

Federal Railroad Administration

DES MOINES TRANSLOAD FACILITY

FINDING OF NO SIGNIFICANT IMPACT

Submitted Pursuant to 42 U.S.C. 4332 (2)(c)

By the

U.S. Department of Transportation

Federal Railroad Administration

1. Introduction

The Des Moines Area Metropolitan Planning Organization (DMAMPO), City of Des Moines, Greater Des Moines Partnership (GDMP), and Iowa Department of Transportation (IA DOT), in conjunction with Des Moines Industrial (DSMI), propose to construct a multi-modal transloading facility (Des Moines Area Transload Facility or Facility) to include trackage, docks, and warehousing within the Des Moines Metropolitan Area (the Project). DMAMPO selected DSMI as the developer of the Project, DSMI is also the owner and operator of the Facility. DMAMPO will use U.S. Department of Transportation (DOT) Better Utilizing Investments to Leverage Development (BUILD) grant program funds, administered by the Federal Railroad Administration (FRA), to construct this Facility.

Therefore, FRA must comply with the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 *et seq.*) prior to authorizing DMAMPO to use DOT funds and commence construction of the Project. NEPA requires federal agencies to consider the impacts of their actions on the natural, social, economic, and cultural environment and to disclose those considerations in a public document. The NEPA process helps public officials make decisions with an understanding of the potential environmental impacts.

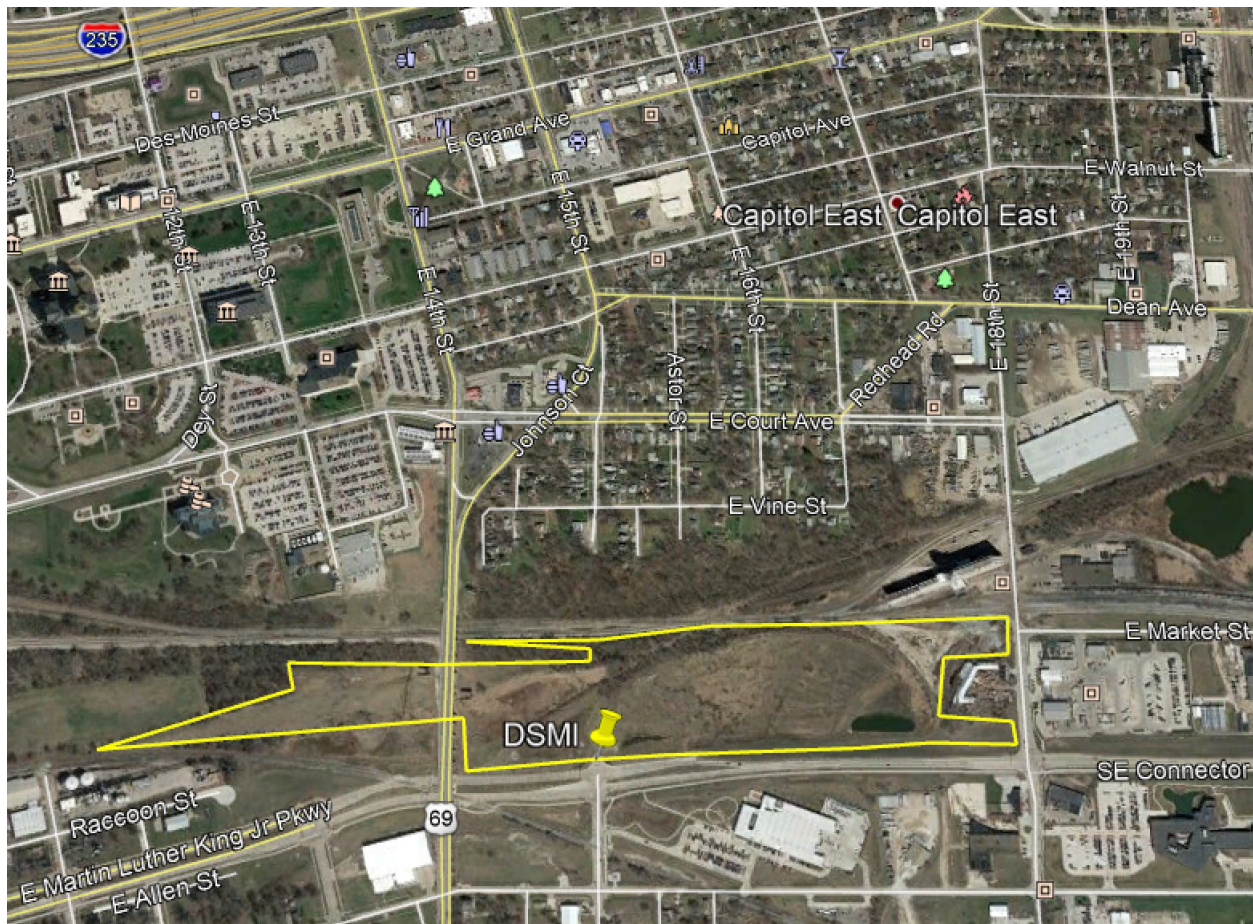
This Finding of No Significant Impact (FONSI) has been prepared to comply with the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. §§ 4321 *et seq.*, its implementing regulations (40 CFR parts 1500-1508); 23 CFR parts 771 and 774; and related laws. FRA has made this FONSI based on information included in the Environmental Assessment (EA). The EA is incorporated by reference to this FONSI.

