



U.S. Department of Transportation
Federal Railroad Administration

Record of Decision: NEC FUTURE A Rail Investment Plan for the Northeast Corridor

Washington, D.C., to Boston, Massachusetts
July 2017

APPENDIX A ATTACHMENT 1 – SUMMARY OF ELECTED OFFICIAL, AGENCY, AND RAILROAD OPERATOR FEEDBACK

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Table of Contents

INTRODUCTION 1

FEDERAL ELECTED OFFICIALS..... 1

CT Senators and Representatives (Multiple)..... 1

 Senator Richard Blumenthal and Representative Joe Courtney (joint letter) (CT)..... 1

 Senator Richard Blumenthal (CT)..... 1

 Rep. Elizabeth Esty (CT, 5th District)..... 2

RI Senators and Representatives (Multiple) 2

 Sen. Jack Reed (RI)..... 2

 Senator Sheldon Whitehouse (RI)..... 3

 Rep. Jim Langevin (RI, 2nd District) 3

FEDERAL AGENCIES..... 3

 U.S. Environmental Protection Agency 3

 U.S. Department of the Interior (DOI) 4

 U.S. Fish & Wildlife Service – Rhode Island Refuge Complex 5

INDIAN TRIBES 5

 Narragansett Indian Tribe..... 5

 Mashpee Wampanoag Tribe 6

 Wampanoag Tribe of Gay Head (Aquinnah) 6

STATE ELECTED OFFICIALS..... 6

 Governor Dannel Malloy (CT) 6

 Governor Gina Raimondo (RI)..... 8

 CT State Senators and Representatives (Multiple)..... 8

 CT State Senators Ted Kennedy, Jr. (District 12) and Sean Scanlon (District 98)..... 8

 State Sen. Paul Formica (CT State Senate, District 20) 9

 State Sen. Heather Somers (CT State Senate, District 18) 9

 State Rep. Brian Patrick Kennedy (RI House of Representatives, District 38) 9

 State Rep. Chris Soto (CT House of Representatives, 39th District)..... 10

STATE AGENCIES 10

 Secretaries of Transportation for All NEC States..... 10

 Maryland Department of Natural Resources 11

 Maryland Department of Planning 12

 New Jersey Department of Environmental Protection..... 12

 Connecticut State Historic Preservation Office 12

 Connecticut Airport Authority 14

 Rhode Island Department of Administration, Division of Planning..... 14

 Rhode Island Historical Preservation and Heritage Commission 14

 Rhode Island Coastal Resources Management Council 15

METROPOLITAN PLANNING ORGANIZATIONS 15

 Wilmington Area Planning Council 15

 Delaware Regional Planning Commission 16

 Western Connecticut Council of Governments 16

 Southeastern Connecticut Council of Governments 17

RAILROAD OPERATORS..... 18

 Amtrak 18

 NJ TRANSIT..... 19

INTRODUCTION

This attachment to Appendix A includes summaries of the feedback received from federal, tribal government, state, and regional officials, and from railroad operators in the corridor. **The issues raised in these comments are addressed in the topical summaries in the main body of Appendix A.**¹

FEDERAL ELECTED OFFICIALS

CT Senators and Representatives (Multiple)

Federally elected officials from Connecticut provided feedback during the waiting period: Senator Richard Blumenthal, Senator Joe Courtney, Senator Christopher Murphy, and Congresswoman Elizabeth Esty. The following summarizes their comments:

Senator Richard Blumenthal and Representative Joe Courtney (joint letter) (CT)

- ▶ Suggested to include enhancements to the Hartford/Springfield Line as part of the Selected Alternative.
- ▶ Supported improved opportunities for access to New York City and Boston and improve connectivity to Bradley International Airport as well as other transportation hubs throughout New England.
- ▶ Opposed the Old Saybrook-Kenyon new segment and proposed double-track route through Fairfield County including the communities of Greenwich, Stamford, Norwalk, and Westport.

Senator Richard Blumenthal (CT)

- ▶ Expressed concern over the proposal to double-track rail between Branford and Guilford and stated opposition to rerouting rail through southeastern Connecticut.

Senator Christopher Murphy

- ▶ Supported improvements for the New Haven-Hartford-Springfield Line and increased access to Bradley International Airport.
- ▶ Expressed concern over the Preferred Alternative’s proposed new segments in southwestern (New Rochelle to Greens Farms new segment) and southeastern Connecticut (Old Saybrook-Kenyon new segment).
- ▶ Concerned that public engagement, while extensive, was not sufficient to mollify concerns in the cities and towns along these new segments.

¹ This ROD considers all feedback received during the waiting period (December 16, 2016 – May 12, 2017). Appendix A was updated on July 17, 2017, to include submissions inadvertently omitted from the version of Appendix A released on July 12, 2017.

- ▶ Expressed desire to work with the FRA to ensure needs of his constituents are met.

Rep. Elizabeth Esty (CT, 5th District)

- ▶ Urged the FRA to revisit the transformational Alternative 3 of the Tier 1 Draft EIS that traverses inland between New York City, Danbury, Waterbury, and Hartford.

