

### 37.0 PARCELS 1222011, 1223017, AND 1303027

**Owner:** Raymond Thompson

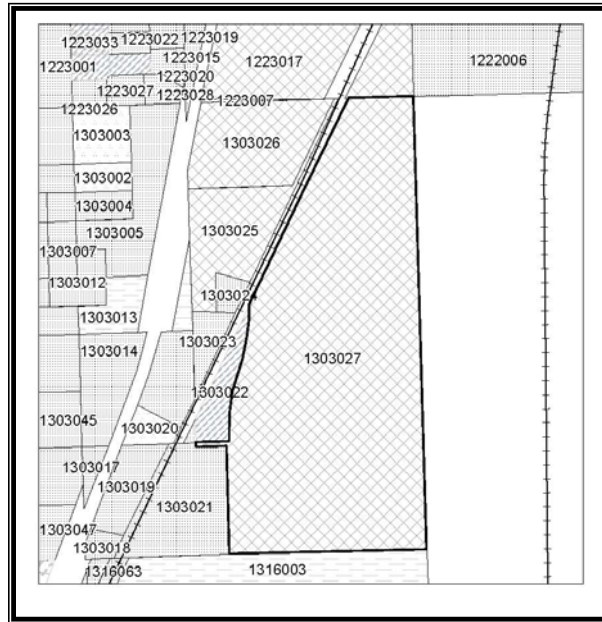
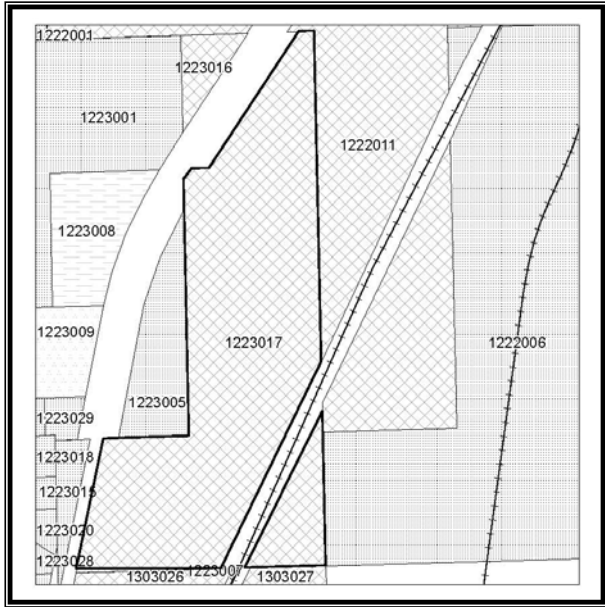
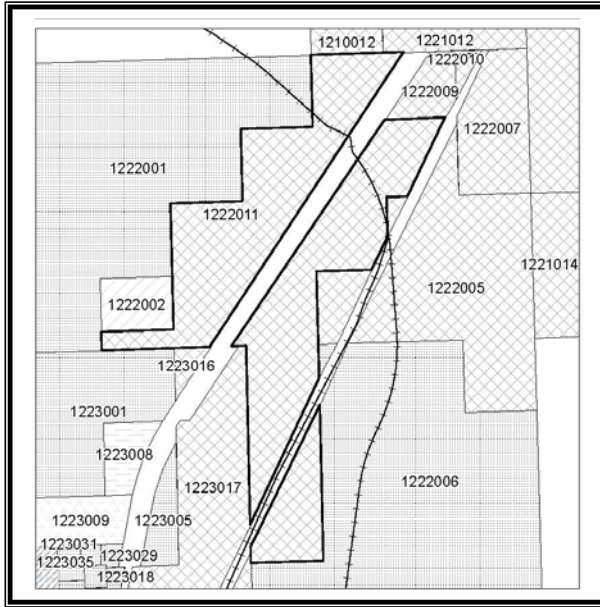
**Land Use:** Agricultural deferred

#### 37.1 PARCEL DESCRIPTION

Parcels 1222011, 1223017, 1303027 total approximately 818.65 +/- acres in size. According to Lincoln County's records, all of the parcels have a land use classification of agricultural deferred. There are approximately 750 acre feet of certificated water rights associated with these properties. Currently, 5 irrigation pivots, 11 wells, 3 homes, 1 horse barn and 1 maintenance shop exist on the property. The property is also the base of operation for two business enterprises in addition to the ranching, Raymond Thompson Trucking and the Lincoln County Record. Parcel 1222011 will be impacted by any alignment proposed by DOE or included in this report for detailed analysis.

