

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION**

**FINDING OF NO SIGNIFICANT IMPACT**

**Project: New Haven Rail Yard Maintenance Facility Improvements**

**Applicant: Connecticut Department of Transportation**

**Project Location: City of New Haven, New Haven County, Connecticut**

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## **1.0 INTRODUCTION**

The Connecticut Department of Transportation (CTDOT) proposes to improve the New Haven Rail Maintenance Facility, a commuter rail yard in New Haven, Connecticut. Based on the *New Haven Rail Maintenance Facility Improvements Environmental Assessment and Section 4(f) Evaluation* dated March 2009 (the EA) prepared in compliance with the National Environmental Policy Act (42 U.S.C. Section 4321 et seq.) and Federal Transit Administration’s implementing regulations (23 CFR Part 771), the Federal Transit Administration (FTA) finds, in accordance with 23 CFR Section 771.121, that the New Haven Rail Maintenance Facility Improvements (hereinafter referred to as the Proposed Action), will result in no significant impact on the environment.

The EA included a Section 106 analysis and an evaluation pursuant to Section 4(f) of the Department of Transportation Act of 1966, codified at U.S.C. 303, which resulted in a “de minimis” impact finding. CTDOT is the owner and commuter rail authority for the New Haven Rail Line, which is the Connecticut portion of the Metro-North Railroad (MNR). MNR operates the New Haven Line and its engines and rolling stock under a service agreement with CTDOT. CTDOT is responsible for the programming and funding, as well as maintenance and upkeep, of the New Haven Line's facilities, engines, and rolling stock.

## **2.0 BACKGROUND**

The New Haven Rail Yard (NHRY) is located on approximately 74 acres of land owned by CTDOT in the Long Wharf section of the City of New Haven, in close proximity to New Haven harbor to the east and downtown New Haven to the northwest. Interstate 95 (I-95) and Interstate 91 (I-91) are two major interstate transportation corridors located east and northeast of the NHRY. The rail yard is bounded by Union Avenue to the west, Cedar and Hallock Streets to the South, Church Street Extension to the east and Route 34 to the north. See **Attachment A** for the location map.

Train sets for the New Haven Rail Line service are stored and dispatched from rail yards at Grand Central Terminal, Stamford, Bridgeport, and New Haven. New Haven is the eastern/northern terminus of the MNR rail line in Connecticut and is a strategic location for providing storage, dispatching, inspection, maintenance, cleaning and support functions. CTDOT’s Shore Line East service is also maintained at NHRY. Commuters can transfer from MNR to connecting Shore Line East and Amtrak services at New Haven Station, which is attached to the yard complex.

## **3.0 PURPOSE AND NEED**

The purpose of the Proposed Action is to develop a fully functional facility to store, dispatch, inspect,

maintain, and clean the rail car fleet that will increase with the purchase of the M-8 fleet.

The goals and objectives for the Proposed Action are to:

- provide maintenance shops and facilities for new fleet of M-8 rail cars;
- provide yard space for acceptance and storage of new fleet of M-8 rail cars;
- improve existing facilities at the rail yard by providing a coordinated yard complex
- continue operations at the rail yard
- maximize safety and efficiency of storage, dispatching, inspection, maintenance, and cleaning of rail cars; and
- support the provision of reliable MNR and Shore Line East services and encourage commuter use of rail.

#### **4.0 PROJECT DESCRIPTION**

The New Haven Rail Maintenance Facility Improvements, (Proposed Action) is the construction of new facilities, the incorporation of existing facilities and the demolition of existing facilities at the New Haven Rail Yard to serve the existing and future fleet of rail cars. The facilities are proposed to be built on approximately 74 acres of state-owned land that comprises the existing NHRY site. The Proposed Action will provide the facilities to service the new M-8 fleet of rail cars, as well as the existing M-2, M-4, and M-6 rail cars. The M-2 rail cars date back to the 1970's and are well passed their useful life since they were designed to last 30 years. The new M-8 cars require different maintenance facilities than the M-2 cars. The Proposed Action will develop new facilities and improve existing facilities within the NHRY. See **Attachment A** for the location map and proposed site plan.

