

CITY COUNCIL AGENDA REQUEST FORM

Today's date: 9 / 16 / 19

Date of meeting 10 / 2 / 19

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Elected Official, City Employee, Organization, or Citizen making request:

Matt Nykiel, Idaho Conservation League

Address: PO Box 2308, Sandpoint, ID 83864

Phone number and email address: 208-265-9565 mnykiel@idahoconservation.org

Authorized by: Jennifer Stapleton Jennifer P. Stapleton
name of City official *City official's signature*

Subject: Letter to Coast Guard Requesting Reconsideration of Rail Bridge Decision

Summary of what is being requested: Council should consider whether or not to request the Coast Guard to reconsider its decision not to require an Environmental Impact Statement to evaluate the impacts of adding a second rail bridge across Lake Pend Oreille. Deadline for council action is Oct. 4.

The following information **MUST** be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city? Yes No Budgeted? Yes No
If yes, in what way? _____

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action: _____ Have they been contacted? **Yes or No**

3. Is there a need for a general public information or public involvement plan? **Yes or No**
If yes, please specify and suggest a method to accomplish the plan: No

4. Is an enforcement plan needed? Yes No Additional funds needed? Yes No
5. Have all the affected divisions been informed about this agenda item? Yes No

This form must be submitted no later than 5:00pm Tuesday the week prior to the meeting. All pertinent documentation for the Council packet must be included.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM



Commander (dpw)
Thirteenth Coast Guard District
915 2nd Avenue
Seattle, WA 98174-1067

September 4, 2019

PUBLIC NOTICE 07-19

Subject: NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED CONSTRUCTION OF RAILROAD BRIDGES ACROSS SAND CREEK AND LAKE PEND OREILLE AT SANDPOINT, BONNER COUNTY, IDAHO

All interested parties are notified that the U. S. Coast Guard, as the lead federal agency, announces the availability of a Final Environmental Assessment (FEA) in accordance with the National Environmental Policy Act of 1969 (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) for the proposed construction of railroad bridges across Lake Pend Oreille and Sand Creek at Sandpoint, Bonner County, Idaho. The proposed bridges will be built parallel to existing railroad bridges crossing the same waterbodies. As structures built over navigable waterways of the United States, the proposed bridges will require a Coast Guard Bridge Permit concurrent with completion of the environmental review.

The applicant and owner of the existing railroad bridges, the BNSF Railway Company, asserts the present single-track configuration has become a constraint to efficient rail movement, resulting in congestion on the BNSF main line, rail yards and on sidings as trains await clearance to cross the existing single track bridges. Moreover, trains awaiting an opportunity to cross the bridge often block vehicular traffic at both public and private at-grade rail crossings. According to BNSF, the proposed new bridges will serve to relieve worsening rail congestion and allow for the more efficient movement of train traffic throughout the Lake Pend Oreille region.

The Coast Guard is the lead federal agency for this project and, as such, responsible for the review of its potential effects on the human environment, including historic properties and tribal impacts, pursuant to NEPA and NHPA. On February 6, 2019, the USCG issued a Notice in the Federal Register announcing the availability of a Draft Environmental Assessment for public review and comment. Public Meetings were held in Ponderay, Idaho on March 13, 2019. During the comment period, the USCG received comments in favor of and opposed to the Project. Based on the information examined as well as the feedback and comments received, the Coast Guard has determined the

proposed project will pose no significant impacts associated with this project. The Final EA has been prepared in accordance with NEPA and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR §§ 1500-1588).

The Final EA may be viewed at the following locations:

- a) Thirteenth Coast Guard District (dpw)
915 2nd Avenue
Seattle, WA 98174-1067
(Monday through Friday, 8:00 a.m. through 4:00 p.m., except Federal holidays)

- b) East Bonner County Library
1407 Cedar Street
Sandpoint, Idaho 83864
(Monday through Thursday, 7:00 a.m. through 7:00 p.m. and Friday and Saturday, 10 a.m. through 5 p.m., except Federal holidays)

The Final EA may also be viewed online at <https://www.regulations.gov> using docket number USCG-2018-1085.

FOR THE DISTRICT COMMANDER:

//s//

Steven Fischer
District Bridge Manager
U. S. Coast Guard
By direction

This is a web-searchable copy and is not the official, signed version; however, other than the signature being omitted, it is a duplicate of the official version.