Table 37.1: **Parcel Details**

PARCEL NUMBER	ACRES	LAND USE	COMMENTS
1222011	418.21+/-	Agricultural deferred	
1223017	169.28+/-	Agricultural deferred	
1303027	231.16+/-	Agricultural deferred	
<b>TOTAL</b>	<b>818.65+/-</b>	<b>Agricultural deferred</b>	Parcel sizes verified April 2008 Lincoln County Assessor's Office



## **37.2 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – CALIENTE ALTERNATIVE**

The Caliente alternative segment would begin in Caliente, enter Meadow Valley at Indian Cove, and extend generally north through Meadow Valley and along U.S. Highway 93. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

### **37.2.1 Impacts for Proposed Alignment**

#### **37.2.1.1 Taking of Private Property**

Lincoln County is a vast county with minimal private land.

##### *Planning/policy development*

No impacts from the initial planning and policy development phase were identified.

##### *Detailed planning/funding/impact assessment*

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact these parcels. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad.

##### *Construction/implementation*

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and/or planned portions of these parcels but outside of the construction right-of-way and/or the ability to develop these parcels will be seriously disturbed during the construction of the Caliente Railroad.

##### *Operation/maintenance*

It is not anticipated that additional impacts to private property will occur during this phase that were not already identified during previous phases unless the scope of the shipping campaign substantially increases and requires expansion of staging yards or other such facilities. Existing and/or planned portions of these parcels but outside of the operation right-of-way and/or the ability to develop these parcels may be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

##### *Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

### 37.2.1.2 Effects on Property Values and Other Economic Impacts

#### *Planning/policy development*

The uncertainty surrounding the possible plans to construct a railroad resulted in impacts on these parcels and property owner early in the planning process. The inability to make long-term plans for the farming operation due to the possibility of the railroad caused serious financial impact. Mr. Thompson's aged father transferred ownership of this property to him in 2003. At that time, much of the ranch had gone out of production. Mr. Thompson wanted to install new irrigation pivots to begin the process of bringing the ranch back into full production. He felt the possibility of the Caliente Railroad being built posed too much risk to proceed with his plans at that time. In order for him to retain his water rights, he will need to prove beneficial use at some time in the future. The uncertainties of the Caliente Railroad may put these water rights at risk.

#### *Detailed planning/funding/impact assessment*

There have already been adverse financial impacts. Prospective buyers of the property have decided against the purchase due to the possibility of a railroad dissecting the ranch. Further impacts will occur as right-of-ways are acquired. The existing land uses and/or ability to develop these parcels will be irreversibly impacted. The acquisition of right-of-ways will significantly devalue a larger portion of the parcels than just the width of the actual right-of-ways. A large frontage along US Highway 93 would be cut off from the rest of the ranch if this alignment were selected.

#### *Construction/implementation*

The owner of these parcels will experience a tremendous loss of economic opportunity due to the impact of the construction of the Caliente Railroad on existing land uses and/or the ability to develop these parcels.

#### *Operation/maintenance*

The owner of these parcels will experience a loss of economic opportunity due to the impact of the operation of the Caliente Railroad on existing land uses and/or the ability to develop these parcels. U.S. Highway 93 dissects part of these properties, leaving an extensive frontage on both sides of the highway. Mr. Thompson is concerned about the stigma associated with the transportation of spent nuclear fuel and high-level radioactive waste. He feels this frontage property will be useless as development property due to these issues. Mr. Thompson is the second-generation owner of these properties. He has two young sons that he had hoped would continue ranching on the properties. He is now very concerned for their future.

#### *Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

### **37.2.2 Mitigation/Compensation for Proposed Alignment**

#### 37.2.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

#### 37.2.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

### 37.2.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

### 37.2.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

### 37.2.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. The loss of economic opportunity and costs incurred by the owner while awaiting fair compensation should be considered as part of the compensation negotiations.

## **37.3 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – ECCLES ALTERNATIVE**

The Eccles alternative segment would begin along Clover Creek about five miles east of Caliente and trend generally north to enter Meadow Valley from the southeast. This alternative segment would then cross U.S. Highway 93 about three miles southwest of Panaca and connect to Caliente common segment 0.6 miles northwest of U.S. Highway 93 and 11 miles south of Pioche. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

### **37.3.1 Impacts for Proposed Alignment**

#### 37.3.1.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

##### *Planning/policy development*

No impacts from the initial planning and policy development phase were identified.

