

STB Finance Docket 33407

Forest Service Comments for 3 DME reports: Visual Assessment and Deeply Buried Sites and Haakon County Evaluations.

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Assessment of Visual Effects, New Build Segment, SD and WY***1. Standard Distances for determining effects***

Table 1.1 page 1-2: NAE effect within $\frac{1}{4}$ and 2 miles: We are not sure that this distance can be applied to all sites uniformly.

Visual effect analysis should be applied after it is determined if the visual setting contributes to site eligibility. Then the integrity of the setting needs to be evaluated. The integrity of the setting and viewshed may then change the distance at which the project will have an effect of historic properties. Thus a distance of $\frac{1}{4}$ to 2 miles may result in no adverse effect to a site where the visual setting is determined contributing and the viewshed is already somewhat compromised. However, there may well be sites that have the viewshed as a crucial part of their make up. These sites may be in very unmodified settings where the industrial corridor within a distance $\frac{1}{4}$ to 2 miles would be an adverse effect.

There are other considerations for visual effects that make the distances in the table less than useful. For example there could well be a site tied to (for example) sacred geography where the visual intrusion is in direct line of sight with a key visual landform. Thus the distance between the railroad development and operation would be less important than obscuration or visual intrusion into the visual setting.

In addition, where the railroad developments are on ridgelines and are prominent on the landscape, the distances where effects might be possible are greater than where the railroad developments are in the mid-ground and less visible from a distance. Also, where sites are on prominent features and the railroad lies within the main viewshed from the site, midground visual effects may be significant to historic properties in fairly undeveloped areas.

To restate, assessing visual effects should take place after determining if setting contributes to site eligibility and as set forth in the report, the standard distances for effects appear neither universally useful nor terribly effective in determining effects.

2. Elements of determining visual setting contribution***a. What is the current visual setting?***

Current site evaluations includes only minimal or no descriptions of the current visual setting (example on page 3-31 and 3-32). 48CA353/1812. Is the setting pristine, with only the railroad visual impact affecting the site? As a reader we cannot tell.

b. Do visual effects vary depending on NR eligibility criteria?

(Example on page 3-26 and 3-27). 48CA1711 is a site that is only described as eligible under Criterion D, but based on site visits with tribes last summer, this seems like a site that might also be eligible under other criterion as well. If so, how does the setting crucial to eligibility under another criterion and what is the effect of project construction and operation? The method presented for assessing effects presented here does not seem to adequately address sites eligible under criteria other than D.

c. Are different types of sites affected differently by visual effects?

Do rock art sites like 48FA1637 (page 2-31-32), and stone features sites (like those mentioned above) have meaning and interpretation by tribes that would mean that effects within the distances in Table 1.1 are rendered inadequate?

d. How will auditory effects be addressed?

Page 1-1 outlines that visual and auditory effects will need to be assessed. How will auditory effects be assessed?

e. Methodology

It is unclear from the description of the methodology on page 1-2 if the LOS analysis included the view to the railroad from the highest possible point of the development or if it was based on ground elevation. The highest points will presumably be signal light fixtures and crossing gates as well as operating trains. Other height considerations are trestles and bridges and rail overpasses (if overpasses are planned). What did the LOS analysis use for the elevation of the proposed railline and did it take into account the heights of features like signal poles and trains upon trestles?

Also there is no explanation for why the distances for changes in Effect Recommendations were selected. As outlined above, it appears those distances are not useful and seem to be rather arbitrary.

f. Report organization

Many of the previous reports address the line from East to West, However for Wyoming in this report it seems to be addressed from west to east. With large scale projects involving numerous reports, similar report formats are useful if not vital. For continuity between reports and ease of review, the reports should have similar formats, including tables. Those tables should be located in the same locations and contain exceedingly similar headings and contents.

g. Selection of sites for Analysis

It seems that many sites and historic properties along the proposed route that should have analysis of the contribution of setting and discussion of current visual setting as well as determining visual effects were not included in this report. There are eligible and unevaluated for Criterion A sites that were not in this analysis that it seems should be in this report. Included are sites like 39CU1850, 39CU1851, 39CU1852, 48CA3653, 48CA3652, etc. (this is not an exhaustive list), including many of the sites visited with tribes this past summer. Have these visual effects been addressed elsewhere and was the same method employed? If the analysis was similar, it was similarly flawed.

There is also at least one new site near Gipson Draw on Thunder Basin National Grassland, previously submitted to STB, located last summer but not yet recorded or added to the visual effects analysis.

h. Night time light effects

It is not clear how this evaluation of visual effects takes into account the light from train headlights, signal lights, vans carrying train staff, work rig lights, crossing lights and the like. If the headlights of a train rounding a curve sweep across an historic property at night, when the nights in that location were previously very dark, is that an adverse effect? At what distance are the lights visible and at what distance to they have adverse effects? What types of sites eligible under which criteria would be affected? How will night light be taken into account in visual effects analysis?