

FRA Categorical Exclusion Worksheet

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Public reporting burden for this information collection is estimated to average 156 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 2130-0615. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Washington D.C. 20590.

**Federal Railroad Administration (FRA)
CATEGORICAL EXCLUSION WORKSHEET**

For Agency Use: Categorical Exclusion Signature Approval	
Date Class of Action was Determined by FRA: October 28, 2021	
Date Completed Document was Received by FRA: Version 1 – August 10, 2021; Version 2 – September 20, 2021; Version 3 – October 26, 2021; Version 4 – January 4, 2022; Version 5 – June 29, 2022	
Reviewed By: Kaitlyn Rimol	Date: July 20, 2022
Concurrence by Approving Official: AMANDA ELIZABETH CIAMPOLILLO	Date: Digitally signed by AMANDA ELIZABETH CIAMPOLILLO Date: 2022.07.20 13:38:25 -04'00'

For Agency Use: Section 4(f) Evaluation	
Will the Project result in the use of a resource protected by 49 U.S.C. §303 [Section 4(f)] of the Department of Transportation Act of 1966?	
If answer is 'YES,' please include Section 4(f) documentation and coordination letters.	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

For Agency Use: FRA Required Mitigation	
Does FRA require additional mitigation for this Project?	
If answer is 'YES,' please indicate additional mitigation in Section T below.	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

For Agency Use: Unusual Circumstances	
Did FRA find that the Project falls within § 771.116 (b) Any action that normally would be classified as a CE but could involve unusual circumstances?	
If answer is 'YES,' please indicate under Project Description below, what FRA coordination and appropriate environmental studies were conducted to determine if the CE classification is proper.	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

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CATEGORICAL EXCLUSION WORKSHEET**

The purpose of this worksheet is to assist Project Sponsors in gathering and organizing materials for environmental analysis required under the National Environmental Policy Act (NEPA), particularly for projects that may qualify as Categorical Exclusions (CE). CEs are categories of actions (i.e. types of projects) that the FRA has determined, based on its experience, normally do not have a significant effect on the human environment and which generally do not require the preparation of either an environmental impact statement (EIS) or an environmental assessment (EA). Decisions to prepare EAs and EISs are made by FRA.

The Project Sponsor is responsible for providing FRA with a sufficient level of documentation and analysis to help inform FRA’s determination that a CE is the appropriate NEPA class of action. Documentation and analysis may include background research, results of record searches, field investigations, field surveys, and any past planning or studies.

Note: Submission of this worksheet by itself does not meet FRA’s NEPA requirements. FRA must make a final determination that a CE is appropriate. This worksheet also does not demonstrate compliance with other Federal laws that may be applicable to the Project. For questions regarding FRA’s NEPA requirements, please contact FRAenvironment@dot.gov.

Instructions for completing this CE worksheet are available on the FRA website at: <https://www.fra.dot.gov/Page/P0550>.

Submit the following documents along with this worksheet:

1. Map(s) or diagram(s) of the Project area that identify locations of critical resource areas, wetlands, potential historic sites, or sensitive noise receptors such as schools, hospitals, and residences.
2. Map(s) or diagram(s) of the proposed modifications to existing railways, roadways, and parking facilities.
3. Copies of all agency correspondence particularly with permitting agencies.
4. Representative photographs of the Project area.
5. Any technical memoranda or report(s) developed to support this CE worksheet.

I. PROJECT DESCRIPTION

Project Sponsor Name Mendocino Railway (“MR”)	Date Submitted to FRA 6/29/22	FRA Funding Program or other FRA Action Triggering NEPA (Unfunded) RRIF Express
Project Sponsor Contact Robert Jason Pinoli	Project Sponsor Phone (707) 964-6371	Project Sponsor E-mail address ripinoli@sierrarailroad.com
Proposed Project Title (verify with FRA Regional Manager if part of a grant award and list grant award number) Project to Revitalize the California Western Railroad/Skunk Train		
Location (Include Street Address, City or Township, County, and State) City of Fort Bragg, CA, and Mendocino County, CA		
FRA NEPA Contact	FRA NEPA Contact	FRA NEPA Contact E-mail address

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Kaitlyn Rimol	(617) 494-3648	Kaitlyn.Rimol@dot.gov
<p>Description of Project: Fully describe the Project. The description should focus on Project elements that may be of environmental concern, such as: <i>widening an embankment to stabilize roadbed; repairing or replacing bridge pier foundations, extending culverts, adding rip-rap in a waterway; earthwork and altering natural (existing) drainage patterns and creating a new water discharge; contaminated water needing treatment; building a new or adding on to a shop building; fueling or collection of fuel or oil and contaminated water; building or extending a siding; and building or adding on to a yard. Also, identify the proposed construction schedule if known. Where applicable, fully describe the operational characteristics of the facility to be improved by the Project and any anticipated operational changes that may result.</i></p> <p>The original version of this CE was issued February 1, 2022. Subsequently, Mendocino Railway proposed changes to the project scope. As such, FRA determined a reevaluation of the CE was appropriate. The only change to the scope of work was the removal of one work location, the Mill Site. The remainder of the scope remains as evaluated in the original CE.</p> <p>Mendocino Railway's ("MR") Project to Revitalize the California Western Railroad/Skunk Train includes improving track, bridges, and other infrastructure, and purchasing rolling stock. The project activities include the following (collectively referred to as "the Project"):</p> <ol style="list-style-type: none"> 1. replace approximately 32,100 ties in three blocks along MR's entire 40-mile rail line (referred to herein as "Line"), which extends from Fort Bragg, CA to Willits, CA; 2. replace approximately 2,150 sticks of rail across three blocks; 3. undertake approximately \$21,491,071 million in related track work and right-of-way improvements, including the following: <ol style="list-style-type: none"> a) refurbishment of sidings within the existing right-of-way ("ROW"); one siding will be refurbished in the Fort Bragg block (approximately MP 2), two sidings will be refurbished in the Noyo Canyon block (approximately MP 21.3, MP 10), and one siding will be refurbished in the Willits block (approximately MP 32.6). In all four locations, sidings have previously existed in these areas; the Project proposes to restore them for active use. b) refurbishing existing, actively maintained walkways and footpaths for maintenance-of-way ("MOW") crews along the ROW from Fort Bragg to Willits. In all work locations, these walkways and footpaths are present and maintained by the railroad at regular intervals; the Project proposes to restore them for use by MOW crews. This work does not involve any new ground disturbance. c) addition of electrical power utilities to the ROW from Fort Bragg to Willits d) installation of new security fencing and cameras along the ROW from Fort Bragg to Willits 4. repairs to 50 to 60 structurally impaired sets, which are wooden support beams located inside the tunnel (replacement of non-original materials) and modernization to other sets (non-original materials) in partially collapsed Tunnel #1 at Milepost 3.52. The tunnel links Fort Bragg, CA, which is located on a remote section of the California coast, with difficult roads, to Willits, CA, a town 40 miles inland to the east. The tunnel was entirely rebuilt in 1976 and the earthen area surrounding the tunnel was subsequently rebuilt and stabilized in 2018 as part of a separate project (see attached tunnel construction and stabilization as-built plan). The tunnel work proposed as part of this Project will all occur on the interior structural elements of the tunnel and will not 		