##### *Detailed planning/funding/impact assessment*

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact this parcel. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad.

##### *Construction/implementation*

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and/or planned portions of this parcel but outside of the construction right-of-way and/or the ability to develop this parcel will be seriously disturbed during the construction of the Caliente Railroad.

##### *Operation/maintenance*

It is not anticipated that additional impacts to private property will occur during this phase that were not already identified during previous phases unless the scope of the shipping

campaign substantially increases and requires expansion of staging yards or other such facilities. Existing and/or planned portions of this parcel but outside of the operation right-of-way and/or the ability to develop this parcel may be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

37.3.1.2 Effects on Property Values and Other Economic Impacts

*Planning/policy development*

The uncertainty surrounding the possible plans to construct a railroad resulted in impacts on this parcel and property owner early in the planning process. The inability to make long-term plans for the farming operation due to the possibility of the railroad caused serious financial impact. Mr. Thompson's aged father transferred ownership of this property to him in 2003. At that time, much of the ranch had gone out of production. Mr. Thompson wanted to install new irrigation pivots to begin the process of bringing the ranch back into full production. He felt the possibility of the Caliente Railroad being built posed too much risk to proceed with his plans at that time. In order for him to retain his water rights, he will need to prove beneficial use at some time in the future. The uncertainties of the Caliente Railroad may put these water rights at risk.

*Detailed planning/funding/impact assessment*

There have already been adverse financial impacts. Prospective buyers of the property have decided against the purchase due to the possibility of a railroad dissecting the ranch. Further impacts will occur as right-of-ways are acquired. The existing land uses and/or ability to develop this parcel will be irreversibly impacted. The acquisition of right-of-ways will significantly devalue a larger portion of the parcel than just the width of the actual right-of-ways.

*Construction/implementation*

The owner of this parcel will experience a tremendous loss of economic opportunity due to the impact of the construction of the Caliente Railroad on existing land uses and/or the ability to develop this parcel.

*Operation/maintenance*

The owner of this parcel will experience a loss of economic opportunity due to the impact of the operation of the Caliente Railroad on existing land uses and/or the ability to develop this parcel. U.S. Highway 93 dissects this parcel, leaving an extensive frontage on both sides of the highway. Mr. Thompson is concerned about the stigma associated with the transportation of spent nuclear fuel and high-level radioactive waste. He feels this frontage property will be useless as development property due to these issues. Mr. Thompson is the second-generation owner of these properties. He has two young sons that he had hoped would continue ranching on the properties. He is now very concerned for their future.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

### **37.3.2 Mitigation/Compensation for Proposed Alignment**

#### 37.3.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

#### 37.3.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

#### 37.3.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

#### 37.3.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

#### 37.3.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. The loss of economic opportunity and costs incurred by the owner while awaiting fair compensation should be considered as part of the compensation negotiations.

### **37.4 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – COMMON SEGMENT**

The common segment would begin at the end of the Caliente or Eccles alternative segment. Common segment 1 would trend generally west from Meadow Valley through the Chief Range (Bennett Pass) and across Dry Lake Valley and the North Pahroc Range. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

#### **37.4.1 Impacts for Proposed Alignment**

##### 37.4.1.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

##### *Planning/policy development*

No impacts from the initial planning and policy development phase were identified.

##### *Detailed planning/funding/impact assessment*

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact this parcel. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad.

##### *Construction/implementation*

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and/or planned portions of this parcel but outside of the construction right-of-way and/or the

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ability to develop this parcel will be seriously disturbed during the construction of the Caliente Railroad.

*Operation/maintenance*

It is not anticipated that additional impacts to private property will occur during this phase that were not already identified during previous phases unless the scope of the shipping campaign substantially increases and requires expansion of staging yards or other such facilities. Existing and/or planned portions of this parcel but outside of the operation right-of-way and/or the ability to develop this parcel may be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

37.4.1.2 Effects on Property Values and Other Economic Impacts

*Planning/policy development*

The uncertainty surrounding the possible plans to construct a railroad resulted in impacts on this parcel and property owner early in the planning process. The inability to make long-term plans for the farming operation due to the possibility of the railroad caused serious financial impact. Mr. Thompson's aged father transferred ownership of this property to him in 2003. At that time, much of the ranch had gone out of production. Mr. Thompson wanted to install new irrigation pivots to begin the process of bringing the ranch back into full production. He felt the possibility of the Caliente Railroad being built posed too much risk to proceed with his plans at that time. In order for him to retain his water rights, he will need to prove beneficial use at some time in the future. The uncertainties of the Caliente Railroad may put these water rights at risk.

