



RE: STD Docket No. FD 35852

Mary Hillberg to: David.Navecky

10/13/2015 12:57 PM

History:

This message has been replied to.

Thank you, Dave. Not exactly answering my question but let me see if I can ask it better: Since you are not including the Larkin EUL in your study, the only options the Draft EIS CAN choose are the 3 from the original options. Is that correct? Then when you send out the draft EIS, it would be with one of those 3 options listed as a preferred alternative? Am I incorrect that rather than "choosing", you show how anything can be done?

Another question: A petition is being circulated for many people who do not feel comfortable writing the STB, but want their voices to be heard. They are generally older, less able to work well on a computer and are perplexed with all the CPA activities of firing, hiring, changing focus, etc. They asked for a simple sign-on petition so that their opinions would be considered by your board. It currently has over 2K signatures and will have many more by the time next year rolls around. How much weight does such a petition have with the final EIS decision?

Hope I am not being too bothersome, but it is very hard to answer so many questions from the community when I don't have a firm grip on the subject.

Mary

-----Original Message-----

From: David.Navecky@stb.dot.gov [mailto:David.Navecky@stb.dot.gov]

Sent: Tuesday, October 13, 2015 10:15 AM

To: Mary Hillberg <hillberg@earthlink.net>

Subject: RE: STD Docket No. FD 35852

Mary -

Regarding your questions:

Question 1 - "Were the AF route by the Larkin Group to be excluded for whatever reason, would that mean the STB would be forced to endorse one of the other 2 routes under consideration?"

Answer - The STB's Office Of Environmental Analysis (OEA) typically identifies a preferred alternative at the Final EIS stage. Identifying OEA's preferred alternative at the Final EIS stage allows it to consider comments on the Draft EIS, including comments from federal, state and local agencies, the public, and other interested parties on the potential preferred alternative. Therefore, whether we have one, two, three or more alternatives in the Draft EIS, including the no-action alternative, they are treated equally in the Draft EIS without preference, or in your terms, an endorsement.

Question 2 - " . . . is it possible for the STB to choose the NO ACTION alternative? Have you ever recommended that alternative?"

The Final EIS is not the decision making document. Rather, the Final EIS is intended to inform the decision makers (in the STB's case, the three Board members) of the potential environmental impacts of constructing and operating a proposed rail line. The Final EIS typically identifies OEA's preferred project alternative and recommends that the Board select that

alternative if it decides to grant final approval of the project. Generally speaking, OEA could recommend that the proposed project be denied based on potential environmental impacts (i.e., recommend that the Board approve the no-action alternative). However, I do not recall an instance when OEA made such a recommendation. In making its final decision on the project, the Board members will consider the transportation merits of the proposed project and the entire environmental record including public comments.

Thanks,

Dave

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