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involve exterior ground disturbance outside of the tunnel. The repairs to Tunnel #1 involve the following work:

- a) clearing the west portal (including exposing and shoring Tunnel #1's entrance on the western end); including temporary erosion control;
 - b) geotechnical sampling;
 - c) applying temporary tunnel safety procedures;
 - d) temporary shoring install (includes temporary shoring to secure Tunnel #1 in order to perform the wall treatment);
 - e) perform soil nailing (soil nails average 14' long and 4 center) throughout Tunnel #1;
 - f) applying Shotcrete; restoring the entrance; and stabilizing the tunnel interior.
5. make small fixes to improve 27 bridges (see attached bridge list for locations and scope of repairs at each bridge); repairs include the following:
- a) Repairing or replacing bridge ties, caps, stringers, bents, guard timbers, chords, sills,
 - b) Adding ballast and tamping bridge approaches;
 - c) Repair backwalls;
 - d) Replace or repair walkways;
 - e) Replace deck planks
6. acquire rolling stock including:
- a) up to ten (10) flat cars for line maintenance, storage, and materials transportation uses;
 - b) two passenger coaches that will supplement rolling stock used for Willits and Glen Blair Junction blocks;
 - c) one locomotive for use in Fort Bragg.

Throughout the Project, access to perform the work will be obtained along the right-of-way, and no new access roads will be required to perform the work.

Work will be performed in the following locations (see attached maps):

- Willits Block Track Improvement: 7.4 miles of track between Willits (milepost 40) and Headwaters (milepost 32.6)
- Noyo Canyon Block Track Improvement: 29.1 miles of track between Glen Blair Junction (milepost 3.5) and Headwaters (milepost 32.6)
- Fort Bragg Block Track Improvement: 3.5 miles of track between Fort Bragg (milepost 0.0) and Glen Blair Junction (milepost 3.5)

See also the attached scope of work document for additional details on proposed project elements.

As originally proposed and reflected in the CE signed on February 1, 2022, the Project previously included the reconstruction of approximately one mile of track at a former lumber mill site in Fort Bragg, CA ("Mill Site"). The specific purpose of the Mill Site portion of the project was to shorten the travel time and distance required to turn trains around when reaching the current railroad terminus at the station in Fort Bragg. However, MR has chosen to not move forward with this element of the project as part of the scope of the RRIF Express loan and will continue to use the current train turnaround locations along the

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line. Although this reduces some railroad operation efficiencies, the Project as currently proposed without the Mill Site work continues to meet the stated Purpose and Need for the Project, as it will allow MR's current and prospective customers to travel the entire length of the 40-mile line by repairing Tunnel #1, and it will allow MR to provide safe and viable rail service by maintaining the railroad in an overall state of good repair. The funding that was previously allocated for the Mill Site work will be used to fund additional track and tie maintenance along the Willits Block.

Property Acquisition:

Describe the need to acquire property for the project, such as temporary easements for construction or permanent easements or right-of-way. Also, discuss outreach to the property owners and any concerns or possible opposition.

Property acquisition is not required for this Project.

Note: A Project Sponsor must obtain authorization from FRA before acquiring property prior to completing the NEPA process and receiving written FRA concurrence in the NEPA recommendation or Federal financial participation in the Project may be jeopardized.

II. **FRA CATEGORICAL EXCLUSION**

Please identify below the CE category or categories below that best fits the Project:

Project uses FRA CE found at 23 CFR § 771.116:
[\[list CE number and description\]](#)

(9) Maintenance or repair of existing railroad facilities, where such activities do not change the existing character of the facility, including equipment; track and bridge structures; electrification, communication, signaling, or security facilities; stations; tunnels; maintenance-of-way and maintenance-of-equipment bases.

(12) Minor rail line additions, including construction of side tracks, passing tracks, crossovers, short connections between existing rail lines, and new tracks within existing rail yards or right-of-way, provided that such additions are not inconsistent with existing zoning, do not involve acquisition of a significant amount of right-of-way, and do not significantly alter the traffic density characteristics of the existing rail lines or rail facilities.

(18) Acquisition (including purchase or lease), rehabilitation, transfer, or maintenance of vehicles or equipment, including locomotives, passenger coaches, freight cars, trainsets, and construction, maintenance or inspection equipment, that does not significantly alter the traffic density characteristics of an existing rail line.

(19) Installation, repair, and replacement of equipment and small structures designed to promote transportation safety, security, accessibility, communication, or operational efficiency that take place predominantly within the existing right-of-way and do not result in a major change in traffic density on the existing rail line or facility, such as the installation, repair, or replacement of surface treatments or pavement markings, small passenger shelters, passenger amenities, benches, signage, sidewalks or trails, equipment enclosures, and fencing, railroad warning devices, train control systems, signalization, electric traction equipment and structures, electronics, photonics, and communications systems and equipment, equipment mounts, towers and structures, information processing equipment, and security equipment, including surveillance and detection cameras.

(22) Track and track structure maintenance and improvements when carried out predominantly within the existing right-of-way that do not cause a substantial increase in rail traffic beyond existing or historic levels, such as stabilizing embankments, installing or reinstalling track, re-grading, replacing rail, ties, slabs and ballast, installing, maintaining, or restoring drainage ditches, cleaning ballast, constructing minor curve realignments, improving or replacing interlockings, and the installation or maintenance of ancillary equipment.

Note: If it is not clear if a CE category applies, [contact FRA](#). The Project may require an EA or EIS.

III. DISCUSSION OF EFFECTS

Analyze and identify potential impacts from both construction and changes to operations (where applicable) for each resource type below. Effects or impacts are reasonably foreseeable changes to the human environment, including those effects that occur at the same time and place and effects that are later in time or farther removed in distance from the proposed action or alternatives. Effects may be beneficial or detrimental. (40 CFR § 1508.1(g))

Where appropriate, the Project sponsor may commit to mitigation measures to avoid, reduce, or minimize impacts, including the use of Best Management Practices (BMP). Identify any mitigation measures necessary to comply with other laws or regulations in each section (e.g. Clean Water Act Section 404) and consider the impacts from mitigation.

Include reference to any technical reports, data collection methods (surveys, agency coordination), and compliance with applicable laws. Avoid noting specific location information about sensitive resources, which may include archaeological sites or threatened/endangered species.

