected to cause the greatest impact with AoPEs, although this impact is slight and well below levels of significance. Impacts related to increased truck traffic in the AoPEs will be equally distributed along the various routes to the intermodal facility, and therefore are not expected to disproportionately impact minority or low-income persons living in the AoPEs.

Step 5. Evaluate Mitigation Measures

Since no disproportionately high and adverse impacts to minority or low-income populations were identified, additional mitigation measures are not necessary.

5.13 CUMULATIVE ENVIRONMENTAL IMPACTS

Cumulative environmental impacts result when the effects of a proposed action are added to or interact with other effects. Cumulative impacts can occur at times and places remote from those typically considered in an impacts evaluation (such as Chapter 4).

RTRR plans to eventually add ship and/or barge transport to its more immediate plans for a truck/rail intermodal exchange of containerized freight. The deep-water marina formerly used by McLouth is located on the DSC property and this property would need to be acquired or, alternatively, some other arrangement entered with DSC. When ships and barges are moving through the Trenton Channel of the Detroit River, there would be minor and short-term disruption of aquatic recreation and ecology (fish and bird life). Traffic across the Grosse Ile toll bridge might also be stopped as the ship and barge traffic passes through. The ship and barge traffic that would be generated, and hence the effects, would be less than the historic traffic along the channel when the McLouth Plant was in operation, but it would be more than at present.

The addition of approximately two trains per day, while relatively low and less than STB's criteria for more in-depth environmental analysis, is nevertheless a small incremental increase over the current levels of train traffic on the Conrail and GTW railroad lines to which the RTRR line would connect. This would result in a commensurate modest increase in delays at grade level crossings and other effects of rail traffic including noise to nearby residents.

5.13.1 Other Projects in Environmental Justice Communities

No disproportionately high and adverse impact to minority of low-income population was identified during this study.

5.13.2 Other Projects Identified by the Public

The Michigan Department of Transportation (MDOT) stated that it is working with the Canadian National Railway (including GTW), Canadian Pacific Railway, CSX Transportation, and the Norfolk Southern Railway to develop a large intermodal terminal complex in southwestern Detroit (See Appendix D for correspondence). According to MDOT, the terminal complex could serve most of the intermodal (containers, trailer-on-flatcar, Roadrainers, etc) needs of major shippers in the region. Along with the railroads, MDOT is working closely with the automotive industry, the Federal Highway Administration, local governments and agencies, and members of Congress on this project. Detailed feasibility and environmental studies have been completed or are currently underway. The project is referred to as the Detroit Intermodal Freight Terminal and is being planned to accommodate up to 1.9 million intermodal "lifts" annually in an area that could include 800-850 acres. Congress has appropriated \$18 million to date for development of the project and has indicated additional funding may be available. State monies

have also been spent or dedicated to the project in partnerships with railroads. The MDOT is neither opposing nor supporting the development as proposed by the Riverview Trenton Railroad Company.

To date, SEA has not received any other public comments regarding other projects in the vicinity of the RTRR facility that would result in cumulative effects warranting analysis. However, if SEA receives additional information during public comment period on local projects that reasonably could have cumulative effects, SEA will evaluate these effects in the Final EA. The information provided to STB must describe (1) the project or activity; (2) the interrelationship with the proposed action; and (3) the type and degree of the potential environmental effects. SEA will then determine if there is enough potential for significant cumulative effects. Interested parties must provide information on other projects and activities to STB within the comment period provided on this Draft EA.

CHAPTER 6

UNAVOIDABLE ADVERSE IMPACTS

This chapter identifies adverse impacts of the proposed action that cannot be completely mitigated by the proposed mitigation measures listed in Chapter 7.

- There will be an increase in local truck traffic, with attendant modest increases in traffic-related noise, emissions, and congestion described in Chapter 5. Any congestion might be at least partially mitigated by the appropriate location of traffic controls at or near the points of entrance and exit from the proposed IM facility.
- The generation of about two trains per day will directly affect the local traffic only when the grade-level track crossing on the north end of the line in Riverview is used. The frequency of such use is not now known, but RTRR intends that the grade-separated crossing at the south end of the line will be the primary access point and RTRR intends to minimize use of the grade-level crossing at the north end of the line. When that grade-level crossing is used there is the potential for a 16-minute delay at maximum train lengths and minimal speeds. During this period there would be some interference with traffic flow and movement of emergency vehicles.

CHAPTER 7

SEA'S PRELIMINARY RECOMMENDED ENVIRONMENTAL MITIGATION

Mitigation measures reduce or avoid predicted impacts from a proposed action. The mitigation measures presented below include those to which RTRR has already agreed. The primary purpose of including SEA's recommendations in the Draft EA is to allow the public and agencies to comment on these recommendations. Based on public and agency comment, SEA will conduct additional environmental analysis, where necessary, and finalize the recommendations. The final EA will contain SEA's final environmental recommendations for STB to consider in its decisions on the proposed RTRR project.

7.1 Overview of SEA's Approach to Mitigation

During the environmental assessment process, the SEA has taken a "hard look" at the environmental consequences of the proposed RTRR project. In its environmental review, SEA conducted a thorough and comprehensive analysis of the potential environmental effects associated with the initiation of rail service on the RTRR line and the operation of the proposed Intermodal facility. The analysis embraced a review of: transportation systems, including the effects on local roads and highway/rail at-grade crossings; air quality; noise; natural resources; land use; cultural resources; environmental justice and cumulative effects.