*Detailed planning/funding/impact assessment*

There have already been adverse financial impacts. Prospective buyers of the property have decided against the purchase due to the possibility of a railroad dissecting the ranch. Further impacts will occur as right-of-ways are acquired. The existing land uses and/or ability to develop this parcel will be irreversibly impacted. The acquisition of right-of-ways will significantly devalue a larger portion of the parcel than just the width of the actual right-of-ways.

*Construction/implementation*

The owner of this parcel will experience a tremendous loss of economic opportunity due to the impact of the construction of the Caliente Railroad on existing land uses and/or the ability to develop this parcel.

*Operation/maintenance*

The owner of this parcel will experience a loss of economic opportunity due to the impact of the operation of the Caliente Railroad on existing land uses and/or the ability to develop this parcel. U.S. Highway 93 dissects this parcel, leaving an extensive frontage on both sides of the highway. Mr. Thompson is concerned about the stigma associated with the transportation of spent nuclear fuel and high-level radioactive waste. He feels this frontage property will be useless as development property due to these issues. Mr. Thompson is the second-generation owner of these properties. He has two young sons that he had hoped would continue ranching on the properties. He is now very concerned for their future.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

**37.4.2 Mitigation/Compensation for Proposed Alignment**

37.4.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

37.4.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

37.4.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

37.4.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

37.4.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. The loss of economic opportunity and costs incurred by the owner while awaiting fair compensation should be considered as part of the compensation negotiations.

**37.5 PROPOSED RAILROAD ALIGNMENT – LINCOLN COUNTY SHORT ROUTE – CALIENTE ALTERNATIVE**

The Caliente alternative segment would begin in Caliente, enter Meadow Valley at Indian Cove, and extend generally north through Meadow Valley and along U.S. Highway 93. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

**37.5.1 Impacts for Proposed Alignment**

37.5.1.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

*Planning/policy development*

No impacts from the initial planning and policy development phase were identified.

*Detailed planning/funding/impact assessment*

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact these parcels. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within

this boundary will be impacted during the construction and operation of the Caliente Railroad.

*Construction/implementation*

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and/or planned portions of these parcels but outside of the construction right-of-way and/or the ability to develop these parcels will be seriously disturbed during the construction of the Caliente Railroad.

*Operation/maintenance*

It is not anticipated that additional impacts to private property will occur during this phase that were not already identified during previous phases unless the scope of the shipping campaign substantially increases and requires expansion of staging yards or other such facilities. Existing and/or planned portions of these parcels but outside of the operation right-of-way and/or the ability to develop these parcels may be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

37.5.1.2 Effects on Property Values and Other Economic Impacts

*Planning/policy development*

The uncertainty surrounding the possible plans to construct a railroad resulted in impacts on these parcels and property owner early in the planning process. The inability to make long-term plans for the farming operation due to the possibility of the railroad caused serious financial impact. Mr. Thompson's aged father transferred ownership of this property to him in 2003. At that time, much of the ranch had gone out of production. Mr. Thompson wanted to install new irrigation pivots to begin the process of bringing the ranch back into full production. He felt the possibility of the Caliente Railroad being built posed too much risk to proceed with his plans at that time. In order for him to retain his water rights, he will need to prove beneficial use at some time in the future. The uncertainties of the Caliente Railroad may put these water rights at risk.

*Detailed planning/funding/impact assessment*

There have already been adverse financial impacts. Prospective buyers of the property have decided against the purchase due to the possibility of a railroad dissecting the ranch. Further impacts will occur as right-of-ways are acquired. The existing land uses and/or ability to develop these parcels will be irreversibly impacted. The acquisition of right-of-ways will significantly devalue a larger portion of the parcels than just the width of the actual right-of-ways. A large frontage along US Highway 93 would be cut off from the rest of the ranch if this alignment were selected.

*Construction/implementation*

The owner of these parcels will experience a tremendous loss of economic opportunity due to the impact of the construction of the Caliente Railroad on existing land uses and/or the ability to develop these parcels.