Identify any resource topics that would not be affected by the proposed Project because the resource is not present in the Affected Environment. These topics do not require further discussion, except as noted in the corresponding section below:

- | | |
|---|---|
| <input type="checkbox"/> Land Use (B) | <input type="checkbox"/> Waters of the US (J) |
| <input type="checkbox"/> Cultural Resources (C) | <input checked="" type="checkbox"/> Floodplains (K) |
| <input checked="" type="checkbox"/> Parks and Recreational Facilities (D) | <input type="checkbox"/> Water Quality (L) |
| <input type="checkbox"/> Transportation (E) | <input type="checkbox"/> Navigable Waterways (M) |
| <input type="checkbox"/> Noise and Vibration (F) | <input type="checkbox"/> Coastal Zones (N) |
| <input type="checkbox"/> Air Quality (G) | <input checked="" type="checkbox"/> Important Farmlands (O) |
| <input type="checkbox"/> Hazardous Materials and Waste (H) | <input type="checkbox"/> Listed Species (P) |
| <input type="checkbox"/> Communities and Environmental Justice (I) | <input type="checkbox"/> Public Safety (Q) |

A. Affected Environment: *Define the limits of the Project or analysis area and briefly describe the environmental conditions in and surrounding the area (defined as broadly as necessary to evaluate potential impacts and include maps as appropriate).*

As set forth in the attached scope of work, MR is expanding sidings, expanding walkways, and adding power and communication facilities within the **existing rail right-of-ways** where there was previous ground disturbance; these improvements will occur in the Willits Block, Noyo Canyon Block, and Fort Bragg Block. MR will also make small fixes and improvements 27 of MR's 30 Bridges. MR will purchase flat cars for a variety of uses on the Line, including MOW, storage, and transportation of materials. MR also intends to purchase additional passenger coaches that will supplement rolling stock used for Willits and Fort Bragg blocks. Finally, MR seeks to acquire one or more locomotives for use in Fort Bragg.

The Line originates in the City of Fort Bragg, California, a small community along the Pacific Coast of California along Shoreline Highway in Mendocino County. It is located approx. 165 miles north of San Francisco and approx. 190 miles west of Sacramento, the two closest metropolitan areas. The Line terminates in Willits, California, which is 40 miles away by rail. The Line weaves through the redwood forests of the Noyo River Canyon. For people living along the remote Line, the railroad is a primary means of access. The land surrounding the Line is largely forest and much is used for hiking and other recreational uses. The Line includes stops at The Glen, Redwood Lodge, Camp Noyo, Camp Mendocino, Northspur, and Headwaters.

<p>B.</p>	<p>Land Use: <i>Briefly describe the existing land use of the Project area and surrounding properties and resources and identify and discuss any potential inconsistencies the Project might have with local land use plans and policies.</i></p> <p>The Project is included on the Regional Transportation Plan (RTP) (see Attachment describing the Project's consistency with local land use plans). As such, the Project is consistent with and would facilitate Mendocino County's future transportation plans. Moreover, the Project dovetails neatly into relevant metropolitan and local planning, both of which envision reestablishing freight rail transportation in Mendocino County, CA. There are no legislative approvals required or the Project.</p>
<p>C.</p>	<p>Cultural Resources: <i>Does the project include activities that have the potential to impact cultural resources (such as ground disturbing activities, building or landscape alterations, or the introduction of visual, audible or atmospheric elements)?</i></p> <p><input checked="" type="checkbox"/> Yes, explain how the Project is the type of activity that has the potential to impact cultural resources.</p> <p><input type="checkbox"/> No, explain how the Project is not the type of activity that has the potential to impact cultural resources. (Continue to D)</p> <p>Project activities associated with repairs to the interior of the collapsed tunnel, improvements, repair to walkways on bridges, construction and maintenance of walkways along the ROW, track improvements, siding construction, signal communication and power generation fencing, and security measures have potential to affect historic properties.</p> <p>The acquisition of rolling stock does not have the potential to affect historic properties, as this activity does not involve construction or ground disturbance that could affect historic properties.</p> <p><i>Is a Federal agency program alternative, established under Advisory Council on Historic Preservation regulations (36 CFR 800.14), applicable to the Project (either fully or partially)?</i></p> <p><input checked="" type="checkbox"/> Yes, a program alternative applies. Program Comment FULLY Applies</p> <p>Explain applicability of the program alternative (Continue to D)</p> <p><input type="checkbox"/> No, there is no applicable program alternative.</p> <p>Section 106 compliance for scope of work items 1-5 is achieved using the <i>Program Comment to Exempt Consideration of Effects to Rail Properties Within Rail Rights-of-Way</i> issued by the Advisory Council on Historic Preservation on August 17, 2018 (83 FR 42920, August 24, 2018, and amended 84 FR 31075, June 28, 2019). The project meets the following exempted activities:</p> <ul style="list-style-type: none"> • Appendix A.II.A.1: Track and trackbed maintenance, repair, replacement, and upgrades within the existing footprint (i.e., existing subgrade, subballast, ballast, and rails and crossties (track)). These activities must not include alterations to the trackbed that would result in a substantial visual change (i.e., elevation or alignment) in the relationship between the trackbed and the surrounding landscape or built environment. • Appendix A.II.A.2: Reinstallation of double tracking on a currently single-tracked line that had historically been double-tracked. • Appendix A.II.B.1: In-kind maintenance and repair of bridges and tunnels.

- Appendix A.II.B.3: Maintenance or repair of tunnel ventilation structures and associated equipment (e.g. fans, ducting).
- Appendix A.II.B.8: Removal or replacement of any bridge or tunnel material or added-on element that is not part of the original construction.
- Appendix A.II.F.1: Maintenance, repair, replacement, or installation of the following security and intrusion prevention devices adjacent to tracks or in railyards or rail transit yards: Security cameras, closed captioned television (“CCTV”) systems, light poles and fixtures, bollards, emergency call boxes, access card readers, and warning signage.
- Appendix A.II.F.2: Maintenance, repair, replacement, or installation of security and safety fencing, guardrails, and similar intrusion prevention and fall protection measures.
- Appendix A.II.F.3: Maintenance, repair, replacement, or installation of safety equipment/fall protection equipment or rail bridges, signal bridges, or non-station structures for the protection of rail workers or the public. Examples include railings, walkways, gates, tie-off safety cables, anchors, and warning signage.
- Appendix A.II.J.3: Maintenance of access roads and laydown areas.
- Appendix A.II.M.1: Minor new construction and installation of railroad or rail transit infrastructure that is compatible with the scale, size and type of existing rail infrastructure, such as buildings for housing telecommunications equipment, signal instruments, and similar equipment; storage building that house landscaping or maintenance of way equipment or specialty vehicles for track repairs or inspections; locomotive and train or rail transit car service and inspection facilities; trailer or temporary structures for housing rail personnel; fueling station; underground utilities; overhead utilities, transmission lines, and communication poles, and signage. This does not include substantial new construction, such as construction of new passenger stations, railyards or rail transit yards, or tunnels, or demolition of existing structures.

The work under project description item #4 associated with repairs to tunnel #1 consists of maintenance of structural elements of the interior portion of the tunnel only; this work does not involve any earthwork that would result in excavation or exterior ground disturbance outside of the tunnel. Therefore, this work is covered under Appendix A.II.B.1, Appendix A.II.B.3, and Appendix A.II.B.8 as noted above.