FOR REFERENCE, PRIOR RESOLUTION FROM 2018

No: 18-28
Date: May 2, 2018

RESOLUTION
OF THE CITY COUNCIL
CITY OF SANDPOINT

TITLE: A RESOLUTION TO PROTECT THE HEALTH, SAFETY, AND ECONOMIC WELL BEING OF LOCAL CITIZENS AND SANDPOINT'S DRINKING WATER SUPPLY AND NATURAL RESOURCES FROM THE POTENTIAL IMPACTS OF BNSF RAILWAY'S PROPOSAL TO CONSTRUCT AN ADDITIONAL 2.2 MILES OF RAILROAD TRACK AND ASSOCIATED BRIDGES THROUGH THE CITY OF SANDPOINT AND ACROSS LAKE PEND OREILLE

WHEREAS: The City of Sandpoint is committed to the protection of its citizens, as well as the natural resources on which the City depends;

WHEREAS: Rail infrastructure in northern Idaho runs adjacent to land resources and Lake Pend Oreille and its aquatic resources, as well as the City's major source of drinking water;

WHEREAS: The City is uniquely situated between mountains and Lake Pend Oreille, where multiple rail lines converge and come into close proximity of the City and the lake;

WHEREAS: Rail transportation through the Sandpoint region includes both ground level and elevated tracks through the City;

WHEREAS: BNSF Railway has proposed the Sandpoint Junction Connector, which would include the construction of an additional 2.2-mile-long mainline track partially within the City of Sandpoint;

WHEREAS: The Sandpoint Junction Connector proposal would include the construction of three new bridges, one across Bridge Street, one across Sand Creek, and one nearly a mile long across Lake Pend Oreille;

WHEREAS: BNSF Railway estimates the Sandpoint Junction Connector proposal would cost at least \$100 million and require at least 3 years of construction;

WHEREAS: The City Council is concerned about the potential impacts on public safety and economic disruption from construction, possible derailment, and increased rail traffic associated with the Sandpoint Junction Connector proposal;

WHEREAS: The 2017 Lake Pend Oreille and Pend Oreille River Geographic Response Plan identified existing equipment, training, evacuation, procedural, and geographic vulnerabilities to our community's ability to respond to a train derailment of crude oil or hazardous materials;

WHEREAS: In 2016, three railroads in Bonner County transported significantly more than 300,000 rail cars or tank cars containing various forms of hazardous materials and crude oil;

WHEREAS: As of 2017, approximately 24-unit trains per week carrying crude oil travel through Sandpoint;

WHEREAS: On June 3, 2016, a train carrying crude oil derailed in Mosier, Oregon, causing a wildfire, spilling 47,000 gallons of crude, and forcing the evacuation of 100 residents;

WHEREAS: On March 15, 2017, a train carrying grain derailed near the Moyie River in Boundary County, causing approximately 5 rail cars to careen off a 100-foot embankment near the Moyie Dam;

WHEREAS: On March 17, 2017, an empty coal train derailed in Kootenai, Idaho, causing approximately 50 empty coal cars and one locomotive to derail;

WHEREAS: On May 1, 2017, a train carrying corn derailed near Cocolalla Lake in Bonner County, causing 25 rail cars to come off the tracks, spilling grain, and partially blocking U.S. Highway 95;

WHEREAS: On August 13, 2017, a train carrying coal derailed near Noxon, Montana, causing 30 rail cars to spill coal along on in the Clark Fork River;

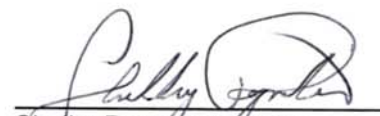
WHEREAS: On September 16, 2017, coal left unaddressed along the Clark Fork River near Noxon, Montana from the August 13, 2017 train derailment began to combust and smoke, requiring emergency responders to extinguish the heat and prevent a potential wildfire;

NOW, THEREFORE, BE IT RESOLVED THAT: The Sandpoint City Council strongly requests the U.S. Coast Guard require BNSF Railway produce an Environmental Impact Statement, analyzing the full scope of direct, indirect, and cumulative impacts associated with BNSF's Sandpoint Junction Connector proposal and in connection with other associated rail expansion proposals in north Idaho.


BE IT FURTHER RESOLVED THAT: The Sandpoint City Council strongly requests the Surface Transportation Board to exercise its jurisdiction to ensure the cost of mitigating the impacts of trains carrying hazardous materials, crude oil, and coal do not fall on the local communities, other rail users and taxpayers.

BE IT FURTHER RESOLVED THAT: The Sandpoint City Council strongly requests the Federal Rail Administration to share its subject matter expertise on the relationship between rail safety and public/environmental safety with the U.S. Coast Guard, as the U.S. Coast Guard conducts its review of BNSF's Sandpoint Junction Connector proposal.

BE IT FURTHER RESOLVED THAT: The Sandpoint City Council hereby adopts this Resolution.


Shelby Rognstad, Mayor

ATTEST:


Maree Peck, City Clerk

City Council Members:

| | | | YES | NO | ABSTAIN | ABSENT |
|----|------------|--------|-----|----|---------|--------|
| 1. | Eddy | Motion | X | | | |
| 2. | Aitken | | X | | | |
| 3. | Williamson | | | | X | |
| 4. | Ruehle | Second | X | | | |
| 5. | Aispuro | | X | | | |
| 6. | Darling | | | | | X |