### *Operation/maintenance*

The owner of these parcels will experience a loss of economic opportunity due to the impact of the operation of the Caliente Railroad on existing land uses and/or the ability to develop these parcels. U.S. Highway 93 dissects part of these properties, leaving an extensive frontage on both sides of the highway. Mr. Thompson is concerned about the stigma associated with the transportation of spent nuclear fuel and high-level radioactive waste. He feels this frontage property will be useless as development property due to these issues. Mr. Thompson is the second-generation owner of these properties. He has two young sons that he had hoped would continue ranching on the properties. He is now very concerned for their future.

### *Abandonment/decommissioning*

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### **37.5.2 Mitigation/Compensation for Proposed Alignment**

#### 37.5.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

#### 37.5.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

#### 37.5.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

#### 37.5.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

#### 37.5.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. The loss of economic opportunity and costs incurred by the owner while awaiting fair compensation should be considered as part of the compensation negotiations.

## **37.6 PROPOSED RAILROAD ALIGNMENT – LINCOLN COUNTY SHORT ROUTE – ECCLES ALTERNATIVE**

The Eccles alternative segment would begin along Clover Creek about five miles east of Caliente and trend generally north to enter Meadow Valley from the southeast. This alternative segment would then cross U.S. Highway 93 about three miles southwest of Panaca and connect to Caliente common segment 0.6 miles northwest of U.S. Highway 93 and 11 miles south of Pioche. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

### **37.6.1 Impacts for Proposed Alignment**

#### 37.6.1.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

#### *Planning/policy development*

No impacts from the initial planning and policy development phase were identified.

*Detailed planning/funding/impact assessment*

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact this parcel. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad.

*Construction/implementation*

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and/or planned portions of this parcel but outside of the construction right-of-way and/or the ability to develop this parcel will be seriously disturbed during the construction of the Caliente Railroad.

*Operation/maintenance*

It is not anticipated that additional impacts to private property will occur during this phase that were not already identified during previous phases unless the scope of the shipping campaign substantially increases and requires expansion of staging yards or other such facilities. Existing and/or planned portions of this parcel but outside of the operation right-of-way and/or the ability to develop this parcel may be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

37.6.1.2 Effects on Property Values and Other Economic Impacts

*Planning/policy development*

The uncertainty surrounding the possible plans to construct a railroad resulted in impacts on this parcel and property owner early in the planning process. The inability to make long-term plans for the farming operation due to the possibility of the railroad caused serious financial impact. Mr. Thompson's aged father transferred ownership of this property to him in 2003. At that time, much of the ranch had gone out of production. Mr. Thompson wanted to install new irrigation pivots to begin the process of bringing the ranch back into full production. He felt the possibility of the Caliente Railroad being built posed too much risk to proceed with his plans at that time. In order for him to retain his water rights, he will need to prove beneficial use at some time in the future. The uncertainties of the Caliente Railroad may put these water rights at risk.

*Detailed planning/funding/impact assessment*

There have already been adverse financial impacts. Prospective buyers of the property have decided against the purchase due to the possibility of a railroad dissecting the ranch.

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Further impacts will occur as right-of-ways are acquired. The existing land uses and/or ability to develop this parcel will be irreversibly impacted. The acquisition of right-of-ways will significantly devalue a larger portion of the parcel than just the width of the actual right-of-ways.

*Construction/implementation*

The owner of this parcel will experience a tremendous loss of economic opportunity due to the impact of the construction of the Caliente Railroad on existing land uses and/or the ability to develop this parcel.

*Operation/maintenance*

The owner of this parcel will experience a loss of economic opportunity due to the impact of the operation of the Caliente Railroad on existing land uses and/or the ability to develop this parcel. U.S. Highway 93 dissects this parcel, leaving an extensive frontage on both sides of the highway. Mr. Thompson is concerned about the stigma associated with the transportation of spent nuclear fuel and high-level radioactive waste. He feels this frontage property will be useless as development property due to these issues. Mr. Thompson is the second-generation owner of these properties. He has two young sons that he had hoped would continue ranching on the properties. He is now very concerned for their future.

*Abandonment/decommissioning*

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

**37.6.2 Mitigation/Compensation for Proposed Alignment**

37.6.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

37.6.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

37.6.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

37.6.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

37.6.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. The loss of economic opportunity and costs incurred by the owner while awaiting fair compensation should be considered as part of the compensation negotiations.