The addition of electrical power to the Willits and Noyo Canyon blocks is covered under Appendix A.II.M.1, which is required to be overseen by an SOI-qualified professional. MR will employ an SOI-qualified professional to supervise this work in accordance with the requirements of the *Program Comment*.

Note: Describe the: 1) Area of Potential Effects (APE); 2) identification of any cultural resources in the APE; 3) impact of the Project on cultural resources in the APE, if present; and 4) consultation with the State Historic Preservation Office. Attach relevant maps, correspondence, and reports.

What efforts have been made to determine if resources of interest to Federally-Recognized Indian Tribes are present in the Project area (e.g. archaeological sites, cultural landscapes, sacred places, or traditional use areas)

Section 106 compliance is achieved using the Program Comment as noted above, and no archaeological impacts are anticipated. No tribal outreach was performed.

<p>D.</p>	<p>Parks and Recreational Facilities: <i>Are any parks, wildlife and waterfowl refuges, or recreational areas in or directly adjacent to the Project area?</i></p> <p><input checked="" type="checkbox"/> No, include a short statement describing efforts to identify parks, wildlife refuges, and recreational facilities in or adjacent to the Project area.</p> <p><input type="checkbox"/> Yes, include a detailed description of the property, including map or drawing, describe the recreational uses of the property, any unique characteristics of the property, identify if the property or resource may be protected under Section 4f of the Department of Transportation Act, and discuss any coordination with the entity with legal jurisdiction over the property.</p> <p>Aerial maps and topographic maps do not indicate that any parks or recreational areas exist adjacent to the Line. The closest the railroad gets to a park or recreational facility is at Grove, CA (where the Line is 0.5 miles from Jackson State Forest). All work and access associated with the Project will occur along the ROW, and the Project will not impact any parks or recreational facilities.</p> <p>If Yes: Would the Project result in "use" of a 4f property or resource per Section 4f?</p> <p><input type="checkbox"/> No, explain why</p> <p><input type="checkbox"/> Yes, describe the potential use(s) and coordinate further with FRA on additional documentation requirements.</p> <p>Would the Project result in other recreational impacts?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, describe the potential impacts</p>
<p>E.</p>	<p>Transportation: <i>Would the Project have any effect (beneficial or adverse) on transportation including but not limited to other railway operations, road traffic, pedestrian, or increase the demand for parking?</i></p> <p><input type="checkbox"/> No, explain why the Project would have no effect (beneficial or adverse) on transportation.</p> <p><input checked="" type="checkbox"/> Yes, describe potential transportation, traffic, and parking impacts, and address capacity constraints and potential impacts to existing railroad and highway operations. Also, summarize any coordination that has occurred with other railroads or highway authorities whose operations this Project would be impacted.</p> <p>The railroad's freight and passenger offerings have historically been the economic engine for the region. The objective of the Project is to reopen the Line to freight and passenger traffic by repairing Tunnel #1 and rehabilitate and renew the entire Line. If these repairs are not performed, the future of rail transportation in the very rural region is in jeopardy. The collapse of Tunnel #1 severed the Line, prevented MR from renewing freight services, significantly reduced passenger offerings, and caused the region's fragile economy to experience some setbacks. Further setbacks in 2020 related to COVID-19 has completely fractured the region's economy. Reopening the entire 40-mile Line will allow freight and passengers to be transported from Milepost 0 (at the city of Fort Bragg, California) to Milepost 40 (at Willits, California) and remove traffic from the region's fragile and challenging mountainous roads. In sum, the Project seeks to address transportation challenges related to critical infrastructure, which has and will help sustain and flourish economic growth in the region.</p>

	<p>Although freight and passenger operations were reduced when the tunnel collapsed in 2015, MR has continued to transport both since that time. The Project will ensure shippers and industries that utilize the Line or have interest in rail service over the line have access to safe and viable rail service between Fort Bragg, California and Willits, California, and even farther due to transloading. Logs, aggregates, and municipal solid waste (MSW) are expected to move over the MR's rail line. Companies such as North Coast Brewing and FloBeds have expressed an interest to MR in using the line for common carrier freight service. As such, the Project improvements would provide a transportation benefit by providing an alternative means for transporting these products. On the passenger side, according to Mendocino County, the "Skunk Train" is the top commercial tourist attraction in Mendocino County, carrying about 60,000 passengers per year. The transportation benefits produced by the Project are expected to result in one additional train trip per day across the line.</p>
<p>F.</p>	<p>Noise and Vibration: <i>Are any sensitive receptors in or near the Project area?</i></p> <p><input checked="" type="checkbox"/> No, identify the steps taken to confirm no sensitive receptors (residences, parks, schools, hospitals, public gathering spaces) are in or near the Project area. (Continue to G)</p> <p><input type="checkbox"/> Yes, will the Project change the noise and/or vibration exposure of the sensitive receptors when applying the screening distances for noise and vibration assessment found in FRA's and the Federal Transit Administration's most recent noise impacts assessment guidance manuals. Such changes in exposure might include changes in noise emissions and/or noise events, or changes in vibration emissions and/or vibration events.</p> <p>MR's desktop review determined there were no sensitive receptors such as residences, schools, hospitals, or public places in the immediate Project area, which is largely rural in character.</p> <p>Despite the Tunnel#1 closure, the split-Line currently handles an average of six round trips daily, and the improvements will allow for one additional train to transverse the entire Line daily. Trains leave from Willits, CA and head west and trains leave from Fort Bragg, CA and head east. Although the Project will result in the addition of one train trip across the line per day, the Project is anticipated to result in a reduction of noise and vibration caused by railroad operations over the dilapidated Line because of the rehabilitation to the Line, which will bring the Line into a State of Good Repair.</p> <p>Note: If the Project is anticipated to change the noise or vibration exposure of sensitive receptors, complete and attach a General Noise and/or Vibration Assessment. Describe the results of the Assessment and any mitigation that will address potential impacts.</p>
<p>G.</p>	<p>Air Quality: <i>Is the Project located in a National Ambient Air Quality Standard (NAAQS) Non-Attainment or Maintenance area?</i></p> <p><input type="checkbox"/> No, identify any air emissions increases or benefits that the project will create. (Continue to H)</p> <p><input checked="" type="checkbox"/> Yes, for which of the following pollutants:</p> <p><input type="checkbox"/> Carbon Monoxide (CO) <input type="checkbox"/> Ozone (O₃) <input checked="" type="checkbox"/> Particulate Matter (PM₁₀) or <input type="checkbox"/> PM_{2.5}</p> <p><input type="checkbox"/> Nitrogen Oxide (NO_x) <input type="checkbox"/> Sulphur Dioxide (SO₂) <input type="checkbox"/> Lead (Pb)</p> <p><input type="checkbox"/> Emissions from volatile organic compounds (VOC)</p>