RI Senators and Representatives (Multiple)

In a joint letter, the four members of the Rhode Island Congressional delegation—Sen. Jack Reed, Sen. Sheldon Whitehouse, Rep. David Cicilline (1st District), and Rep. Jim Langevin (2nd District)—submitted the following comments:

- ▶ Stated that NEC FUTURE is an important planning tool for assessing and planning the infrastructure priorities for the NEC over the next generation and that it complements ongoing efforts to improve rail service in the Northeast.
- ▶ Expressed support for including “Rhode Island prominently in the Preferred Alternative.”
- ▶ Noted that “significant concerns” have been raised about the potential impacts to “the neighborhoods in Washington (South) County in Rhode Island.”
- ▶ Expressed appreciation for the “FRA’s efforts to allow a greater airing of these concerns by extending the comment period and directly engaging with local community leaders.”
- ▶ Urged the FRA to remove the “Westerly-Hopkinton-Charlestown-South Kingstown bypass” (the Rhode Island portion of the Old Saybrook-Kenyon new segment) from the alternative selected in the Tier 1 ROD, if the FRA has authority to do so.
- ▶ Reiterated that “Rhode Island, specifically Providence, must remain central part of the NEC” and stated that “any alternative that results in service bypassing the state is completely unacceptable.”
- ▶ Urged the FRA to state in the ROD that “the inclusion of the Hartford/Springfield Line in the Preferred Alternative will not eventually lead to the creation of a new, alternative, or competing NEC spine between Boston and New York.”

Sen. Jack Reed (RI)

Senator Reed submitted the following comments:

- ▶ Thanked the FRA for extending the comment period on the Tier 1 Final EIS and for reaching out to discuss the Tier 1 EIS with community leaders in Charlestown, RI.
- ▶ Urged the FRA to add a public session in Rhode Island to those that have been scheduled for January and February elsewhere.

Senator Sheldon Whitehouse (RI)

- ▶ Opposed the Old Saybrook-Kenyon new segment due to the impacts to Charlestown and Westerly.
- ▶ Supported Rhode Island and City of Providence to be included in the FRA’s plan for the NEC.
- ▶ Questioned the process in regards to analysis used, alternatives development process, consideration of enhancements to the existing rail right-of-way, and use of new technologies and design features.

Rep. Jim Langevin (RI, 2nd District)

Representative Langevin submitted the following comments:

- ▶ Thanked the FRA for the ongoing work in crafting the NEC FUTURE plan as a new Vision for passenger rail in the Northeast.
- ▶ Stated that “the planned rebuilding of tracks in Washington County, Rhode Island must be reviewed and changed” due to impacts to nature preserves, family farms, and tribal lands, ecosystems, property rights, and natural beauty of the area, as well as potential effects on the NPS’s study of the designation of the Wood-Pawcatuck Wild and Scenic River.
- ▶ Stated that he has heard from hundreds of his constituents who oppose the Tier 1 plan’s realignment in Washington County, RI, and none have expressed an opinion in favor of the Tier 1 proposal.
- ▶ Urged the FRA to work with citizens of affected communities to develop a solution that avoids damaging impacts to Rhode Island, while still meeting the goals of creating a globally competitive, resilient passenger rail service in the Northeast.
- ▶ Urged the FRA to ensure that, as with the Tier 1 process, a public hearing is held in Rhode Island during future comment periods.

FEDERAL AGENCIES

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) offered the following comments:

- ▶ Well-designed Tier 2 projects can address aging infrastructure, insufficient capacity, gaps in connectivity, compromised performance, and lack of resiliency while also making the corridor more resilient to flooding and severe weather events, and by reducing emissions by reducing vehicle miles traveled.
- ▶ The ROD should contain a roadmap for the Tier 2 public engagement plan.

- ▶ Collaboration with stakeholders will be critical in Tier 2 due to the significant concerns about the Preferred Alternative raised by communities in Connecticut and Rhode Island and the Narragansett Indian Tribe.
- ▶ EPA made specific recommendations for FRA’s Tier 2 process covering wetland impacts, drinking water, air quality, parkland/refuge impacts, freight rail movement, floodplains, and threatened and endangered species.
- ▶ EPA noted the “outstanding” work of FRA to develop the Tier 1 Final EIS and to seek input on the project throughout the entire corridor.
- ▶ EPA looks forward to continuing to work with FRA to help address the potentially wide range of significant, direct, indirect, and cumulative impacts that Tier 2 projects may cause as the ROD is developed and Tier 2 projects are advanced.

U.S. Department of the Interior (DOI)

The DOI offered the following comments:

- ▶ DOI recommended that FRA make a first-tier preliminary Section 4(f) determination on the Section 4(f) resources where feasible and prudent alternatives to their use exists under the Department of Transportation Act of 1966.
- ▶ DOI supported the Preferred Alternative’s avoidance of the Patuxent Research Refuge in Maryland, the Stewart B. McKinney National Wildlife Refuge in Connecticut, and the Pelham Bay Park in New York. DOI states that it looks forward to the continued refinement of the Preferred Alternative to seek avoidance and minimization options for other Section 4(f) resources, including the John Heinz National Wildlife Refuge.
- ▶ DOI states that it cannot provide concurrence that there is no feasible and prudent alternative and that all measures have been taken to minimize harm until there is a Section 4(f) determination and encourages interagency communication throughout Tier 2 environmental compliance.
- ▶ DOI stated that the Section 106 Programmatic Agreement establishes an appropriate process to minimize harm and to mitigate adverse effect to the Section 4(f) historic resources as FRA conducts the Tier 2 analysis.
- ▶ DOI noted that it would appreciate the opportunity to review any Memoranda of Agreements that are developed in Tier 2 under the Programmatic Agreement.
- ▶ DOI encouraged continued communication with the NPS on any park use subject to Section 6(f) of the Land and Water Conservation Fund Act and notes that any conversion to a non-recreational use of Section 6(f) parkland must meet the NPS conversion requirements.
- ▶ DOI stated it looks forward to working closely with FRA in the Tier 2 analysis to further mitigate any adverse impacts on the National Wildlife Refuge System.