The Proposed Action is comprised of 18 components of which nine (9) components are new construction:

1. **New Storage Yard Tracks (Component #1)** - Twenty-five new storage tracks are proposed to be constructed within the loop track west of the Church Street Overpass:
  - a. Eight non-electrified tracks used to store and dispatch diesel-powered train sets,
  - b. Thirteen tracks powered by AC overhead catenary, and
  - c. Four tracks (two electrified and two non-electrified) in the middle of the yard for new M-8 rail car acceptance activities. Space at the west end of these tracks will be reserved for temporary office and storage.
2. **Component Change-out Shop with Support Shops (Component #2)** – Construction of a new 48,000 square foot shop area of component change-out is configured as a three-track “run through” facility. The facility will provide the capability to lift 13 rail cars for repairs and component replacements. The new 26,600 square foot stores area will be constructed within the component change-out shop will serve as the distribution point in the main maintenance and repair facility for repairing, cleaning, and servicing. The area will also include loading docks for highway vehicles.
3. **Service and Inspection (S&I) Shop (Component #3)** – This 85,200 square foot facility is proposed to be located immediately north of the component change-out shop. Two tracks, each with 10-car capacity, will be used for mandated inspections and routine maintenance tasks. The facility will include a stores area for parts storage, restrooms, locker rooms, and break rooms, administrative offices, common work areas, and building services.
4. **Independent Wheel True Shop (Component #4)** – This facility will provide for redundancy and function to fully meet the requirements of the New Haven Line fleet. The wheel true machine returns

wheel diameter parity and profile from the stresses of track wear, drift, spalling, and wheel flat spots. In addition to the shop area, the facility includes storage areas, restrooms, administrative offices, and building services.

5. **Maintenance-of-Way Building (Component #5)** – This 23,600 square foot facility will provide headquarters, offices, shops, common work areas, and storage for the engineering departments. The facility will also include restrooms, locker rooms, and break rooms, and building services.
6. **Material Distribution Warehouse (Component #6)** – This new warehouse, attached to the component change-out shop, will be an automated facility. An automated storage and retrieval system (ASRS) allows for compact storage of standardized shipping pallets and bins by reducing the circulation aisle that is 60 feet wide by 120 feet long by 70 feet high and would contain 3,640 pallet storage positions with a capacity of 2,500 pounds each.
7. **Rail Car Wash Facility (Component #7)** – This 12,800 square foot facility includes a restroom, administrative offices, wash equipment and tanks, and building services.
8. **Heavy Repair/Paint Shop (Component #8)** – This 39,500 square foot facility will include heavy repair shop and a paint shop to be constructed within the existing car shop. The facility will include a stores area, restrooms, locker rooms, and break rooms, administrative offices, common work areas, and building services.
9. **Parking Structure (Component #9)** – A new 348 space employee parking garage will be constructed east of the component change-out shop. A pedestrian overpass will be constructed to safely connect pedestrians to the other facilities.
10. **Incorporate Existing Facilities** – The following existing structures will be retained and incorporated into the operations of the improved New Haven Rail Maintenance Facility:
  - a. Rail Storage Yards (**Component #10**),
  - b. EMU Shop (**Component #11**),
  - c. the Car Shop (**Component #12**), and
  - d. Diesel Shop (**Component #13**).
11. **Demolish Existing Facilities** – The following facilities will be demolished:
  - a. Building 10/Stores Building (**Component #14**)— one of the last structures to be demolished to provide additional track space,
  - b. Dewatering Facility (**Component #15**) will be used during construction, and then demolished,
  - c. Wheel True Mill (**Component #16**),
  - d. aboveground diesel tanks (**Component #17**), and
  - e. aboveground propane tanks (**Component #18**).

#### **4.1 OTHER ALTERNATIVES CONSIDERED**

The EA analyzes two alternatives, the Proposed Action—which is the proposed New Haven Rail Maintenance Facility Improvements project—and the No Action Alternative. Two other alternatives were considered in the development of the Proposed Action. These include constructing a new rail yard at Grand Central Terminal in New York City and Cedar Hill Rail Yard, in New Haven, Connecticut. These alternatives were screened out based on their lack of consistency with the Proposed Action’s purpose and need and its goals and objectives as presented in Chapter 2, “Purpose and Need,” of the EA. The Proposed

Action was determined to have the most appropriate location, for the new rail maintenance facility, as it would best meet the purpose and need and goals and objectives.