	<p>Will the Project, during construction and/or operation, result in new emissions from: Carbon Monoxide (CO), Ozone (O3), Particulate Matter (PM10 or PM2.5), Nitrogen Oxide (NOx), Sulphur Dioxide (SO2) and Lead (Pb) or volatile organic compounds?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, attach an analysis showing the emissions for the applicable pollutant that would result from construction and operation of the Project.</p> <p>Note: In some cases, FRA will require additional information to comply with the Clean Air Act's General Conformity requirements.</p>
<p>H.</p>	<p>Hazardous Materials and Waste: <i>Would the Project involve the use, handling, disposal, or disturbance of hazardous materials or waste?</i></p> <p><input type="checkbox"/> No, describe the steps taken to determine that hazardous materials or waste would not be a concern (continue to I)</p> <p><input checked="" type="checkbox"/> Yes, describe the concerns and measures that will mitigate any potential for release and contamination.</p> <p>The Project involves the removal of the chromated copper arsenate railroad ties from the Line, which are considered hazardous waste. MR has adopted BMPs to ensure that old ties will be collected and placed in a dumpster for disposal and properly disposed of as hazardous waste.</p> <p>The line is continuously surveyed and inspected. Based on these inspections, MR does not believe any hazardous materials are present on the Line. However, MR will monitor for the presence of hazardous materials during construction.</p> <p><i>If yes, is it likely that hazardous materials will be encountered as a result of the Project? (Prior to acquiring land or a facility with FRA funds, consult with FRA regarding the potential presence of hazardous materials)</i></p> <p><input checked="" type="checkbox"/> No, explain why it is unlikely that hazardous materials will be encountered.</p> <p><input type="checkbox"/> Yes, complete a Phase I site assessment and attach.</p> <p>Anticipated hazardous materials are confined to railroad ties, and will be disposed of appropriately as described above.</p> <p><i>If a Phase I survey was completed, is a Phase II site assessment recommended?</i></p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, provide a copy of the Phase II site assessment and describe mitigation and clean-up measures to remediate any hazardous materials present identified in the Phase II site assessment, and describe what steps will be taken to ensure that the local community is protected from contamination during construction and operation of the Project.</p>
<p>I.</p>	<p>Communities and Environmental Justice: <i>Is the Project likely to result in impacts to adjacent communities? Impacts might be both beneficial (e.g. economic benefits) or adverse (e.g. reduction in community cohesion).</i></p> <p><input checked="" type="checkbox"/> No, describe the steps taken to determine whether the Project might result in impacts to adjacent communities. (Continue to L)</p>

	<p><input type="checkbox"/> Yes, characterize the socio-economic profile of the affected community, including the presence of minority or low-income populations.</p> <p>The Project seeks to address transportation challenges related to critical infrastructure, which has and will help sustain economic growth in the region for communities that rely on the line for both passenger and freight rail service. The project will allow MR to renew freight and passenger offerings over its entire Line, as MR's current operations were interrupted in 2015 when Tunnel #1 collapsed severing the Line.</p> <p>MR retains ownership of the Mill Site parcel and provided a presentation to the Fort Bragg City Council and Planning Commission in 2019 with a draft master plan for development of the site (refer to the attached presentation). The draft plan for the Mill Site primarily proposed non-rail elements such as housing, open space, and commercial development, but also included one mile of railroad track from the terminus of the current station in Fort Bragg to a proposed new station, which is not part of the proposed Project. Although the Project as proposed could facilitate future growth and development in this area, those developments would likely require additional coordination with local entities and further environmental review before they could be pursued. Regardless of future development in this area, the Project as proposed has independent utility as it will allow MR's current and prospective customers to travel the entire length of the 40-mile line by repairing Tunnel #1, and it will allow MR to provide safe and viable rail service by maintaining the railroad in an overall state of good repair.</p> <p><i>Describe any potential adverse effects to communities, including noise, visual and barrier effects. Indicate whether the Project could have a disproportionately high and adverse effect on minority or low-income populations. Describe outreach efforts targeted specifically at minority or low-income populations.</i></p> <p>The Project will have permanent beneficial impacts. As noted in Section E, the railroad's freight and passenger offerings have historically been the economic engine for the region. The Project will allow the rail line to be maintained in a state of good repair and will allow freight and passenger trains to traverse the entire 40 mile line from Fort Bragg to Willits, CA that was severed by the damage to Tunnel #1. Therefore, this work will provide economic opportunities for the region as well as an alternate mode of moving freight and passengers across this fragile and challenging mountainous region. No adverse impacts to the community, minority populations, or low-income populations would result from implementation of the proposed Project.</p>
<p>J.</p>	<p>Waters of the US.: <i>Would the Project temporarily or permanently impact wetlands or require alterations to streams or waterways?</i></p> <p><input checked="" type="checkbox"/> No, describe the steps taken to determine that the Project is not likely to temporarily or permanently impact wetlands or require alterations to streams or waterways. (Continue to M)</p> <p><input type="checkbox"/> Yes, show wetlands and waters on the site map and classification. Describe the Project's potential impact to on-site and adjacent wetlands and waters and attach any correspondence with the US Army Corps of Engineers.</p> <p>None of the minor bridge repairs will take place in the waterways, as no headwall work will occur as part of the Project. As noted in the project description section under item #5,</p>

	<p>bridge repairs include in-kind repair or replacement of bridge elements and do not involve in-water work.</p> <p>The entirety of the project scope will occur within the existing, actively maintained and previously disturbed railroad ROW. Therefore, although in some locations wetlands and watercourses are present adjacent to the railroad, impacts to those wetlands or waterways will not occur as a result of the Project, as the Project does not include disturbance (temporary or permanent) to otherwise undisturbed areas. For all work along the line, MR will implement BMPs to ensure no unintended discharges. MR will employ BMPs to ensure that the likelihood of environmental impacts to waterways, if any, are minimized. Specifically, for the repairs Tunnel #1 and the small fixes and improvements to the 27 rail bridges, BMPs will include:</p> <ul style="list-style-type: none"> • Railroad will ensure that all work is done within existing railroad right-of-way; • All materials, supplies, and personnel will be transferred to and from Tunnel #1 using work trains (not trucks) to reduce the Project’s environmental footprint; • Discarded materials will be loaded into train immediately to prevent wind blowing materials into nearby waterways; • Given the work is done inside the Tunnel #1 there is no outside work. Regardless, MR will, when necessary, ensure that silt fences are installed along with straw wattles, and bales of straw to ensure that if there is any dirt removed there is no chance for it to enter a waterway. <p>For the other components of the Project, the BMPs will include:</p> <ul style="list-style-type: none"> • Railroad will ensure that all work is done within existing railroad right-of-way; • Ties to be marked by experienced Track Foreman or General Manager familiar with the track and its operating requirements; Ties to be received in Bundles and Unloaded in railroad ROW; Ties to be individually distributed to spot of installation; Ties to be replaced by the contractor (Tie Inserter, Backhoe); • Installation of straw wattles; • Covering disturbed surfaces with organic matter to prevent soils runoff; and all work will be done in the existing right of way; and • Implementing other reasonable measures necessary to minimize the Project’s environmental footprint. <p><i>Is a Section 404 Permit necessary?</i></p> <p><input type="checkbox"/> Yes, attach all permit related documentation</p> <p><input checked="" type="checkbox"/> No</p>
<p>K.</p>	<p>Floodplains: <i>Is any portion of the Project area located within a 100-year floodplain, a special flood hazard area, or regulated floodway?</i></p> <p><input checked="" type="checkbox"/> No (Continue to N)</p> <p><input type="checkbox"/> Yes, describe the potential for impacts due to changes in floodplain capacity or water flow, if any and how the Project will comply with Executive Order 11988.</p> <p>FEMA floodplain maps were reviewed to determine potential impact on regulated floodways based on the Line’s location.</p> <p><i>If impacts are likely, attach scale maps describing potential impacts and describe any coordination with regulatory entities.</i></p>