- ▶ DOI requested FRA consider the Pawcatuck Watershed in Connecticut and Rhode Island during the Tier 2 analysis to ensure no adverse impact.

U.S. Fish & Wildlife Service – Rhode Island Refuge Complex

The FWS offered the following comments:

- ▶ FWS advised that the proposed conceptual alignment of the Old Saybrook to Kenyon new segment portion of the NEC FUTURE project lies within or runs adjacent to the focus area of the Great Thicket National Wildlife Refuge. FWS indicated that it is unknown whether mitigation applied during a Tier 2 assessment could ameliorate potential impacts on the Great Thicket National Wildlife Refuge.
- ▶ FWS states the proposed location of the new rail lines bisect and fragment multiple conservation lands, including the Grills Preserve in Westerly, RI, and the Francis Carter Preserve in Charlestown, RI.
- ▶ FWS noted that the proposal could have substantial effects on managing wildlife resources and their habitats, including migratory songbird, shrub-dependent species, the New England Cottontail, and endangered, threatened, and rare species.

INDIAN TRIBES

Narragansett Indian Tribe

- ▶ The Narragansett Indian Tribe stated opposition to the Old Saybrook-Kenyon new segment. The Tribe stated concern regarding the FRA’s lack of notification to the Tribe generally and under Executive Order 13175, the lack of communication and dialogue on the project. The Tribe requested continued, consistent communication from the FRA as it progresses.
- ▶ The Tribe opposed the new segment crossing federally recognized tribal lands and culturally sensitive areas, impacts on tribal natural resources (such as water, wetlands, forest, wildlife, and hunting/gathering activities). The Tribe stated the importance of maintaining the land it has and its culturally significant activities on the land. The Tribe stated that certain locations are sacred.
- ▶ The Tribe expressed concern regarding the impacts on surrounding homeowners, farms, nature preserves, historic villages, historical sites and opposed the new segment based on its impact on these resources.
- ▶ The Tribe stated that the FRA should keep the railroad on its existing right-of-way and extend the comment period on the Tier 1 Final EIS. The Tribe requested that the FRA revise the plan so that it does not negatively impact the Narragansett Indian Tribe and community.

Mashpee Wampanoag Tribe

- ▶ The Mashpee Wampanoag Tribe stated that it concurs with the Rhode Island Historical Preservation and Heritage Commission’s (RIHPHC) comments on the NEC FUTURE Tier 1 Final EIS. The Tribe recommended that the FRA and Amtrak contact the RIHPHC to solicit additional information.
- ▶ The Tribe noted that, during a webinar hosted by the FRA on January 11, 2017, the Tribe’s representative expressed concerns with regard to the proximity of the proposed line to the Great Swamp in Kingston, RI, and gave a brief historic account of the cultural significance to that area recounting the horrific massacre of both Wampanoag and Narragansett non-combatants during King Phillip’s War.
- ▶ The Tribe stated that a full archaeological study within the vicinity of Great Swamp in Kingston, RI, is needed to ensure that the remains of Wampanoag and Narragansett non-combatants killed during King Phillip’s War on December 19, 1675 are not disturbed.
- ▶ The Tribe emphasized that the Great Swamp area is considered highly sensitive, and urged that extreme caution be used while conducting any ground disturbing activities within that general area.
- ▶ The Tribe stated that its Historic Preservation Office needs to be consulted throughout the process, in accordance with the National Historic Preservation Act, and should be notified prior to any work commencing, including archaeology.

Wampanoag Tribe of Gay Head (Aquinnah)

- ▶ The Wampanoag Tribe of Gay Head (Aquinnah) submitted a letter acknowledging receipt of the Tier 1 Final EIS and provided contact information for the Tribe’s Historic Preservation Office.

STATE ELECTED OFFICIALS

Governor Dannel Malloy (CT)

Governor Malloy stated support for NEC FUTURE generally and stated that it will help reverse decades of underinvestment and advance significant infrastructure improvements. Governor Malloy stated that Connecticut premised its support of the ROD on the condition that the ROD do the following:

- ▶ Focus on investments that will achieve a state of good repair to ensure continuation of existing services and handle ridership demand for the next 10-15 years.
- ▶ Clearly identify specific projects that are empowered to advance in the No Action Alternative and Universal First Phase investments.
- ▶ Incorporate recommendations for NEC connecting corridors in the ROD.

- ▶ Articulate a simplified NEPA process and governmental approval process that will provide for an expedited NEPA process for Tier 2 project studies and resolution of issues that require additional planning and environmental review.
- ▶ Remove specific options showing “representative alignments” for portions of the corridor that require investments to address capacity.
- ▶ Coordination with all appropriate U. S. Department of Transportation agencies, not just the FRA for adoption of the ROD.