2. Study Area

The Project site, as depicted in Figure 1 below, is a 40-acre parcel located within an urbanized area of Des Moines that includes industrial, commercial, and residential uses. Until 2012, the Project site was used as a motor vehicle storage yard. Currently, the Project site is undeveloped with stormwater retention ponds. Within the study area, the land use consists of a combination of City municipal facilities, state government facilities, commercial, light and heavy industrial, single-family residential, and multi-family residential. The Project site is entirely zoned I1 light industrial and I2 heavy industrial. The surrounding properties include residential areas to the north, commercial facilities to the south and east, and undeveloped areas to the west beyond US Highway 69/SE. 14th Street.¹

¹ City of Des Moines, Iowa. Des Moines, Iowa Zoning Map. 14 May 2020, <https://maps.dsm.city/docs/maps/ZoningMap.pdf>.

Figure 1.



3. Purpose and Need Statement

The purpose of the Project is to improve the overall freight capacity and options in the Des Moines metropolitan area; develop rail centric transportation options for existing businesses; expand existing transportation options to attract new industries to the region; and support economic development in Central Iowa.

Demand for third-party logistics solutions for rail-based transloading and opportunities in Central Iowa drives the need for the Project. The Project is intended to provide a more cost-effective and ecologically beneficial shipping alternative to businesses with a 150-mile radius of Des Moines, Iowa.²

Currently, in Des Moines, there is only one rail third-party accessible transload facility. The capacity of product the facility can handle is limited by the amount of available trackage; it is served by only one railroad Union Pacific (UP); and the facility size can only handle the existing product demand. The lack of third-party accessible transload facilities constrain the region's shippers and create a cost disadvantage from a rail logistics perspective.

² Des Moines Area Metropolitan Planning Org. Des Moines Transload Facility Project INFRA Grant Application. 18 Jul. 2018.

4. Alternatives

DMAMPO has studied the Des Moines area potential for a transloading facility since 2013. As a part of that process, DMAMPO conducted a search of potential locations for a transload facility within the Des Moines Metropolitan Area in 2014, as documented in the Feasibility Study.³ DMAMPO looked at all available property within the region and identified 11 potential sites based on the sites' proximity to existing Class I and II railroads.

4.1. No Action Alternative

Under the No Action Alternative, DSMI would neither construct nor operate the Facility. Area shippers would continue to use one mode of transportation (trucking) to deliver cargo long distances, which would impact the amount of goods transported to and from Des Moines and increase shipping costs. Continued reliance upon trucking for the movement of goods would increase the wear on the highway system.⁴ Trucking is currently handling the demand; however, the opportunity to provide a more economical and environmental-friendly shipping alternative by implementing the Project would not be realized. Under the No Action Alternative, the purpose of the Project would not be met; however, this alternative is retained to provide a comparative baseline against which to analyze the effects of the Build Alternative, as required under *Council on Environmental Quality (CEQ) Regulations* (40 C.F.R. § 1502.14).

4.2. Build Alternative (Preferred Alternative)

The Build Alternative would optimize rail, trucking, and warehousing. Under the Build Alternative, the transload Facility consists of approximately 115,200 square feet of warehouse, 12,560 linear feet of rail spur lines leading to/from existing rail lines to the Facility, 13 intra-terminal switches, approximately 1.14-acres for a laydown area, and four storm water ponds. The roads servicing commercial traffic would be paved. The City of Des Moines owns the majority of the land on which the Build Alternative would be located; DSMI would purchase the land from the City of Des Moines as part of the Project. Iowa Interstate (IAIS) and Norfolk Southern (NS) own the remaining land, which DSMI would lease and purchase, respectively, as part of the Project.

The hours of operation would be Monday through Friday from 7:00 am to 6:00 pm, and 7:00 am to noon on Saturday. DSMI estimates about 30 to 50 trucks would access the transload Facility each day based on contemporaneous truck volume research and the capacity of railcars the Facility would physically manage per year. Under the Build Alternative, the Facility would employ approximately 15 to 25 full time employees in 2 shifts per week. DSMI estimates that the transload Facility would handle an average rail car count of 2,800 cars per year. DSMI anticipates the terminal would receive 2 to 4 independent train arrivals/departures per week from various rail carriers, and contain 5 to 30 rail cars per train. Each rail car would be the equivalent of about 4 semi loads, or approximately 11,200 truckloads per year. DSMI anticipates the commodities handled at the Facility would include bulk materials like aggregate and rock salt, bundles of lumber and steel products, pallets of shingles, softener salt, specialty grains and minerals.

³ Des Moines Area Metropolitan Planning Org. Des Moines Rail Transload Feasibility Study. 28 Jun. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-feasibility-report-final.pdf>

⁴ [Ibid.](#), p. 12.

IAIS and NS would provide railroad services through direct physical interconnections to the Project site. DSMI anticipates that NS and Burlington Northern Santa Fe (BNSF) would have a reciprocal switching agreement that would allow the DSMI direct pricing and rail service on BNSF over the NS interconnection. IAIS is working on a switching agreement with UP, which would allow similar access for UP-based traffic. Client demand would drive switches from each of these carriers, which DSMI estimates would average about five days a week.

5. Selected Alternative

The Selected Alternative consists of the Build Alternative evaluated in the EA. It best meets the purpose and need of the Project. The Selected Alternative was the only build alternative carried forward for further analysis in Section 2.2 of the EA. The No Action Alternative was evaluated as further described in Subsection 2.2 of the EA as a basis against which to compare the Build Alternative in evaluation of environmental impacts, but was not identified as the Selected Alternative because it did not meet the Project purpose and need.