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<p>L.</p>	<p>Water Quality: <i>Are waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project area?</i></p> <p><input checked="" type="checkbox"/> No, describe the proximity of the project area to surface waters and the steps taken to identify protected waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project area.</p> <p><input type="checkbox"/> Yes, describe surface and/or ground water resources and the potential for impact from the Project.</p> <p>Because is the ground disturbance associated with the Project will comprise less than one acre in total, the work does not trigger the need for a permit from the North Coast Regional Water Quality Control Board.</p> <p><i>Is a Section 402 Permit necessary?</i></p> <p><input type="checkbox"/> Yes, attach all permit related documentation</p> <p><input checked="" type="checkbox"/> No</p>
<p>M.</p>	<p>Navigable Waterways: <i>Would the Project cross or affect a navigable waterway?</i></p> <p><input type="checkbox"/> No (continue to P)</p> <p><input checked="" type="checkbox"/> Yes, describe potential for impact and any coordination with US Coast Guard and/or US Army Corps of Engineers.</p> <p>Several bridges in the Noyo Canyon block cross the Noyo River, a navigable waterway (see attached bridge list for locations). As noted in the project description section under item 5, the work involves in-kind repair or replacements to bridge elements and does not include any work on headwalls or in-water work. Furthermore, the Project involves maintenance of existing bridges only, and does not propose any new crossings over navigable waterways. Although the work will not impact the waterway, MR will notify the Coast Guard and the Army Corps of Engineers prior to construction of the proposed work on bridges that cross the Noyo River as well as bridge work at other locations that cross waterways along the line. MR will comply with any applicable permit conditions.</p>
<p>N.</p>	<p>Coastal Zones: <i>Is the Project in a designated coastal zone as defined in 16 U.S.C. 1453(1) or does it have the potential to affect coastal resources?</i></p> <p><input type="checkbox"/> No (continue to Q)</p> <p><input checked="" type="checkbox"/> Yes, describe coordination with the applicable coastal state(s) regarding consistency with the coastal zone management plan and attach the coastal state's finding if available.</p> <p>Portions of the Project (from the station terminus at Fort Bragg extending approximately three miles inland along the Noyo River) are located within a designated coastal zone. The Project activities do not constitute new development and will occur approximately 2,000 ft. from the coast at its nearest location. Therefore, FRA has determined that the Project will have No Effect on any coastal use or resource.</p> <p>The Project was reviewed for consistency with the California Coastal Act of 1976 (the Act) and has found the proposed Project to be fully consistent with the Act:</p>

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	<ul style="list-style-type: none"> • Project activities will occur entirely within the existing, actively maintained and utilized railroad ROW and are intended to bring the infrastructure into a state of good repair. The Project does not expand the ROW nor create new disturbed areas within the existing ROW. Therefore, the Project is consistent with the land resources (Article 5) provision of the Act • The Project will allow passenger trains to traverse the entire 40-mile line from Fort Bragg to Willits which may provide some benefit to public access proximate to the coast, which is consistent with the public access (Article 2), recreation (Article 3), and development (Article 6) provisions of the Act. • At work locations along the Noyo River, a coastal tributary, no in-water work will occur, and erosion and sediment BMPs will be utilized to further reduce the potential for impacts to waterways (see wetlands section of this CE worksheet). Therefore, the Project is consistent with the marine environment (Article 4) provision of the Act. • The industrial development (Article 7) provision of the Act does not apply as the Project does not involve tanker facilities, oil and gas development, refineries, or petrochemical facilities, or similar activities.
<p>O.</p>	<p>Important Farmlands: <i>Would the Project impact any prime or unique farmlands?</i></p> <p><input checked="" type="checkbox"/> No, describe the steps taken to identify impacts to important farmlands.</p> <p><input type="checkbox"/> Yes, describe potential for impact and any coordination with the Natural Resources Conservation Service of the US Department of Agriculture.</p> <p>The Line predominantly travels a mountainous region. MR has operated the Line in the region for 15 years. The work will occur within the footprint of the existing operational railroad ROW, therefore, the Project will not impact prime or unique farmlands.</p>
<p>P.</p>	<p>Listed Species: <i>Does designated critical habitat overlap the Project area?</i></p> <p><input checked="" type="checkbox"/> No (continue to next question).</p> <p><input type="checkbox"/> Yes, identify species with critical habitat that overlaps and describe the steps taken to verify field conditions and the potential for impact.</p> <p>MR reviewed the US Fish and Wildlife’s Information for Planning and Consultation (IPaC) database (see attachment) to determine the presence of critical habitat within or adjacent to the Project site. This review was re-run and updated for this reevaluation. Based on the results of this review, there are no critical habitats that overlap the Project area.</p> <p><i>Is habitat for any threatened, endangered, or other special-status species located in or adjacent to the Project area?</i></p> <p><input checked="" type="checkbox"/> No, describe the steps taken to determine that no special-status species would be affected.</p> <p>Based on the IPaC report (see attachment), several threatened or endangered species have the potential to occur within or adjacent to the Project area, including listed mammals, birds, reptiles, fish, insects, and flowering plants:</p> <p>Mammals:</p> <ul style="list-style-type: none"> • Pacific Marten, Coastal Distinct Population Segment (<i>Martes caurina</i>)

Birds:

- Marbled Murrelet (*Brachyramphus marmoratus*)
- Northern Spotted Owl (*Strix occidentalis caurina*)
- Western Snowy Plover (*Charadrius nivosus nivosus*)
- Yellow-billed Cuckoo (*Coccyzus americanus*)

Reptiles:

- Green Sea Turtle (*Chelonia mydas*)
- Leatherback Sea Turtle (*Dermochelys coriacea*)

Fishes:

- Tidewater Goby (*Eucyclogobius newberryi*)

Insects:

- Behren's Silverspot Butterfly (*Speyeria zerene behrensii*)
- Lotis Blue Butterfly (*Lycaeides argyrognomon lotis*)
- Monarch Butterfly (*Danaus plexippus*)

Flowering plants:

- Burke's Goldfields (*Lasthenia burkei*)
- Contra Costa Goldfields (*Lasthenia conjugens*)
- Monterey Clover (*Trifolium trichocalyx*)
- Showy Indian Clover (*Trifolium amoenum*)

The Pacific Marten lives in near-coast forests and are most vulnerable to decline associated with trapping, small population sizes, and habitat loss and fragmentation. The Project work involves the maintenance of an existing, actively maintained railroad that does not provide habitat for this species, does not involve the construction of a new railroad ROW that would fragment Pacific Marten habitat, and does not involve the expansion of an existing ROW that would lead to loss of Marten habitat. Specifically, for work items 1, 2, and 5, this work will occur within the existing track, tie, and bridge layout which does not provide habitat for this species due to the presence of existing infrastructure which is regularly maintained. For work items 3a and 3b, this work does not involve new ground disturbance, as it will refurbish existing or historic infrastructure within its previously disturbed footprint, which does not provide habitat for this species, and the disturbed footprint of the ROW will not be expanded either temporarily or permanently for this work. For work items 3c and 3d, although this will introduce new infrastructure elements to the ROW, the work will occur within the previously disturbed footprint of the rail ROW only, adjacent to the track layout, that does not provide habitat for the Pacific Marten and will therefore not impact the species. Finally, for work item 4, this work will occur in the interior of the tunnel only. This work consists of the replacement of structural elements only and does not involve earthwork or ground disturbance outside of the tunnel. As noted on the attached tunnel as-built site stabilization plan, the tunnel and surrounding area was extensively modified as recently as 2018 and consisted of various earth stabilization measures including drainage and engineered slopes. Therefore, it is unlikely that this area would provide any habitat for the Pacific Marten, and the work proposed to maintain this infrastructure in the interior of the tunnel would not impact the species. Therefore, the Project will have *No Effect* on the Pacific Marten.

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	<p>For birds, insects, and flowering plant species, as noted above, the Project work involves the maintenance of an existing, actively maintained railroad that does not provide habitat for these species and does not involve the expansion of an existing ROW that would lead to loss of habitat for these species. Furthermore, the work to maintain the tunnel work occur on the interior structural elements of the tunnel only which does not provide habitat. Therefore, the Project will have <i>No Effect</i> on Marbled Murrelet, Northern Spotted Owl, Western Snowy Plover, Yellow-billed Cuckoo, Behren's Silverspot Butterfly, Lotis Blue Butterfly, Monarch Butterfly, Burke's Goldfields, Contra Costa Goldfields, Monterey Clover, or Showy Indian Clover.</p> <p>For the reptile and fish species, the Project does not involve in-water work, and erosion and sedimentation BMPs will be implemented where work occurs proximate to wetlands or waterways to minimize the potential for erosion and sedimentation (see Section J for additional detail). Therefore, the Project will have <i>No Effect</i> on Green Sea Turtle, Leatherback Sea Turtle, or Tidewater Goby.</p> <p>Note that for all species present, work element 6 does not have the potential to impact species as it does not involve ground or vegetation disturbance.</p> <p>In summary, FRA has determined that the Project will have <i>No Effect</i> on threatened and endangered species or their habitat.</p> <p><input type="checkbox"/> Yes, describe the species and their habitat and the potential for impact.</p> <p><i>Describe any coordination with the US Fish and Wildlife Service, National Marine Fisheries Service, or State, as appropriate, about the impacts to critical habitat and to threatened and endangered species. If additional consultation is required, contact FRA to prepare a biological assessment and attach it and any applicable agency correspondence.</i></p>
<p>Q.</p>	<p>Public Safety: <i>Will the Project result in any public safety impacts?</i></p> <p><input checked="" type="checkbox"/> No, describe method used to determine whether the Project results in any safety or security impacts.</p> <p><input type="checkbox"/> Yes, describe the impacts to safety or security and any measures that would need to be taken to provide for the safe and secure operation of the Project during and after its construction.</p> <p>While the Project will materially improve the safety of rail operation over the Line, no portion of the Project would adversely impact the safety and security of the surrounding areas. The Project will also promote safer use of the line by MOW crews that are responsible for inspecting and maintaining the line.</p>
<p>R.</p>	<p>Mitigation: Describe all mitigation measure commitments as noted on CE worksheet, which address identified impacts that have been incorporated into the Project, if any.</p> <p>Cultural Resources: MR will employ an SOI-qualified professional to supervise the addition of electrical power to the Willits and Noyo Canyon blocks in accordance with the requirements of the <i>Program Comment</i>.</p> <p>Hazardous Waste: The Project involves the removal of the chromated copper arsenate railroad ties from the Line, which are considered hazardous waste. MR has adopted, and will continue to</p>

	<p>employ, BMPs to ensure that old ties will be collected and placed in a dumpster for disposal and properly disposed of as hazardous waste. If hazardous waste is encountered, MR will engage with a consulting firm for an immediate response and proper handling of the materials.</p> <p>Navigable waterways: MR will notify the Coast Guard and Army Corps of Engineers of the proposed work on bridges that cross the Noyo River, a navigable waterway, as well as bridge work at other locations that cross waterways along the line. MR will comply with any applicable permit conditions.</p> <p>Wetlands: For the repairs Tunnel #1 and the small fixes and improvements to the 27 rail bridges, BMPs will include:</p> <ul style="list-style-type: none"> • Railroad will ensure that all work is done within existing railroad right-of-way; • All materials, supplies, and personnel will be transferred to and from Tunnel #1 using work trains (not trucks) to reduce the Project’s environmental footprint; • Discarded materials will be loaded into train immediately to prevent wind blowing materials into nearby waterways; • Given the work is done inside the Tunnel #1 there is no outside work. Regardless, MR will, when necessary, ensure that silt fences are installed along with straw wattles, and bales of straw to ensure that if there is any dirt removed there is no chance for it to enter a waterway. <p>For the other components of the Project, the BMPs will include:</p> <ul style="list-style-type: none"> • Railroad will ensure that all work is done within existing railroad right-of-way; • Ties to be marked by experienced Track Foreman or General Manager familiar with the track and its operating requirements; Ties to be received in Bundles and Unloaded in railroad ROW; Ties to be individually distributed to spot of installation; Ties to be replaced by the contractor (Tie Inserter, Backhoe); • Installation of straw wattles; • Covering disturbed surfaces with organic matter to prevent soils runoff; and all work will be done in the existing right of way; and • Implementing other reasonable measures necessary to minimize the Project’s environmental footprint. <p><i>What is the Project sponsor’s plan to enforce and monitor the mitigation proposed?</i></p> <p><i>What are FRA’s additional mitigation requirements (if any)?</i></p>
<p>S.</p>	<p>Public Notification: <i>Briefly describe any public outreach efforts undertaken on behalf of the Project, if any. Indicate opportunities the public has had to comment on the Project (e.g., Board meetings, open houses, special hearings).</i></p> <p>FRA met with The City of Fort Bragg, California to discuss concerns related to the Project on April 14, 2022 and May 13, 2022. Letters submitted by the City to FRA following each meeting are included as attachments. The City primarily expressed concerns with the proposed development project at the Mill Site, which is outside the scope of the originally proposed project and the revised project evaluated in this reevaluation. The City expressed concerns that the rehabilitation work at the Mill Site, which was subsequently removed from the Project scope, would facilitate the proposed development project. The City does not currently support the Project.</p>

Has the Project generated any public discussion or concern, even though it may be limited to a relatively small subset of the community? Indicate any concerns expressed by agencies or the public regarding the Project.