Additionally, Governor Malloy raised the following:

- ▶ Long-range improvements will have commensurate impacts that remain undefined at this time.
- ▶ Longer-term opportunities require close coordination with states and operators through more-detailed project-level transportation and environmental planning review.
- ▶ Additional analysis is required prior to the SDP, which should be led by the NEC Commission.
- ▶ The SDP process should include outreach that incorporates stakeholder and public input.
- ▶ States and operating agencies must have authority for approving any project investments.
- ▶ The vision for the NEC must be accompanied by a commitment by the federal government to cover a portion of the estimated capital costs.

Governor Malloy also raised the following state-specific issues on the Preferred Alternative and Tier 1 Final EIS that should be considered in development of the ROD:

- ▶ Connecticut appreciates the FRA decision to incorporate the Hartford/Springfield Line and supports additional track between Hartford and Springfield. Electrification should be determined during future Tier 2 project studies.
- ▶ Recommends the ROD to include advancing the Northern New England Intercity Rail Initiative study.
- ▶ Recommends in-kind replacement of the Hartford Viaduct and suggests including references to Connecticut’s replacement of the highway viaduct in the ROD.
- ▶ Defer detailed evaluation of natural resource and environmental impacts to the Tier 2 project studies.
- ▶ Recommends that future capacity and infrastructure alternatives between the Hell Gate Line and Greens Farms and between Old Saybrook, CT, and Kenyon, RI, will require the full consent of Connecticut through appropriate Tier 2 alternative evaluations and recommendations, and specifically, no specific alignments off the existing Connecticut right-of-way should be included in the ROD.

- ▶ Recommends removal of statements regarding construction of new parallel segments of track may expedite upgrades on the existing NEC.
- ▶ Not predetermining service and performance characteristics unilaterally in the ROD.
- ▶ Consult with all partners and stakeholders, including Connecticut, on service and performance characteristics.

Governor Gina Raimondo (RI)

Governor Gina Raimondo stated support for NEC FUTURE generally. She supported maintaining Providence as a major hub and improving speeds along the NEC.

Governor Raimondo opposed the Old Saybrook–Kenyon new segment. Governor Raimondo stated that the new segment would cut through environmentally sensitive conservation land, drinking water resources, Narragansett Indian Tribe lands, family farms, and historic districts. She stated that the FRA should not decide on any realignments through this segment until the Tier 2 process to allow for a more complete evaluation of environmental and community concerns.

CT State Senators and Representatives (Multiple)

The following members of the Connecticut General Assembly submitted a joint letter: State Senators Paul Formica, Heather Somers, and Art Linares, and State Representatives Devin Carney, Holly Cheeseman, Kathleen McCarty, Christine Conley, Joe de la Cruz, and Chris Soto. The letter included the following comments:

- ▶ Expressed opposition to the proposed Old Saybrook-Kenyon new segment, stating that while they applaud the FRA’s efforts to improve rail travel and do not object to the proposal as a whole, “the proposed through Southeastern Connecticut is unacceptable to us and our communities.”
- ▶ Stated that Southeastern Connecticut includes many environmental, cultural, and historical resources, citing the Florence Griswold Museum in Old Lyme, Rocky Neck State Park, and the Olde Mystick Village in Mystic.
- ▶ Stated that the future of many homes and businesses is at stake.
- ▶ Stated that the proposed route will not benefit communities in Southeastern Connecticut and will negatively affect the quality of life of its residents.
- ▶ Urged the FRA to remove the Old Saybrook-Kenyon new segment from the plan before a Tier 1 ROD is issued.

CT State Senators Ted Kennedy, Jr. (District 12) and Sean Scanlon (District 98)

State Senators Kennedy and Scanlon submitted the following comments:

- ▶ Opposed and concerned over the proposed improvements between Branford and Guildford.

- ▶ Requested a public hearing before a decision is made on the Selected Alternative.

State Sen. Paul Formica (CT State Senate, District 20)

State Senator Paul Formica submitted the following comments:

- ▶ Expressed strong opposition to the Old Saybrook-Kenyon new segment due to its “devastating effect” on coastal small communities from Old Saybrook to Mystic and beyond.
- ▶ Recommended focusing resources instead on improving existing rail lines, including commuter rail services in both ridership and locations, as well as improving the safety concerns of the small crossings along the Connecticut shoreline.
- ▶ Stated that the discussion of a potential new segment of the NEC in Connecticut has had a negative impact on our region’s economics and has created uncertainty for residents.
- ▶ Urged the FRA to reconsider and withdraw the Old Saybrook-Kenyon new segment from the plan for the NEC.

State Sen. Heather Somers (CT State Senate, District 18)

State Senator Heather Somers submitted the following comments:

- ▶ Expressed “adamant opposition” to the proposed Old Saybrook-Kenyon new segment, stating that it would adversely affect historic Connecticut villages; harm Mystic as a tourism destination and a regional economic driver; and negatively impact scores of small businesses.
- ▶ Urged FRA not to move forward with the plan for an Old Saybrook-Kenyon new segment.