The Selected Alternative provides numerous benefits, including:

- Two mainline railroad interconnections with IAIS and NS that would enable direct interconnections with BNSF and UP, creating a financial advantage for shippers with competing railroads
- Improved capacity for freight transport in and out of the region, which would make the import and export of goods more cost effective.
- Creation of potential for more high-wage jobs in Des Moines Area value-added industries.
- Beneficial impact on socioeconomic resources due to increased employment opportunities.
- Improved fuel efficiency for commodity movement and reduction of gridlock and greenhouse gas emissions with new rail transportation options.⁵
- Elimination of truck trips from the highway network by over 17,000 per year and over 524,000 over 30 years.⁶

Based upon the EA, incorporated by reference with its appendices in this FONSI in its entirety, FRA has concluded that the Selected Alternative will have no foreseeable significant impact on the quality of the natural and human environments. The Selected Alternative is best able to achieve the proposed action purpose and need without significant environmental impacts. Minimization Measures were included in the EA to further reduce environmental impacts; even without Minimization Measures, the environmental impacts would not rise to a level of significance.

⁵ Association of American Railroads. The Environmental Benefits of Moving Freight by Rail. July 2019, <https://www.aar.org/wp-content/uploads/2018/07/AAR-Environmental-Benefits-Moving-Freight-by-Rail.pdf>.

⁶ Des Moines Area Metropolitan Planning Org. Des Moines Rail Transload Feasibility Study. 28 Jun. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-feasibility-report-final.pdf>.

6. Affected Environment and Environmental Consequences

The EA describes the existing conditions in the study area and the potential impacts that would result if the Selected Alternative is implemented. Information was gathered from various sources, including site observations, maps, aerial photography, and local state and federal agency data. Table 1 summarizes the physical, biological, and human resources are detailed in EA and the applicable Minimization Measures.

Table 1. Summary of Environmental Consequences and Minimization Measures

Resource Area	Environmental Consequences	Minimization Measures
Air Quality (3.1)	Construction of the Selected Alternative would generate minor amounts of fugitive dust and gaseous emissions of CO, VOC, NO _x , SO ₂ , and PM ₁₀ and PM _{2.5} from the combustion of fuel by construction equipment and vehicles. Increased rail traffic using the Facility would contribute locomotive exhaust emissions. Based on assumptions in Section 3.1.2 of the EA and EPA emission factors, on an annual basis, the emissions associated with the trains would be below the conformity requirements; operations emissions of the Selected Alternative would be <i>de minimis</i> .	<p>The construction contractor will implement the following air quality Best Management Practices (BMPs) to minimize the combustion engine emissions (CO, VOC, NO_x, and SO₂) and PM₁₀ emissions during construction:</p> <p>AQ-1: Use appropriate dust suppression methods during on-site construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.</p> <p>AQ-2: Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.</p> <p>AQ-3: Shut off equipment when it is not in use.</p> <p>AQ-4: Cover haul trucks with tarps.</p> <p>AQ-5: Stabilize previously disturbed areas with vegetation or mulching if such area will be inactive for several weeks or more (unlikely).</p> <p>AQ-6: Visually monitor all construction activities regularly and particularly during extended periods of dry weather and implement dust control measures when appropriate.</p>
Water Quality (3.2)	The Selected Alternative would not impact the Raccoon and Des Moines River watersheds and would not impact surface water quality in the area.	<p>During operations, the construction contractor will implement the following measures during construction:</p> <p>WQ-1: Permanently seed undeveloped areas.</p> <p>WQ-2: Establish no mow zones near and or adjacent to detention basins.</p> <p>WQ-3: Construct detention basins with restricted outlets.</p>

Resource Area	Environmental Consequences	Minimization Measures
Noise and Vibration (3.3)	<p>The noise analysis performed for the Selected Alternative indicated there would be no increase in the noise levels at each sensitive receptor studied from the operation of the Facility. Therefore, the Selected Alternative would not have a significant operational noise impact. A general noise assessment was conducted. The Selected Alternative would not have a significant construction noise impact. Because of the low operating speeds of the Facility, vibration produced by freight trains would dissipate rapidly from the source. The nearest residential use would not experience any vibration. Vibration experienced at the nearest residential area during construction would not likely be perceived by the residential uses.</p>	No minimization measures are required.
Wetlands (3.4)	<p>The Selected Alternative would fill 4.45 acres of non-jurisdictional wetlands located in storm water basins. The design of the Selected Alternative includes several storm water basins that would be built at the Project site and would have similar wetland characteristics to replace the functions and values of those wetlands that that would be filled. By replacing the wetlands at a 1:1 ratio, the Selected Alternative would not significantly impact wetlands.</p>	No minimization measures are required.

Resource Area	Environmental Consequences	Minimization Measures
Threatened and Endangered Species (3.5)	<p>The Indiana bat and the northern long-eared bat are the only threatened or endangered species that may be present at the Project site. FRA determined that the Selected Alternative would not adversely affect either the Indiana bat or the northern long-eared bat provided DSMI or the construction contractor remove trees outside of the bats' active season. FRA received US Fish and Wildlife Service concurrence on this determination.</p>	<p>DSMI or the construction contractor will implement the following measures:</p> <p>TE-1: Conduct tree removal only between April 1st and September 30th.</p> <p>TE-2: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all Transportation Agency environmental commitments, including all applicable Avoidance and Minimization Measures (AMMs).</p> <p>TE-3: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.</p> <p>TE-4: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).</p> <p>TE-5: When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.</p>
Floodplains (3.6)	<p>The Project site is located within the Area with Reduced Flood Risk Due to Levee and is currently outside of the 1% annual chance floodplain. Therefore, construction and operation of the Selected Alternative would not significantly impact floodplain values.</p>	<p>No minimization measures are required.</p>

