

I live within the 1-mile area studied for direct impact that the NEPA draft EIS examines. In Figure 6.5-7c of the EIS, my house lies almost on the 65 Ldn contour. I want the Army Corps of Engineers to know that as a homeowner in the Highlands, I find the section of the study that focuses on Noise to be inadequate in scope and flawed in the examination of this project's potential impact on my neighborhood. There are several sections of this chapter in the study that have issues that need to be satisfactorily addressed.

I can see the rail line from both the front and back of my home. When the train crosses Oregon and then Industrial Way, I can see, hear and smell the traffic as it sits idling on Industrial. I could focus on the issues that will be raised by this traffic congestion happening many more times each day, including the increase of exhaust fumes and diesel particulates. I could also talk about the potential health risks posed by the coal trains themselves, or even of the diesel engines of the trains as they are brought in, out, or shuffled around in the rail yards. These are all issues that concern me, of course, but my opinion on this study is that the noise issue is sufficiently problematic to a significantly large enough population of people that this project should not be allowed to move on to the permitting stage.

The first issue to address is the study of noise itself. Given the nature of the rail line, there is not consistent noise levels due to inconsistent rail traffic. The short- and long-term studies completed on the ambient noise levels were not of a sufficiently long enough duration to accurately measure true levels of ambient noise. Were the two weeks that these studies were done truly representative weeks? I know that in the past week train activity on the line has been much less significant than it has been in many of the weeks in the recent past. I know that this happens periodically, so I think that since the measure of ambient noise is so important to the assessment of the increased noise levels and how many homes will have moderate to severe impacts of that noise, it is essential to have accuracy in those baseline measurements. I also am concerned about the placement of the sensors, especially considering how few were placed along the lower portions of the Highlands neighborhood. Additionally, Figure 6.5-7c also illustrates that the majority of the Highlands will be impacted by the horn noise of three major public crossings, however, I don't feel the placement of these ambient sensors, nor the assessment of the data gathered, presents a truly accurate sense of the level of ambient noise currently in the neighborhood.

This point is important when we look at Table 6.5-4 and the estimated number of "receptors" that will be affected. The current estimate says that approximately 230 residences will have a moderate noise impact and that 60 will have severe noise impact. That any residences will have a severe noise impact seems unacceptable to me; however, I do not agree that the number of residences that will be impacted will be that low. If the ambient noise level were more accurate, then it would take only a smaller increase in the noise level to have a severe noise impact. The information provided on page 6.5-9 of the study explains how there is no actual data to use to study noise levels of trains, but much of this is flawed as well. Do we know that these unit trains

will generate the same amount of noise as high-speed rail trains? Your study indicates there is no criteria for assessing this level of noise, which says these numbers are essentially meaningless, but assumed to be estimated extremely low. The Army Corps of Engineers may be prepared to issue permits for this project at the expense of severe-noise impacts to 60 residences, but what if these estimates and hypotheses are seriously wrong and the number of homes impacted is significantly higher?

One additional issue regarding the sensors is the study's complete dismissal of wayside noise. This issue relates also to the mistaken belief that these trains will not be answerable to the Noise Control Act of 1972. These trains are destined for over-seas commerce, and therefore do not fall under the exemption provided by WAC 173-60. This project does not relate to interstate commerce, therefore completely ignoring the wayside noise is unacceptable and this study must be done before this project can proceed. The Noise Control Act of 1972 is a major environmental law that the NEPA points out must be considered in this project. This law guarantees the protection of all citizens, and our rights are not to be superseded by the desire for profit. The study indicates that there will still be impacts to these many residences even if a quiet zone is established for each of these rail crossings; this act will of course jeopardize the safety of motorists, pedestrians, bicyclists, and the visually impaired. These quiet zones will not, however, address the issue of the wayside noise, which based on current levels of wayside noise, I would argue to be far more detrimental than the horn noise.

The wayside noise that I experience at my residence consists of high-frequency emissions from the brakes and startling crashing noises from the coupling and uncoupling of engines. With the increase in rail traffic, and the round-the-clock nature of accommodating these massive trains, this increased wayside noise will have significant health impacts on the residents. Studies have shown that severe noise can impact sleep patterns, children's ability to learn, constant adrenal response leading to high stress levels and post-traumatic stress, and other potentially severe health issues that will only be compounded by the poverty in much of the neighborhood. These noise issues will affect those who are already least able to handle these types of stressful situations, including many who are elderly or disabled.

The Army Corps of Engineers needs to consider the people of the Highlands and follow the letter of the law, refusing to allow this project to move forward. The Noise Control Act is a part of the Clean Air and Clean Water Environmental Impact laws that led to the creation of the SEPA and NEPA studies that are being assessed here. At the very least you have a responsibility to the community to engage in a more thorough study of the noise impacts. However, you already have enough information to determine that big business does not get to stomp all over the poor, disabled, people of color, and working-class families that live in the Highlands. You have enough information to know that you must honor the law and deny the permits to Millennium to proceed with this terminal project. This incomplete study already clearly indicates that this

project will be in direct violation of the Noise Control Act of 1972. Deny the permits. Take the No-Action Alternative.