State Rep. Brian Patrick Kennedy (RI House of Representatives, District 38)

State Rep. Brian Kennedy submitted the following comments:

- ▶ Expressed concerned about proposed Old Saybrook-Kenyon new segment, based on:
 - Lack of input from affected communities
 - Potential effects on natural resources, including a sole source aquifer in southwest Rhode Island, wetlands, Narragansett Indian tribal lands, nature preserves, open space property, family farmlands and private properties of homeowners.
 - Overall effects on the towns of Hopkinton, Westerly, Charlestown, and Richmond, including potential effects on quality of life, historic preservation, and environment
 - Concern that travel-time savings not sufficient to justify impacts.
- ▶ Urged the FRA to “go back to the drawing board” and hold additional hearings with affected communities to discuss this project, and urged the FRA to consider alternative proposals for improving rail service in Rhode Island with less impact to communities.

- ▶ Stated that he supports rail service in general, but cannot support the project as currently configured.

State Rep. Chris Soto (CT House of Representatives, 39th District)

State Rep. Chris Soto submitted the following comments:

- ▶ Expressed strong opposition to the Old Saybrook-Kenyon new segment, citing many factors, but in particular the potential “devastating effect this proposal would have on the low-income families in New London,” stating that New London faces high unemployment and an eroding tax base and is Connecticut’s number one distressed municipality as ranked by CT’s Department of Economic & Community Development.
- ▶ Stated that in the 1970s, the construction of I-95 bifurcated the community and sent the city into a development tailspin, and created a physical barrier between the northern third of New London and the rest of the city.
- ▶ Applauded the FRA’s efforts to improve rail travel and stated that he does not object to the proposal as a whole, but stated that the proposal through New London is unacceptable.
- ▶ Urged the FRA to remove the Old Saybrook-Kenyon new segment from its plans before issuing the Tier 1 ROD.

STATE AGENCIES

Secretaries of Transportation for All NEC States

The Secretaries of Transportation of several of the NEC states and adjoining states submitted a joint letter, including Washington, D.C., Maryland, Delaware, Pennsylvania, New Jersey, Connecticut, Rhode Island, Massachusetts, Maine, and Vermont. The letter stated that NEC FUTURE provided a process for considering a vision for the NEC and set the stage for reversing decades of underinvestment in the corridor and significant infrastructure improvements. The states’ letter addressed the conditions of their support for the Tier 1 ROD and their recommendations regarding the Preferred Alternative and the process identified in the Tier 1 Final EIS for advancing the Preferred Alternative.

The states provided support of the ROD conditional upon the following items included in the ROD:

- ▶ Focus on investments that will achieve a state of good repair to ensure continuation of existing services and handle ridership demand for the next 10-15 years.
- ▶ Clearly identify specific projects that are empowered to advance in the No Action Alternative and Universal First Phase investments.
- ▶ Incorporate recommendations for NEC connecting corridors in the ROD.

- ▶ Articulate a simplified NEPA process and governmental approval process that will provide for an expedited NEPA process for Tier 2 project studies and resolution of issues that require additional planning and environmental review.
- ▶ Remove specific options showing “representative alignments” for portions of the corridor that require investments to address capacity.
- ▶ Coordination with all appropriate U. S. Department of Transportation agencies, not just the FRA for adoption of the ROD.

Additionally, the following recommendations were provided:

- ▶ Long-range improvements will have commensurate impacts that remain undefined at this time.
- ▶ Longer-term opportunities require close coordination with states and operators through more-detailed project-level transportation and environmental planning review.
- ▶ Additional analysis is required prior to the SDP, which should be led by the NEC Commission.
- ▶ The SDP process should include outreach that incorporates stakeholder and public input.
- ▶ States and operating agencies must have authority for approving any project investments.
- ▶ The vision for the NEC must be accompanied by a commitment by the federal government to cover a portion of the estimated capital costs.

Maryland Department of Natural Resources

The Maryland Department of Natural Resources (DNR) offered the following comments:

- ▶ The Alternatives Analysis and Preferred Alternative take into account important issues related to public need, stakeholder commenting, planning policy, funding analysis, corridors and alignments, and social and resource issues.
- ▶ The Preferred Alternative approach provides clear direction for future study and reasonable flexibility and allows for technical adjustment ability in future studies.
- ▶ DNR looks forward to coordinating when more-specific and site-related natural resource information and potential impact analysis is available during Tier 2 review.
- ▶ DNR recommends further specific study of environmental and conservation easements. Several types of environmental, conservation, agricultural, and historic easements will need to be considered when evaluating Tier 2 projects. The FRA should coordinate with the Maryland Department of Transportation, Maryland Environmental Trust and other agencies during Tier 2.
- ▶ DNR recommends further specific study of and coordination with Maryland’s artificial reef program during Tier 2. The large-scale transportation and infrastructure projects under NEC FUTURE, such as the Woodrow Wilson Bridge replacement project, may generate

significant amounts of clean concrete rubble that can be used in the Chesapeake Bay artificial reef program.

- ▶ DNR was unable to find reference to its comments submitted on the Tier 1 Draft EIS in the Tier 1 Final EIS and would like to know whether they were received and considered.

Maryland Department of Planning

The Maryland Department of Planning (Department) commented that NEC FUTURE and the Preferred Alternative in the Tier 1 Final EIS would improve Maryland’s rail passenger and freight travel, grow Maryland’s economy, reduce congestion and associated wear and tear on regional roads, reduce the harmful environmental impacts of transportation, and attract development near existing or proposed stations. The Department appreciates the FRA’s project coordination and extensive public outreach. The Department looks forward to continuing participation in future phase of NEC FUTURE that address land use and growth-related issues in Maryland.