Resource Area	Environmental Consequences	Minimization Measures
Energy Use (3.7)	<p>During construction, the construction contractor and any subcontractors would use energy to construct the transload Facility, including electricity, gasoline, and diesel fuel to power construction equipment and to install the building materials (concrete, steel, etc.). During operation, DSMI would use electricity, for lighting, ventilation, heat, battery chargers, and door operators. MidAmerican Energy would be supply electrical power for Facility operations. While the Selected Alternative would result in an increase in energy use compared to existing conditions, the electrical power and diesel fuel would be available from existing sources. The Selected Alternative would not have a significant impact on energy.</p>	No minimization measures are required.
Visual Resources (3.8)	<p>Views of the Project site would be industrial in nature, including warehouses and rail lines. As the areas to the east, west, and south are industrial and consist of roadways and railroad tracks, the Selected Alternative would be consistent with the surrounding visual environment and would not create a substantial change in existing visual character of the study area. The Selected Alternative would have no significant impact on visual resources.</p>	No minimization measures are required.

Resource Area	Environmental Consequences	Minimization Measures
Transportation (3.9)	The Selected Alternative would improve inbound and outbound reach for products for existing and future industries, increase competition, relieve congestion in the interstate highway system, and lower intercity truck traffic for products that are shipped via truck. The Selected Alternative would have a beneficial long-term impact on the highway network. ⁷ There would be no significant impact to the local roadway/highway network under the Selected Alternative.	No minimization measures are required.
Land Use (3.10)	Construction and operation of the Selected Alternative would not impact zoning because the Project site is zoned light industrial and heavy industrial and a transload facility is an allowable use in such zones. No private residences or structures would need to be relocated from the Project site, and there would be no displacement of any residential or commercial uses because there are currently no structures on the Project site.	No minimization measures are required.

⁷ Des Moines Area Metropolitan Planning Org. Des Moines Rail Transload Feasibility Study. 28 Jun. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-feasibility-report-final.pdf>.

Resource Area	Environmental Consequences	Minimization Measures
Socioeconomics (3.11)	The Selected Alternative would introduce transloading opportunities to both Des Moines and Central Iowa. Based on a 2014 study by DMAMPO, ⁸ a transload facility in Des Moines has the potential to spur additional development from businesses that desire to export and import goods via rail by providing a cost-effective shipping alternative compared to trucking within a 150-mile radius of Des Moines, IA. As a result, Des Moines Area businesses could potentially add more high-wage jobs in value-added industries.	No minimization measures are required.

⁸ Des Moines Area Metropolitan Planning Org. Rail Market Analysis. 31 Jan. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-market-analysis-final.pdf>.

Resource Area	Environmental Consequences	Minimization Measures
Environmental Justice (3.12)	Based on a review of data from the US Department of Labor’s Bureau of Labor Statistics ⁹ and the U.S. Census, ¹⁰ it was determined that EJ populations are present in the study area. The study area does include low-income and minority populations; however, the impacts to these populations would not be disproportionately high or adverse, as described below and in more detail in the sections of the EA for: Air Quality (Section 3.1); Water Quality (Section 3.2); Noise and Vibration (Section 3.3); Visual Resources (Section 3.8); Transportation (Section 3.9); and Hazardous Materials (Section 3.14). The Selected Alternative would not have a disproportionately high and adverse impact on EJ populations.	See Minimization Measures AQ-1 through AQ-6, WQ-1 through WQ-3, and HM-1.

⁹ “Economy at a Glance: Des Moines-West Des Moines, IA.” U.S. Bureau of Labor Statistics, https://www.bls.gov/eag/eag.ia_desmoines_msa.htm.

¹⁰ “QuickFacts: Iowa; Des Moines city, Iowa.” United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/IA,desmoinescityiowa/PST045218>.

Resource Area	Environmental Consequences	Minimization Measures
Public Health and Safety (3.13)	<p>Construction of the Facility would not impact fire, police, medical, or transportation services because the number of employees and visitors during construction would be minimal compared to the overall existing population served. The design of the Selected Alternative incorporates safety and security measures to reduce the risk of rail accidents (i.e., signaling, crossing protection) in accordance with FRA and State of Iowa regulations. In addition, Facility staff would be properly trained in safety and security matters. The Selected Alternative would not significantly impact public health and safety.</p>	<p>The following minimization measure will be implemented by the construction contractor prior to the start of construction: PH-1: Erect permanent fencing to prevent the public from accessing areas immediately within the Project site.</p>

Resource Area	Environmental Consequences	Minimization Measures
Hazardous Materials (3.14)	<p>The Selected Alternative could impact hazardous materials during the redevelopment of the Project site, which may include site grading, earthwork for new structures, roadway construction, and construction of utility infrastructure. Construction/excavation would disturb soils/groundwater at the Project site, and unplanned or yet unknown activities might expose workers to the chemicals identified in the soils/groundwater. Therefore, as discussed in Section 3.14.3 of the EA, the construction contractor would prepare and implement an elective Soil and Groundwater Management Plan (SGMP) during construction. With implementation of an elective SGMP, the impact of hazardous materials during construction would be reduced to not significant levels. Operation of the Selected Alternative would have no significant impact on hazardous waste materials.</p>	<p>During construction, DSMI will implement the following:</p> <p>HM-1: Employ an environmental contractor to develop a Soil and Groundwater Management Plan (SGMP) to inform site construction workers of the health and safety concerns and put procedures in place to properly handle, characterize, treat, and/or dispose of impacted soil and groundwater encountered during construction activities. The general contractor will be responsible for implementation and oversight of the SGMP. Precautionary measures in the SGMP will include the following:</p> <ul style="list-style-type: none"> • Enact routine control and avoidance of incidental disturbance of soils and groundwater; • Employ dust control measures during excavation activities at the Project site to achieve no visible emissions; • Minimize the movement of surface soils from their original location to other areas of the site when working at existing grades; • Remove and stockpile soils for trenches with a last out, first in process; and • Minimize the volume of excess soils and prevent exposure between storm water and impacted soils. <p>During operation, DSMI will comply with the National Pollution Discharge Elimination System (NPDES) General Permit No. 2 requirements discussed in Section 3.2.3 of the EA.</p>

