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WSDOT RAIL OFFICE

State of Washington

Department of Fish and Wildlife

Mailing Address: 1550 Alder St. NW, Ephrata, WA 98926

November 19, 2008

Washington State Department of Transportation, Rail Office
Attention: Elizabeth Phinney
P.O. Box 47407
Olympia, WA 98504-7407

SUBJECT: Northern Columbia Basin Railroad Project – Public Comment and Review of the Preliminary Environmental Assessment; Grant County

Dear Ms. Phinney:

The Washington Department of Fish and Wildlife (WDFW) Region 2 office received a copy of the Northern Columbia Basin Railroad Project Preliminary Environmental Assessment (EA) on November 10, 2008. WDFW offers the following comments at this time. Additional comments may be provided as this project progresses.

From Exhibit 4.15 and Exhibit 5.10, alternative 1A appears to have the fewer impacts to designated critical areas (wetlands) and waters of the state (Crab Creek). Therefore, WDFW would advocate for the building of alternative 1A over Segment 1.

Page 6-3 #13: This section commits to avoiding impacts to spawning walleye in Crab Creek/Parker Horn between April 1 and May 30. However, there is no mention of avoiding impacts to developing eggs and fry that may be located in the vicinity of the crossing. The Hydraulic Project Approval's (HPA) allowable in-water work window will likely not begin until early July to provide protection for these life history stages.

Page 6-3 #14: The draft EA states, '...the Port shall avoid new construction work in areas within 0.5 miles of identified nesting areas close to Segment 1, Alternative 1A, Segment 2, and Alternative 2A between February 15 and September 25.'

Heritage points located on WDFW's priority habitat and species (PHS) maps denote known nest/activity locations, but do not identify all possible burrowing owl activity in the area of potential impact. WDFW requests detailed habitat and presence/absence surveys be conducted along the proposed rail route. If burrows showing signs of past occupancy, active burrows, or burrows that may potentially be occupied in the future occur along the route, then additional mitigation in the form of artificial burrow installations may be necessary.

Ms. Phinney
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Page 6-3 #16: To protect northern leopard frog, the draft EA only commits 'To preserve existing aquatic and moist site vegetation habitats for the northern leopard frog to the maximum extent possible, the Port shall minimize clearing activities and locate equipment staging areas in previously disturbed areas, to the extent possible.'

Northern leopard frogs (NLF) are listed as Washington State Endangered and federally as a species of concern. A definitive cause for the population decline is not known, but habitat loss has been identified as contributing to the problem. The port should commit to mitigation that replaces NLF habitat that will be impacted during this project. Acceptable mitigation may include funds and/or equipment and man-hours dedicated to WDFW's efforts to create and enhance habitat on the designated NLF recovery area of the Potholes Reservoir Unit south of Interstate 90.

If you have any questions, please contact me at (509) 754-4624.

Sincerely,

Eric D. Pentico

Eric D. Pentico
Habitat Program