New Jersey Department of Environmental Protection

The New Jersey Department of Environmental Protection (NJDEP), Division of Land Use did not have any additional comments at this time.

The NJDEP stated that its comments on the Tier 1 Draft EIS submitted on January 20, 2016, remain in effect. NJDEP’s Historic Preservation Office entered into a Programmatic Agreement with the FRA and the FTA for future project impacts on historic properties during the NEC FUTURE Investment Program and Tier 2 projects. NJDEP requested that the FRA reference the Historic Preservation Office (HPO) project number (a tracking number assigned by the HPO) in future communications.

Connecticut State Historic Preservation Office

The Connecticut State Historic Preservation Office (CT SHPO) offered the following comments:

- ▶ Expressed appreciation for the opportunity to provide comments to inform future Tier 2 considerations, with the understanding that the Section 106 process outlined in the Section 106 Programmatic Agreement will be followed during future environmental review processes.
- ▶ Stated that the Tier 1 Final EIS does not include sufficient information to consider the impacts to cultural resources by the proposed expansion of two additional tracks between Branford and Guilford, including information regarding the extent to which the additional tracks will be confined to the existing rights-of-way.
- ▶ Stated that the CT SHPO is currently in consultation with the Federal Highway Administration regarding the Hartford Viaduct project, and that the viaduct may require far more extensive alterations than the “in-kind replacement” described in the Tier 1 Final EIS.
- ▶ Stated that there has been “significant opposition” by the historic preservation community in Connecticut regarding two proposed new track segments within Connecticut.

- ▶ Acknowledged refinements in the Tier 1 Final EIS to accommodate historic preservation concerns regarding new segments in Connecticut, but stated that the SHPO does not consider a tunnel to avoid effects to the referenced historic district and individually listed properties in this area (Old Lyme).
- ▶ Requests clarification as to whether FRA (or another federal agency, such as FTA) will be the lead federal agency on new segment projects.
- ▶ Stated that the Preferred Alternative appears to have been selected primarily based on FRA policy goals, with little consideration given to impacts on cultural resources, and that if impacts on cultural resources were considered, that consideration was not clearly presented in the Tier 1 Final EIS.
- ▶ Expressed appreciation for the consideration and definition of an “Affected Environment” in the Tier 1 Final EIS and for use of that geographic area as the basis for review. Also expressed appreciation that National Historic Landmarks being given special consideration, and recommended that additional consideration be given to National Register of Historic Places historic districts.
- ▶ Stated that “counts” of historic properties are a “rude metric” at this time, and that the actual impacts likely will be greater.
- ▶ Recommended that the FRA consider a “weighted approach” to assessing impacts to historic properties in future evaluations.
- ▶ Noted that there are many previously recorded archaeological sites identified within the Affected Environment, and expressed particular concern that the Connecticut River crossing at Old Lyme and the head of the Niantic River in East Lyme and Montville “contains some of the most archaeologically sensitive regions in the state and should be taken into consideration as part of the alternatives selection process.”
- ▶ Stated that the SHPO expects that potential impacts to known historic resources will be used as part of the decision-making process to resolve a corridor location.
- ▶ Expressed concern that, for new segments north of New York City, the Tier 1 Final EIS fails to capture recorded historic properties in Connecticut. The comment letter identified specific NRHP-listed historic properties in the New Rochelle to Greens Farms segment that were listed in Appendix EE.09 of the Tier 1 Final EIS, but were not discussed in the main body, and stated that the omission from the main body raises concern that these specific properties were not given meaningful consideration the selection of the Preferred Alternative.
- ▶ Recommended that the FRA review the total counts of historic properties in the Tier 1 Final EIS because the SHPO’s office calculated different totals.

- ▶ Stated that the SHPO looks forward to additional information regarding the decision-making process, with particular respect to the potential impacts to historic properties in Connecticut, and will continue to work with the FRA to ensure regulatory compliance of NEC FUTURE.

Connecticut Airport Authority

The Connecticut Airport Authority (CAA) commented that, although steps were taken to incorporate the Hartford/Springfield Line into the Preferred Alternative, the NEC FUTURE should better address access to Bradley International Airport because it is the second largest airport in the Northeast, it has experienced considerable growth recently, and it is important to regional multimodal travel. CAA would appreciate the opportunity to discuss its concerns and possible solutions with the FRA.

Rhode Island Department of Administration, Division of Planning

The Rhode Island Department of Administration, Division of Planning offered the following comments on behalf of the State:

- ▶ The State appreciates the inclusion of Providence and T.F. Green Airport as hubs in the Preferred Alternative. The use of high-speed rail will allow Rhode Islanders to save time, energy, and money.
- ▶ Improving high-speed rail service in Rhode Island can help it capitalize on its position between the regional hubs of New York City and Boston. Regional rail transportation linkages are crucial to Rhode Island's future economic strength.
- ▶ Rhode Island supports the Preferred Alternative except for the Old Saybrook-Kenyon new segment. The 6-mile portion of the new segment in Rhode Island would cause tremendous environmental and land use impacts to unique resources that are largely irreplaceable. The new segment portion would also experience negative impacts on the economy, public health, and cultural resources.
- ▶ The FRA needs to analyze the impacts of the NEC FUTURE project on the existing freight movements. Rhode Island's freight distribution system is fundamentally important to Rhode Island businesses and residents.
- ▶ The FRA and Rhode Island need to continue to work together to provide top-quality, high-speed rail service while protecting natural resources, farmlands, public parks, wildlife management areas, recreational resources, and historic resources.
- ▶ The FRA attached comments on specific concerns by geographical area.