<p>Cultural Resources (3.15)</p>	<p>FRA completed survey work of the Area of Potential Effects (APE) for both archaeology and built environment. The archaeology reports indicated that due to the level of disturbance in the APE, it is unlikely for intact cultural deposits to be present. FRA determined two structures in the APE to be eligible for listing in the National Register of Historic Places; however, the overall character of the area and the viewsheds will remain unchanged. Therefore, FRA determined that the Project resulted in No Adverse Effect and submitted the Section 106 consultation package on April 30, 2020. The Iowa State Historic Preservation Office (ISHPO) replied with additional questions for FRA on June 9, 2020. FRA sent responses to the questions to ISHPO on July 29, 2020. ISHPO concurred on the No Adverse Effect determination August 21, 2020. On August 26, 2020, ISHPO clarified that they concur with the No Adverse Effect determination, but do not agree with the determination of ineligibility of two resources. No further work is required from FRA, and ISHPO concurrence is attached to the FONSI as Appendix B.</p> <p>FRA sent consultation packages to the following federally-recognized Tribes: Apache Tribe of Oklahoma; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Menominee Indian Tribe of</p>	<p>As a result of consultation with the Iowa State Historic Preservation Office (ISHPO) and federally-recognized Tribes, the following minimization measure will be implemented by DSMI:</p> <p>CR-1: If any potential archaeological or human remains are discovered during project activities, all work that could disturb the discovery will immediately cease and will not resume until investigation of the discovery, and consultation if appropriate, has been completed in accordance with Section 106 regulations at 36 CFR § 800.13 and any applicable state laws. DSMI will immediately notify FRA. FRA will notify ISHPO and the Tribal Historic Preservation Office of the Iowa Tribe of Kansas and Nebraska via phone at 785.595.3258.</p>
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Resource Area	Environmental Consequences	Minimization Measures
	<p>Wisconsin; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa. Details of the Tribal consultation are shown below in Section 7 of the FONSI.</p> <p>The Selected Alternative will have no significant impact on cultural resources.</p>	
Section 4(f) (3.16)	<p>Two eligible historic properties were identified in the Section 106 process in Section 3.15 of the EA. No additional Section 4(f) properties were identified within the Section 4(f) study area. FRA made a <i>de minimis</i> determination due to the No Adverse Effect on the two eligible historic properties in an email to ISHPO on August 25, 2020. ISHPO concurred with this determination on August 25, 2020. Therefore, construction and operation of the Facility would not result in any significant impacts to any Section 4(f) properties.</p>	No minimization measures are required.
Indirect and Cumulative Impacts (3.17)	<p>The Selected Alternative would have beneficial indirect impacts on the Project area. The Facility would create increased economic development in the surrounding business communities. No other projects have been identified as planned for the Project area. Therefore, it is not foreseeable that the Selected Alternative would result in any significant cumulative impacts.</p>	No minimization measures are required.

Resource Area	Environmental Consequences	Minimization Measures
Other Environmental Resources (3.18)	Neither the Selected Alternative nor the No Action Alternative would affect any of the following resources because such resources are either not located in the Project site or would otherwise not be impacted during construction or operations of the Facility: solid waste disposal systems, ecological systems; coastal zones; use of water, mine, or timber resources; wild and scenic/natural rivers; and farmlands.	No minimization measures are required.

7. Coordination and Consultation

During the development of the EA (documented in Section 3.15 Cultural Resources and Chapter 4 Coordination and Consultation), Terracon coordinated with Iowa Department of Natural Resources (IDNR), DMAMPO, U.S. Army Corp of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), Iowa Office of State Archeologist (IOSA), and the City of Des Moines. FRA consulted with USFWS, various federally-recognized Tribes, potential consulting parties, and ISHPO.

7.1 Public Comment

The DMAMPO issued a press release on June 26, 2020, announcing the public comment period for this EA. The press release directed people to the DMAMPO's website which contained the EA and all corresponding reports for the EA. The DMAMPO's website also contained the link to Regulations.gov, where public comments could be formally submitted and available for public review. This information is published on the FRA's website, in their eLibrary. DSMI's website highlights this process, with a link to the DMAMPO's website.

Two comments were received in response to the EA and are discussed in Appendix A.

7.1 Tribal Consultation

As a part of the Section 106 process as documented in Section 3.15 of the EA, FRA sent consultation letters to the following federally-recognized Tribes via email on April 24, 2020: Apache Tribe of Oklahoma; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Menominee Indian Tribe of Wisconsin; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa. FRA did not receive any responses from any of the Tribes. FRA sent follow up emails to all the Tribes on June 16 and 17, 2020, with no responses received.

