



## MEMO

**To:** NCRA Board of Directors  
**From:** Mitch Stogner  
**Date:** May 31, 2007  
**Subject:** NCRA EIR

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Dave Anderson and I have had 2 recent meetings with Lillian Hames and SMART's environmental consultants to discuss NCRA's plans to issue a Notice of Preparation (NOP) for freight operations between Willits and Lombard. The NOP is the first step in the EIR process and includes the "Project Description" and "Initial Study" which outlines the plan for operations, including potential environmental impacts of such operations.

SMART staff has expressed a concern that NCRA's EIR may not be consistent with the SMART EIR for freight operations, which was released in June 2006. By way of background, the SMART DEIR which was released in November 2005 estimated 4 southbound and 4 northbound freight trains each day between Willits and Lombard. The final SMART EIR issued in June 2006 reduced the freight frequency to 6 trains per week, or 1 southbound and 1 northbound train 3 days per week, based on information NCRA provided in May 2006. The SMART EIR also states that the freight trains will be 12 cars in length.

We explained to SMART staff that NCRA's May 06 estimates were based on very limited information, since we did not have an operator or an operations plan at the time the estimates were provided.

NCRA's current freight operations estimates, as provided by the operator, for inclusion in NCRA's NOP are as follows:

- 1 southbound and 1 northbound 25-car train from Redwood Valley to Lombard 6 days per week;
- 1 southbound and 1 northbound 60-car train from Petaluma to Lombard 7 days per week.

*phased EIR*

For purposes of the "cumulative impacts" portion of the EIR, John Williams has estimated, in addition to the above, 1 southbound and 1 northbound 65-car rock train from Willits to Lombard, and 2 southbound and 2 northbound 65-car rock trains from Island Mountain to Lombard.

SMART's environmental consultants have suggested a possible phased Operations Plan in NCRA's EIR which would conform NCRA's Phase I operation to be more in-line with SMART's EIR estimates, with a Phase II and Phase III that would be more in-line with John Williams' train frequency estimates.

SMART staff has also expressed a concern that once we settle on the operational Plan, the SMART consultants will have to "model" the train frequency estimates to see if NCRA's operations plan meets the SMART EIR threshold for noise, traffic, and air quality impacts. If the impacts fall below the impacts threshold established in the model, SMART will issue an "addendum" to its June 2006 EIR. If the NCRA operational plan results in impacts which exceed SMART's EIR threshold, SMART consultants explained, SMART must issue a "supplemental" EIR. We were advised that issuance of a supplemental EIR would make it very difficult for SMART to meet the deadlines for inclusion on the ballot in February 2008.

For these reasons, Lillian Hames has requested, on behalf of Chairman Mike Kerns and the SMART Operator Committee, that NCRA withhold release of its Notice of Preparation until July 2, while NCRA (with the advice and consent of John Williams) and SMART environmental consultants see if consensus can be reached on the NCRA's freight operations plan to be included in the NCRA EIR.

NCRA's environmental consultants (Kleinfelder) have advised that withholding release of the NOP until July 2 will not negatively impact the overall schedule for EIR completion by December 30, 2007.

I wanted to update Chairman Hemphill and the Board on these recent meetings between NCRA and SMART staff to receive input and direction prior to the June 13 meeting in Healdsburg.

I have also attached a chronology of key dates for your background.

**NCRA Project Description Chronology**  
May 25, 2007

November 2005

SMART DEIR estimates 4 northbound and 4 southbound Freight Trains per day five to six days per week on RRD;

January 2006

Sonoma County's Garbage Consultant, Brown & Vence, issues report estimating outhaul of 12 rail cars per day;

February 2006

In response to CTC's request for Strategic Plan demonstrating financial viability of NWP line, NCRA submits "Strategic Plan."

March 2006

CTC rejects NCRA's Strategic Plan and funding request suggesting instead that NCRA focus on a funded "operable segment."

April 2006

CTC Approved Emergency Repair Project 32.4;

May 2006

SMART calls meeting with NCRA to confirm 4 northbound and 4 southbound trains per day estimate in DEIR. Based on Brown & Vence report and absence of operator or freight operations plan, NCRA estimates 4-6 trains per week as sufficient for merchandise trains and garbage outhaul by rail;

June 2006

SMART releases EIR which analyzes impacts of 4-6 trains per week; NCRA selects operator, NWP Co. and begins negotiations.

September 2006

Sonoma County begins outhaul of 1300 tons of garbage by truck (65 per day) to 4 sites outside County; NCRA enters into an operator agreement with NWP Co.

October 2006

CTC approves construction funding for Emergency Repair Project;

November 2006

Post Election – CTC approves John Williams' Business Plan, NCRA's Management Plan and approves repairs to operable segment (Lombard – Windsor);

February 2007

NCRA submits "refined" Strategic Plan;

March 2007

CTC approves Signal Repair Contract (Lombard to Ignacio);

April 2007

CTC approves Signal Repair Contract (Ignacio to Windsor);

April/May 2007

NCRA begins development of EIR for Operations on RRD. Based on the information we had in May 2006, we estimated a maximum of one round trip every other day (4-6 train movements per week) to accommodate a solid -waste outhaul. Now that we have an Operator and the County has determined it will outhaul all of its solid waste, we estimate one round trip each day to accommodate the garbage outhaul, and one round trip each day for a merchandise train.

The NCRA EIR for Operations on RRD estimates 1 round trip per day to outhaul 1000-1300 tons of garbage for 6 days (60 cars) (Petaluma –Lombard), 1 round trip per day merchandise train (25 cars) (Willits – Lombard) as well as "cumulative impacts" of 2 roundtrips from the Canyon and 1 roundtrip from Willits, all carrying rock 7 days per week.