Rhode Island Historical Preservation and Heritage Commission

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) offered the following comments:

- ▶ Implementation of the Selected Alternative is premature.
- ▶ The selection of the Preferred Alternative was based solely on engineering and economic criteria; environmental and cultural resources were not afforded due consideration during the assessment of the Preferred Alternative.
- ▶ The FRA is aware that information presented in the Tier 1 Final EIS is insufficient to make informed decisions regarding cultural resources, including identification of historic properties and the effects projects will have on them.
- ▶ Clear, cogent, and defensible assessments of alternatives that avoid and minimize potential effects will be essential to the Tier 2 studies. A Programmatic Agreement between RIHPHC, FRA, FTA, and the Advisory Council on Historic Preservation will guide future Tier 2 studies and regulatory compliance.

Rhode Island Coastal Resources Management Council

The Rhode Island Coast Resources Management Council commented that the Preferred Alternative includes new proposed rail segments through Westerly and Charlestown that would likely have significant environmental impacts to freshwater wetlands and water resources. Prior to any future actions to construct new rail segments through these communities, the FRA should conduct a review to determine if those actions would result in any reasonably foreseeable coastal effects and whether the actions are, to the maximum extent possible, consistent with the enforceable policies and standards of the Coastal Resources Management Program.

METROPOLITAN PLANNING ORGANIZATIONS

Wilmington Area Planning Council

The Wilmington Area Planning Council (WILMAPCO) stated support for maintaining the existing rail corridor in a state of good repair while also expanding capacity to accommodate more trains and passengers in the future.

WILMAPCO stated concerns regarding certain aspects of the Tier 1 Final EIS. Issues included the following:

- ▶ The inability to connect directly to the airport from the Biden Amtrak Station.
- ▶ The deviation from the NEC spine in Cecil County, MD, and New Castle County, DE, due to the impact of new rail corridors on the built and natural environment.
- ▶ The proposed new track segments from Newark through Wilmington, because it would require the relocation of the Newark Station and reconfiguration of the existing tracks, potentially wasting the \$49 million that is planned to be invested in reconstructing and improving the existing station to create the NRTC.

- ▶ Following the existing freight rail right-of-way through southern Wilmington due to negative impacts on wetlands and the Southbridge community.

WILMAPCO made some recommendations regarding the Tier 1 Final EIS, including the following:

- ▶ Adding specific reference to the Chesapeake Connector Freight and Rail Passenger Benefits Study that proposed adding a third track in Cecil County.
- ▶ Maintaining the current location of the Newark Station.
- ▶ Using the current passenger rail right-of-way through Wilmington and through the Biden Amtrak Station.
- ▶ Route high-speed rail through the Biden Amtrak Station to meet projected increases in rail demand in Delaware.

WILMAPCO stated that it is encouraged to see inclusion of ongoing Delaware rail projects in the Tier 1 Final EIS and it is looking forward to further coordination on the design of new stations.

Delaware Regional Planning Commission

The Delaware Regional Planning Commission (DVRPC) stated support for the Preferred Alternative and that it would offer meaningful travel-time benefits and increases in passenger rail service levels across all carriers. DVRPC stated that the Preferred Alternative will have important benefits for the DVRPC region, the greater Northeast megaregion, and the national economy. DVRPC stated it looks forward to participating with its partners in the Service Development Plan Working Group to advance the NEC FUTURE program and the development of Tier 2 studies.

DVRPC suggested that the FRA consider whether the proposed Baldwin Station hub can be located farther south to reinforce other efforts to encourage investment in Chester City, PA, during the Tier 2 process.

Western Connecticut Council of Governments

The Western Connecticut Council of Governments (WestCOG) thanked the FRA for supporting and advancing passenger rail in the Northeast through the NEC FUTURE program, and stated that NEC FUTURE has provided an important starting point and framework for the development of the region's rail system, which is in need of repair and modernization. WestCOG also stated that federal support of high-quality passenger rail on the NEC is critical to the future of our economy, our communities, and of our environment.

WestCOG concurred with the State's position on the Preferred Alternative and the conditions on which Connecticut's support has been premised.

In particular, WestCOG requested the FRA do the following in the Tier 1 ROD:

- ▶ Acknowledge that long-range improvements are aspirational and will have commensurate impacts that remain undefined at present, and may or may not be resolved.
- ▶ Eliminate any depiction or description of new segments in Connecticut that deviate from the existing NEC, due to lack of adequate study or public scrutiny, defer consideration of these segments to a subsequent process.
- ▶ Not include statements defining service and performance characteristics to be achieved by Tier 1 projects, because such decisions require prior consultation and agreement with all parties and stakeholders.
- ▶ Clarify that Connecticut will participate directly in any Tier 2 projects in the state, and that decisions regarding performance and service will be reserved for an appropriate, subsequent process.
- ▶ Focus on investments that enable continuation of existing services and accommodate projected ridership demand over the next 10–15 years.
- ▶ Identify projects that may advance in the No Action Alternative/Universal First Phase scenarios, such as replacement of aging tunnels and bridges, which have broad support among NEC stakeholders.
- ▶ Omit the statement that “Construction of new parallel segments of track provides the opportunity to relocate existing trains to new tracks before beginning work on upgrades to the existing NEC. Such phasing of construction could provide capital cost efficiencies and reduce impacts.”
- ▶ Incorporate specifics regarding NEC connecting corridors, including the Danbury Branch.