FRA staff then called all the Tribes on July 24, 2020. The following Tribes were reached; voicemails were left with the Tribes not listed below:

- Iowa Tribe of Kansas and Nebraska – FRA received a voicemail from Lance Foster, Tribal Historic Preservation Officer, on July 27, 2020. He stated that there are no sites in the area that the Tribe is aware of, and requested to be notified if there are any unanticipated discoveries at 785.595.3258. Tribal notification is included in the FONSI as CR-1 as shown in Table 1 above.
- Menominee Indian Tribe of Wisconsin – Amanda Ciampolillo from FRA spoke with David Grignon, Tribal Historic Preservation Officer, on July 24, 2020. He stated that the Tribe has no interest in the area.
- Sac & Fox Nation, Oklahoma – Amanda Ciampolillo from FRA spoke with Chris Boyd on July 29, 2020. He asked for a copy of the April 24, 2020 materials, which FRA sent to him on July 29, 2020. No additional information or contact was received from the Tribe afterwards.

No additional information or contact was received from any Tribe.

8. Conclusion

FRA finds that: (1) the EA for the Des Moines Transload Facility satisfies the requirements of NEPA (42 U.S.C. §§ 4321 *et seq.*), Council on Environmental Quality (CEQ) regulations (40 CFR parts 1500-1508), and 23 CFR parts 771 and 774; and (2) the Selected Alternative will have no foreseeable significant impact on the quality of the human or natural environment. The EA provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required for the Des Moines Transload Facility as presented in the EA.

**JAMIE P.
RENNERT**

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Date: 2020.08.27
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Jamie P. Rennert

Director, Office of Infrastructure Investment
Federal Railroad Administration

Date

FRA's Office of Railroad Policy and Development prepared this document in August 2020. For further information regarding this FONSI contact:

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Appendix A: Comments and Responses on the EA

Public comments for the EA were collected using Regulations.gov. The EA was Docket ID: FRA-2020-0048. During the public comment period for the EA, two comments were received, both submitted on July 3, 2020. The text in Comments 1 and 2 are reproduced verbatim as they were submitted on the docket. For readability, Comments 1 and 2 were broken down into a comment and response for each topic the commenter raised, rather than providing a single response addressed the comment as a whole.

Comment 1

Tracking Number: 1k4-9hlw-y801

Comments Received: 07-03-20

Submitter Name: Anonymous Anonymous

Comments Submitted:

- a. Water contamination assessment risk is understated -- looking at only onsite precipitation and factors...and not adequately considering flows onto the site from the micro-watershed the site is part of.

Response:

The City of Des Moines has used portions of the Project site and the surrounding area for stormwater detention for at least four decades. The City of Des Moines modified the existing stormwater retention basins to provide drainage control and additional stormwater runoff storage volume when the Project site was re-graded during the East Martin Luther King Jr. Parkway expansion in early 2013. A majority of the offsite drainage converges in a series of City-owned detention basins along the south side of the Project site before reaching the outlet. As discussed in Section 3.2.2 (pages 24-25) and Section 3.4.2 (page 33) of the EA, DSMI worked with the City to design the stormwater system for the Project to meet the City requirements for both offsite and onsite drainage. The stormwater system is designed with capacity to accommodate storm events ranging from 1 year to 500-year events including on-site and off-site stormwater flows.

- b. The fact that the site requires the detention ponds (both in number, locations, and in size of acreage total) indicates that any leaking oil, gas, chemical, or other liquid including products arriving on train or truck to the site can get into Des Moines' ground water.

Response:

During operation of the Project, DSMI will comply with the NPDES General Permit No. 2 requirements discussed on page 25 in Section 3.2.3 Water Quality of the EA. Federal law requires stormwater permits for construction activity and the operation of industrial or commercial activities. In accordance with Federal law, DSMI will obtain an operational industrial permit under Iowa's NPDES General Permit requirements prior to starting operation of the Transload Facility. Iowa's NPDES General Permits require that a pollution prevention plan for construction activity and operation be developed and implemented. The pollution prevention plans are designed to reduce pollution at the site before it causes a new hazardous environmental condition. The on-site stormwater basin along the north end of the Project site will collect and discharge rainfall runoff from the Project. This vegetated dry detention pond will be higher in elevation than the offsite city

basins as discussed in the EA in Section 3.4.2 Wetlands (page 33), which will allow time to clean up any spills before the materials can discharge to the City stormwater basins located on the south side of the site. As discussed in the EA in Section 3.2 Water Quality (pages 24-25), if a spill occurs, any leaking oil, gas, chemical, or other liquid, draining to the on-site stormwater basin would be prevented from leaving the site and reported to the Iowa Department of Natural Resources. The State of Iowa (Iowa Administrative Code, 567 Chapter 131.2(455B) - Reporting of hazardous conditions), requires any person manufacturing, storing, handling, transporting, or disposing of a hazardous substance to notify the department and local law enforcement of the occurrence of a hazardous condition. The notification must be made as soon as possible but not later than six hours after the onset or discovery of the hazardous condition.

- c. Traffic congestion and the contributing factor of estimated 30 to 50 semi-trucks per day is understates that impact and understates the amount of pollution (reduction of Air Quality) from truck exhaust and from dirt the trucks kick up into the air.

Response:

During operation of the Build Alternative, DSMI assumes that the volume of semi-trucks operating would add fewer than 100 new trips per day to the existing truck traffic.¹¹ As described in the EA in Section 3.9.2 Transportation (page 41-42), the City of Des Moines's Traffic and Transportation Engineers conducted an analysis of the existing roadways in the Project vicinity. The City determined that, as noted in the comment, the Project will increase traffic on the roadway and highway network surrounding the Project site. The existing roadways surrounding the Project site, including E Martin Luther King Jr. Parkway, SE 15th Street, SE 18th Street, Maury Street, and Scott Avenue, are designated as truck routes. Therefore, the City concluded the area roadways can accommodate the additional traffic volumes. FRA determined in the EA that the Project will not result in a significant impact to traffic. The Project will have the beneficial impact on highway congestion by removing truck trips from the highway network and transporting freight by rail.