7.1.1 Scope of STB's Conditioning Power

The Board has limited authority to impose conditions to mitigate potential environmental impacts. As a government agency, the Board can only impose conditions that are consistent with its statutory authority. Accordingly, any conditions the Board imposes must relate directly to the transaction it is licensing or exempting, must be reasonable, and must be supported by the record before the Board. Thus, the Board's practice consistently has been to mitigate only those impacts that directly result from the proposed action. The Board does not have authority to require mitigation of pre-existing conditions, such as existing railroad operations or land development in the vicinity of the railroads. Further, the Board does not have authority to require mitigation with respect to matters entirely outside of its jurisdiction, such as truck routing issues.

As an alternative to the mitigation that the Board would unilaterally impose on RTRR (notwithstanding mitigation required by other Federal regulatory agencies that may have jurisdiction over potentially affected resources), SEA strongly encourages RTRR and affected parties to negotiate mutually acceptable agreements. The Board could then impose compliance with the terms of any such agreements

as an environmental condition to any approval it may give to the RTRR exemption application. These negotiated agreements would supersede any of SEA's recommended mitigation.

7.1.2 Preliminary Nature of Mitigation

SEA emphasizes that the recommended mitigation measures in this Draft EA are preliminary, and it invites public and agency comment on these proposed mitigation measures as well as alternative mitigation. In order for SEA to effectively assess the comments, it is critical that the public be specific regarding desired mitigation and the reasons why the suggested mitigation would be appropriate. In addition, SEA requests that RTRR, communities and other interested parties advise SEA of the status of any negotiations to address environmental concerns. If the parties execute a mutually acceptable binding agreement, they should immediately advise SEA in writing. SEA requests that RTRR report on the results of these consultations to SEA by the close of the public comment period for the Draft EA.

SEA will make its final recommendations for mitigation to the Board in the Final EA after considering all public comments on the Draft EA, conducting further environmental analysis and agency consultations, and conducting site visits, as appropriate. The Board will make its decision regarding the project and any conditions it might impose, including environmental conditions, based upon its consideration of the public comments, the Draft EA and the Final EA.

7.2 Mitigation Measures that RTRR has Previously Agreed to Implement

RTRR has agreed to a comprehensive Due Care Plan, which is designed to protect public health and natural resources based on the future development of the site as an intermodal terminal. A copy of its substantive provisions including appendices is contained in Appendix C.

The Due Care Plan was prepared by TMH Environmental for RTRR, pursuant to the requirements of the Michigan Natural Resources and Environmental Protection Act, because the property was previously contaminated at the time that it was owned and operated by McLouth Steel. The Plan is required to, and does, set forth measures necessary to prevent the exacerbation of existing contamination, mitigate various potential hazards resulting from the presence of hazardous substances, and address reasonably foreseeable acts or omissions of a third party. The preparation of the Plan for RTRR was undertaken following the completion of baseline environmental assessments in 2000 and 2001 with respect to what is now the RTRR property.

The Due Care Plan addresses what could potentially be the most significant adverse environmental impact from the proposed action—the future contamination of soil, surface water and groundwater due to the previous disposal of hazardous wastes, and previous discharges of air, liquid, and solid pollutants from the McLouth Plant. The Due Care Plan addresses any future construction on the RTRR site, any renovation of McLouth Plant infrastructure, including existing rail lines, and dormant land activities. The Due Care Plan provides for, among other things, the following:

- RTRR continuing cooperation with the Michigan Department of Environmental Quality and DSC in conducting the on-going remediation activities including future environmental investigations, groundwater monitoring, and establishment of a final cover.
- For those areas not covered with asphalt or concrete, gravel and landscaping will be placed on the surface to provide an effective barrier between the contaminated soil and the environment.
- All third party contractors, easement holders, and future employees will be notified of the hazards from the prior contamination and how to minimize their exposure.
- Significant (i.e., levels beyond that used for normal maintenance and cleaning) amounts of hazardous substance use or storage are prohibited.
- Access by the public will be strictly controlled to avoid exposure to the contamination.
- Vehicular speeds will be limited to 15 mph to reduce dust conditions and water will be applied to unpaved roads for the same reason.
- Monitoring of construction employee exposures to exposed contamination surfaces.
- Documentation of soil disturbance and removal following the determination that such disturbance does not represent a threat to public health and safety.
- Careful management of construction storm water including sampling and analyses. The Due Care Plan identifies procedures for storm water disposal.
- Preparation and compliance with a Health and Safety Plan pursuant to 40 CFR 300.150, and other federal and state occupational health statutes and regulations.
- Decontamination of equipment and materials leaving the site.
- Procedures for dealing with contamination not already identified on site.
- Ambient air monitoring of volatile organic compounds during soil excavation.

7.3 **SEA's Preliminary Recommended Mitigation Measures**

SEA recommends the following mitigation measures:

1. **Emergency Response**
As a result of soil and groundwater contamination on site, SEA recommends that RTRR abide by all terms and conditions of the Due Care Plan.
2. **Public Health and Natural Resources**
As a result of potential impacts to emergency response, when RTRR uses the north access to interchange with GTW and/or Conrail main lines, SEA recommends that RTRR notify the appropriate emergency response facilities within 2 hours prior to using this access.
3. **Erosion Control**
At the request of the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), SEA recommends RTRR implements erosion control protection in areas where the rehabilitation of existing lines and construction of new tract, sidings and spurs may disturb the soil to prevent runoff.