Overall, the WestCOG stated that the Tier 1 ROD should (1) Lay out a roadmap for needed improvements that can be made in the near future; and (2) Provide a starting point for ongoing discussions, including feasibility studies, to develop a plan to implement higher speed rail in Connecticut.

Southeastern Connecticut Council of Governments

The Southeastern Connecticut Council of Governments (SCCOG) stated its support for NEC FUTURE generally, but expressed opposition to the Old Saybrook-Kenyon new segment. SCCOG stated concern about the financial soundness and viability of the FRA’s plans to rely almost entirely on tunnels and aerial structures in the construction of the new segment and the potential that cheaper construction options will be chosen in the future. SCCOG questioned the FRA’s conclusion that the Old Saybrook-Kenyon new segment would lead to increased Intercity and Regional rail service on the existing rail tracks and stated that the existing NEC would likely become secondary to the new, high-speed rail. Further reasons for SCCOG’s opposition to the Old Saybrook-Kenyon new segment include the following:

- ▶ Disruption to existing land uses and towns
- ▶ Impacts on environmental resources
- ▶ Potential for fewer trains stopping at Union Station in New London, CT and shifting the focus of the region's transportation center away from Union Station
- ▶ Impact on the planned National Coast Guard Museum

RAILROAD OPERATORS

Amtrak

Amtrak stated support for the effort by NEC FUTURE to create a comprehensive plan to prioritize passenger rail investments in the Northeast. Amtrak raised several concerns about the Tier 1 process and the Preferred Alternative, including the following:

- ▶ Concern that “constraints” on the Tier 1 decision may be too prescriptive (e.g., by specifying a tunnel rather than aerial structure through Old Lyme).
- ▶ Concern that the Tier 1 Final EIS understates the benefits and commercial viability of high-speed rail due to incorrect assumptions regarding rail service attributes, price sensitivity, and travel time.
- ▶ Concern that the Metropolitan service concept in the Preferred Alternative does not have a known market potential or sponsor and may not ever come to fruition.
- ▶ Concern that the Preferred Alternative includes insufficient infrastructure to meet the FRA's service goals (e.g., travel-time targets).
- ▶ Concern that the Preferred Alternative includes insufficient infrastructure to maintain operations on the NEC during construction.

In a subsequent comment letter, received in April 2017, Amtrak provided the following additional comments:

- ▶ The ROD should acknowledge Amtrak's “fiduciary responsibility” for profitable Intercity operations as a key driver to be considered in the Selected Alternative.
- ▶ The ROD should include an option for the construction of a “full second HSR spine” that extends the length of the NEC.
- ▶ The ROD should acknowledge Amtrak's opposition to the Metropolitan Service concept as described in the Tier 1 Final EIS and should acknowledge Amtrak's mandate to develop and operate commercially feasible Intercity rail services.
- ▶ The ROD should acknowledge that a “true-up” between infrastructure improvements and service levels/travel times will need to be addressed to meet trip time goals.

- ▶ The ROD should not rule out engineering solutions (e.g., aerial structure) in any specific location. Instead, it should emphasize context-sensitive design for all locations.
- ▶ The ROD should focus on “overall NEC trip time benefits” when defining service goals for the NEC.
- ▶ The ROD should state clearly the need for multi-state, network-based phases for implementing the NEC FUTURE vision going forward.
- ▶ The ROD should confirm that the geographic boundaries of the Selected Alternative are “reserved for NEC FUTURE projects.”

NJ TRANSIT

NJ TRANSIT expressed appreciation for the hard work undertaken by FRA staff and team to prepare a most important environmental overview of the future of the NEC. NJ TRANSIT stated NEC FUTURE was a valuable effort as it allows for near-term progress on achieving a state of good repair and sets the stage for addressing future market needs and the Tier 2 NEPA process. NJ TRANSIT expressed concerns regarding some of the physical improvements and operating proposals in the Preferred Alternative. NJ TRANSIT addressed the following issues:

- ▶ Requiring additional, more comprehensive analysis concerning a rail segment in the ROD if requested by a state
- ▶ Comprehensive analysis should include full participation of the State, rail transit operators using the segment of the NEC, and communities affected to determine how to provide improved rail services with minimizing the need for additional right-of-way or property takings in built-up communities
- ▶ Taking a systems-based NEPA approach for an entire segment in New Jersey, instead of a project-based approach
- ▶ Protecting rail operators’ ability to maintain service to current customers and to make investments in their service to be more reliable, resilient, safe, and secure
- ▶ Concern over the impact of proposed improvements on stations owned by NJ TRANSIT
- ▶ Recognizing uncertainties regarding need for additional rail capacity under the Hudson River and in New York City and creating flexibility in the ROD to accommodate the uncertainty
- ▶ Simplifying the NEPA process for projects to expedite Tier 2 project studies, including state of good repair projects included in the No Action Alternative and proposed Universal First Phase from the Tier 1 Draft EIS
- ▶ Encouraging coordination between FRA and FTA on NEPA determinations and future capital investments more coordinated with MPOs and the MPO planning process