In accordance with Federal requirements, an Air Quality Assessment was completed for the Project. As discussed in the EA in Section 3.1.2 Air Quality (page 23), operation of the Project will generate minor amounts of fugitive dust and gaseous emissions of CO, VOC, NOx, SO₂, and PM10 and PM2.5 from the combustion of fuel by equipment operating on-site and vehicle travel to and from the site, as shown in Table 3-3 on page 23 of the EA. The analysis does not indicate there would be a reduction in air quality emissions. Based on the assumptions specified in Section 3.1.2 and U.S. Environmental Protection Agency's (EPA) emission factors, Project emissions will not exceed the Clean Air Act *de minimis* thresholds. While the operational emissions will increase, the impact will not be significant.

- d. Furthermore -- Altoona, Iowa has a large publicly available Trans-load and Rail port facility --- the MPO study as I read it overlooks that option--as it is not listed as an existing site nor was it listed for evaluation (it is not in the EA report's list of "all potential sites for expanded trans-load to serve the metro area.")!

¹¹ Des Moines Industrial. Application for Traffic Analysis. Submitted to City of Des Moines, Iowa, 22 Aug. 2019.

Response:

As discussed in the EA in Section 1.3 Project Purpose and Need (pages 2-8), the purpose of the Project is to improve the overall freight capacity and options in the Des Moines metropolitan area; develop rail centric transportation options for existing businesses; expand existing transportation options to attract new industries to the region; and support economic development in Central Iowa. To achieve this purpose, the DMAMPO undertook an alternatives analysis of potential new sites in the Des Moines area on which the Project purpose could be achieved. As described in the EA in Section 2.2 Alternatives Considered (page 9-12), the DMAMPO's considered 11 potential sites in and around Des Moines for a new transload facility. The Project site was selected as the only one of the 11 sites considered because it is currently zoned heavy industrial; has direct access to two Class I railroads and one Class II railroad; and is adjacent to a major arterial roadway with a direct connection to the interstate highway system. The facility in Altoona, Iowa was in operation at the time the DMAMPO undertook its *Rail Market Analysis*¹² completed in 2014. The study shows a transload facility in Des Moines has the potential to spur additional development from businesses that desire to export and import goods via rail by providing a cost-effective shipping alternative compared to trucking within a 150-mile radius of Des Moines, Iowa. Therefore, DMAMPO undertook an alternatives analysis of potential sites in Des Moines based on its analysis that there was market demand for a facility in Des Moines and in Altoona.

- e. Locomotives, Trucks, and rail cars are NOT quite -- especially in metro areas -- so I am concerned about industrial noise from the equipment (on site, as they travel through the city / metro area, and other onsite noise from loading and unloading that amount of tonnage every week! Many people live in residential areas adjacent to or near the site -- and more living units are planned for that area of the city...this seems problematic.

Response:

As discussed in the EA in Section 3.3 Noise (pages 26-33), a noise analysis was conducted for the Project to determine if increased noise from equipment operating on the Project site and vehicle and train traffic would impact the surrounding properties, including the nearby residences. The Transload Facility will operate from 7:00 am to 6:00 pm Monday through Friday and from 7:00 am to noon on Saturday. DSMI estimates that the average rail traffic at the Transload Facility will be 2,800 rail cars per year, or approximately 10 cars per day. DSMI estimates that 30 to 50 trucks will enter and exit the Transload Facility per day. During daily operations of the Transload Facility the following typical machinery will be expected to operate onsite: diesel skid steer loaders, front loaders, forklifts, and TrackMobile. DSMI also anticipates using electric powered forklifts. Table 3-5 of the EA (page 30) provides the existing average noise levels and the future average noise levels calculated based on operations of the Transload Facility. The future average noise levels were calculated based on distance of the noise receptors from the Project site, as sound dissipates with distance from the source. As shown in Table 3-5, due to the distance from the Project site, there will be no increase in the average noise level at each sensitive receptors during operation of the Project, including the nearby residences.

¹² Des Moines Area Metropolitan Planning Org. Rail Market Analysis. 31 Jan. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-market-analysis-final.pdf>.

Comment 2

Tracking Number: 1k4-9hm2-orvo

Comments Received: 07-03-20

Submitter Name: Anonymous Anonymous

Comments Submitted:

- a. I seriously doubt that the freight savings rail over truck is 50% as stated. Especially now in times of lower priced fuel, trucks are by far less expensive per mile than rail. In addition, since rail carriers are private business, they can pick and choose which customers they want to serve. One piece of business might get favorable rates, another could receive rates too high to be competitive. I would ask for specific examples of the stated savings and not settle for one example.

Response:

Freight rates will fluctuate by carrier, commodity, shipper, based on the economy. As discussed in the EA in Section 3.11.2 (page 45), the DMAMPO *Rail Market Analysis*¹³ completed in 2014 shows a transload facility in Des Moines has the potential to spur additional development from businesses that desire to export and import goods via rail by providing a cost-effective shipping alternative compared to trucking within a 150-mile radius of Des Moines, Iowa. Various key targeted industries in Des Moines would also potentially see economic benefits. The Project will improve the capacity to transport freight in and out of the region and would assist in more cost effectively importing products and exporting goods. As a result, Des Moines Area businesses could potentially add more high-wage jobs in value-added industries.