The Build America Bureau has received approximately 1,550 letters of support for the Project.

Letters were also submitted to the Build America Bureau by the California Coastal Commission (CCC), North Coast Railroad Authority (NCRA), City of Fort Bragg, The Wildlands Conservancy (TWC), Coalition for Responsible Transportation Priorities (CRTP), Friends of the Eel River (FOER), Humboldt Baykeeper (HBK), and over 400 signatories to a form letter initiated by the Sierra Club. The environmental concerns contained in those letters, which generally addresses issues beyond the Project scope, have been addressed in the transportation, community impacts and environmental justice, hazardous materials, and coastal zone sections of this CE worksheet. The letters are provided as an attachment in addition to MR's response.

Numerous commenters (NRCA, CCC, City of Fort Bragg, TWC, CRTP, FOER, HBK, form letter signatories) expressed concern that the Project could interfere with NRCA's intent to railbank inoperable corridors from Willits to Eureka. Commenters questioned if the funds from an RRIF Express loan could put MR in a better financial position to eventually acquire the corridor proposed for railbanking. Regarding these concerns, the transportation section of the CE worksheet describes that the scope of the Project and the improvements to be funded via RRIF Express are limited to the Line from Fort Bragg, CA to Willits, CA. The outcome of NCRA's efforts in that proceeding will not impact MR's ability or plans to offer and provide common carrier rail service over the MR rail line to potential shippers between Fort Bragg, CA and Willits, CA. The transportation section of the CE worksheet reaffirms how the proposed scope of work included in this Project will achieve the purpose and need related to maintaining transportation infrastructure in a state of good repair. Furthermore, in its attached response to the letter writers, MR refutes this claim and asserts that it does not intend to use any RRIF funding to either acquire or repair the Northwestern Pacific Railroad.

Commenters (NRCA, CCC, TWC, FOER, HBK) questioned the economic viability of the Project, and also expressed concern that the viability of the project depends on an interconnection to the interstate rail network. While many of these concerns were expressed in the context of the Project's eligibility to be considered for an RRIF Express loan and therefore outside the purview of environmental review, in order to address the concern of the Project's reliance on a connection to the interstate rail network, the transportation section of the CE worksheet reaffirms the current and future customers served by the line who would benefit from the proposed Project activities and asserts that the Project as proposed has independent utility.

Commenters (NCRA, TWC, HBK) expressed concern that nearby NRCA owned and formerly owned rail corridors have a troubling environmental history (slides, tunnel collapses, trains washed into the environmentally sensitive Eel River, bankruptcies, and service disruption) raising the question of if project funds put towards increasing use of the line would be promoting the potential for further environmental issues. While MR's rail line has seen its fair share of severe winter storms MR spends a good deal of time annually on ensuring that proper drainage exists and that any potential upstream hazards are dealt with. While MR is quite familiar with the challenges of the NCRA's line, geographically the northern section from Willits to Eureka is prone to more issues than MR's line. MR's rail line is actively used by freight and passenger customers and will continue to serve these and prospective customers upon completion of the proposed Project activities which will refurbish the line, as noted in the transportation section of this CE worksheet. The other sections of the CE worksheet also analyze

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	<p>and conclude that the Project will not result in adverse environmental impacts for resources including, but not limited to, cultural resources, noise, air quality, hazardous materials, water resources, or threatened and endangered species.</p> <p>The letter from the CCC also identifies that all federal agency activities affecting California's coastal zone must be consistent to the maximum extent practicable with Chapter 3 of the Coastal Act. The letter expresses concern for potential environmental impacts associated with the Project, including but not limited to access to the California Coastal Trail, wetlands, cultural resources, and that the line could be vulnerable to impacts associated with sea level rise. MR ultimately decided to remove the work at the Mill Site from the project scope which was the primary subject of discussion in this letter from CCC, and FRA determined that the remainder of the work proximate to the coast will have No Effect on any coastal use or resource (see Section N of this CE worksheet). Section N also describes the Project's full consistency with California Coastal Act.</p> <p>The letter from FOER identifies that MR's Mill Site requires environmental cleanup due to hazardous waste. As previously stated, the work at the Mill Site was ultimately removed from the Project scope, and Section H notes the potential for any hazardous waste or materials along the work locations, as well as MR's mitigation commitments related to hazardous materials and waste.</p> <p>The City of Fort Bragg expressed concern about recent property acquisitions by MR within Fort Bragg and the potential development that may occur in those areas. There is concern that MR's status as a common carrier for transportation would mean that development in these areas would not be subject to state and local regulation. Section I of the CE worksheet acknowledges that at one point, MR had presented a conceptual master plan for non-rail development at the Mill Site and notes that those developments would likely require additional coordination with local entities and further environmental review before they could be pursued. As noted above, the City expressed concerns that the rehabilitation work at the Mill Site, which was subsequently removed from the Project scope, would facilitate the proposed development project. As continually noted, the transportation section of the CE worksheet clearly states how the project meets the purpose and need for infrastructure maintained in a state of good repair to facilitate the movement of freight and passenger traffic across the line regardless of any nearby non-rail development that is not part of the Project scope.</p>
<p>T.</p>	<p>Other Resource Area: <i>Use this section only if the project affects another resource area not otherwise listed.</i></p>
<p>U.</p>	<p>Related Federal, State, or Local Actions: <i>Does the Project require any additional actions (e.g., permits) pursuant to another Federal environmental law? Attach copies of relevant correspondence with Federal permitting agency. It is not necessary to attach voluminous permit applications if a single cover agency transmittal will indicate that a permit has been granted. Describe permitting issues in the relevant resource discussion above.</i></p> <p><input type="checkbox"/> Section 106 of the National Historic Preservation Act <i>Historic Properties</i></p> <p><input type="checkbox"/> Section 401/404 of the Clean Water Act <i>Waters of the U.S.</i></p> <p><input type="checkbox"/> Section 402 of the Clean Water Act <i>Water Quality</i></p> <p><input checked="" type="checkbox"/> Section 9 or 10 of the Rivers and Harbors Act <i>Navigable Waterways</i></p>

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- Migratory Bird Treaty Act**
- Endangered Species Act** *Threatened and Endangered Species*
- Magnuson-Stevens Fishery Conservation and Management Act** *Essential Fish Habitat*
- Safe Drinking Water Act**
- Section 4(f) Department of Transportation Act**
- Section 6(f) Land and Conservation Act**
- Other Federal Requirements** (Describe)
- Other State or Local Requirements** (Describe)