- b. The transload facility will not reduce the amount of truck traffic in the metro area. While a rail shipment equates to 3-4 truck loads. The same amount of trucks will travel the city streets to handle the freight. There has to be empty trucks accessing the site and full trucks leaving, offering a highly concentrated area for truck traffic. Traffic from the West empty to return to the transload to return loaded to the West will not find it efficient to travel 5/65 north to connect to I-80 West. It will be more direct to travel thru Des Moines to connect to I-235 to continue West.

Response:

As discussed in the EA in Section 3.9.2 (page 41-42), the City of Des Moines's Traffic and Transportation Engineers conducted an analysis and concluded the Project will create increased traffic on the existing roadways/highways in the Project vicinity but will not exceed the capacity of these roadways or cause congestion. See Response 1.c above.

- c. While there has been rail activity in the general area of the proposed transload site for years, this specific site has direct line of sight, sound, and dusting to a residential area.

Response:

See Response 1.e above regarding noise. In Section 3.3 Noise (page 30) of the EA, future average operation noise levels will not increase compared to the existing average noise level at each receptor because noise dissipates with distance from the source.

See Response 1.c above regarding dusting and air quality during operation of the Project.

¹³ Des Moines Area Metropolitan Planning Org. Rail Market Analysis. 31 Jan. 2014, <https://dmampo.org/wp-content/uploads/2015/03/dsm-railport-market-analysis-final.pdf>.

The visual impacts of the Project are discussed in Section 3.8 Visual Resources (page 40) of the EA. The Project site is in an industrial area. After construction, views of the Project site will also be industrial in nature, including warehouses and rail lines. The primary viewers, motorists passing the Project site and the surrounding business, would perceive a change in the visual environment. However, the new development will be consistent with the surrounding properties and will not create a significant visual impact to these viewer groups. The nearby residences are the most sensitive to changes in the visual environment. Views of the Project site from the nearby residences are currently obscured by vegetation, which will remain in place and continue to separate the Project site from the residences. Therefore, the view from the residences will continue to be trees and other vegetation and there will be no significant impact to their view.

- d. As you know, the NS and BNSF operate jointly to access Des Moines. What happens to Class 1 carrier connectivity if this lease agreement fails to continue in the future?

Response:

The comment refers to an agreement between NS and BNSF that is not part of the Project and the Project will not negatively affect the agreement. Implementation of the Project will generate additional freight rail demand that may encourage NS and BNSF to continue jointly accessing Des Moines.

Appendix B: Concurrence Letter from the Iowa State Historic Preservation Office

From: [Andre, Sara](#)
To: [Ciampolillo, Amanda \(FRA\)](#)
Cc: [DCA SHPO106](#); [Gibb, Heather](#); [Daniel Higginbottom](#); [Kramer, Chris](#)
Subject: Re: R&C 200477129 - FRA - CITY OF DES MOINES - PROPOSED CONSTRUCTION OF MULTI-MODAL TRANSLOADING FACILITY - 200 SE 15TH STREET
Date: Tuesday, August 25, 2020 4:20:19 PM

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

R&C 200477129 - FRA - CITY OF DES MOINES - PROPOSED CONSTRUCTION OF MULTI-MODAL TRANSLOADING FACILITY - 200 SE 15TH STREET

Amanda:

As a follow up to your email, based on the information provided and our previous concurrence with a no adverse effect determination, we agree with FRA on the de minimis determination under Section 4f.

Additionally, as noted on the August 21, 2020 comments, this email is a follow-up to clarify our response regarding resources within the APE. Within the submitted report and Iowa Site Inventory Forms (ISIF), the SHPO does not agree with the eligibility determination on two of the resources: 77-09469 (Heartland Co-op, 118 SE 18th St.) and 77-12160 (Iowa Interstate RR). Full evaluation of these resources would require further research and contextual information. While we do concur with the no adverse effect for the project as a whole, we did want to note that these two particular resources would need further research and evaluation to fully determine eligibility, or non-eligibility, for listing in the National Register of Historic Places. No further work is necessary on the part of FRA and their consultants, but we felt it necessary to clarify the information regarding the two above-noted resources.

If you have any further comments or questions, please contact us.

Kind regards,

Sara André
Architectural Historian
State Historic Preservation Office
sara.andre@iowa.gov | 515-242-6157 | iowaculture.gov

Be advised that the current health emergency may affect the ability of our office to respond to future correspondences within the expected timeframe. Staff are continuing to work toward meeting the statutory 30-day review and comment period where applicable and will be notifying agencies if any review is anticipated to take longer than 30 days.

Please note: Our office is currently closed to the public in an effort to slow the spread of the COVID-19. During this time, SHPO staff will be available most effectively through email correspondence and conference calls

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On Fri, Aug 21, 2020 at 1:01 PM Gibb, Heather <heather.gibb@iowa.gov> wrote:

We have received your July 29, 2020 submittal for the above referenced federal undertaking. We provide the following response in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations 36 CFR 800.

Regarding this project, please see the following comments:

R&C 200477129 - FRA - CITY OF DES MOINES - PROPOSED CONSTRUCTION OF MULTI-MODAL TRANSLOADING FACILITY - 200 SE 15TH STREET

- Concur with the federal agency and/or their designated representative (No Adverse Effect).
- Specific comments on the architectural portion of the submission should follow next week.

Please note that due to the current status of our office, you will not receive a hard copy of this email. It is the submitter's responsibility to maintain the official file of record and to send hardcopies of historic property inventories (archaeological/architectural survey reports) to SHPO for entry into NADB and the Inventory as circumstances allow.

Best,

Heather Gibb, Ph.D.

Interim Deputy State Historic Preservation Officer
Review & Compliance Manager

Pronouns: She/Her/Hers

heather.gibb@iowa.gov | 515.281.4137 | iowaculture.gov

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