## **5.0 AGENCY COORDINATION AND PUBLIC OPPORTUNITY TO COMMENT**

Notice of availability for this EA was published in the New Haven Register on March 2, 2009 and the 30-day review period closed on April 2, 2009. Two (2) comment letters were received during the review period. Correspondence from the U.S. Army Corps of Engineers (USACE), dated March 18, 2009 and correspondence from the US Department of the Interior (USDOI) dated April 6, 2009. The USACE letter affirmed their original correspondence of May 31, 2007 that indicated that the wetlands on the NHRY site were isolated and not jurisdictional for the purposes of the Clean Water Act Section 404 permit requirements. CDOT has applied for and secured the appropriate State Wetland permits for the Proposed Action.

The USDOI concurred: 1) with the No Adverse Effect finding under Section 106, 2) with the proposed Section 4(f) finding that there are no prudent and feasible alternatives to the Proposed Action, and 3) that there will not be adverse impacts to Wild and Scenic Rivers. Copies of both correspondences are located in **Attachment B** of this Finding of No Significant Impact (FONSI).

## **6.0 MEASURES TO MINIMIZE HARM**

CTDOT will implement the mitigation measures described in the EA and in this FONSI. The CTDOT will design and incorporate into the project the mitigation measures presented in the EA and this FONSI. The FTA will require in any grant documents for the Project that it be built in a manner consistent with that described in the EA and that all committed mitigation be implemented in accordance with the EA and this FONSI. FTA will require CTDOT to periodically submit written reports on its progress in implementing the mitigation commitments. FTA will monitor this progress through quarterly reviews of the project's progress. The Measures to Minimize Harm are fully described in the EA and are summarized in **Attachment C** of this FONSI.

## **7.0 DETERMINATION AND FINDINGS**

### **1. Land Acquisitions and Displacements**

Utility easements will be moved adjacent to Brewery Street within the Rail Yard property to accommodate the proposed facilities. No other property acquisitions or displacements would be required for the construction or operations of the Proposed Action.

### **2. Land Use and Zoning**

The Proposed Action will not have an adverse land use or zoning impacts.

### **3. Consistency with State, Regional, and Local Plans**

The construction and operations of the Proposed Action are consistent with the vision, goals, and recommendations expressed in local, regional, and state plans for future development of the City of New Haven and the Proposed Action site. The Proposed Action would provide for the efficient and effective storage, dispatching, inspection, maintenance, and cleaning of the fleet, including the new generation of M-8 rail cars.

### **4. Environmental Justice/Title VI**

The construction and operations of the Proposed Action will not have any adverse impacts to low-income or minority Environmental Justice populations. The project will remain in the existing

footprint of the rail yard, and no property acquisition will take place.

**5. Socio-Economic Conditions**

The construction and operations of the Proposed Action will not result in any adverse socio-economic impacts, but rather will have beneficial impacts with the potential of providing employment.

**6. Community/Neighborhoods**

The operations of the Proposed Action will not result in any adverse impacts to community or neighborhoods as the project will remain in the existing footprint of the rail yard.

**7. Air Quality**

The Environmental Protection Agency (EPA) has developed National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. The Proposed Action will not substantially change emission sources or quantities. The proposed project was evaluated to determine that construction and operations of the NHRV will not result in new violations, exacerbate existing violations, or interfere with the attainment of NAAQS.

**8. Noise**

The operations of the Proposed Action will not result in any adverse noise impacts to nearby noise sensitive receptors as determined by the Federal Transit Administration guidance on noise analysis conducted for this project.

**9. Traffic, Transit and Parking**

There are no adverse impacts on Traffic, Transit or Parking from the construction and operations of the Proposed Action. Rather, the ultimate goal of the project is to create an improved rail yard, better equipped to service the public transportation system.

**10. Section 106 Resources**

Pursuant to Section 106, FTA has determined that the Proposed Action will have No Adverse Effect to historic resources in the NHRV. After reviewing the potential effects of the Proposed Action on the stores facility referred to as Building 10, which entail demolition of the building, the State Historic Preservation Office (SHPO) issued a conditional determination of no adverse effect, meaning there would be No Adverse Effect if mitigation is implemented. The mitigation stipulated by SHPO was the historic documentation of the building to the professional standards of SHPO (correspondence from SHPO dated November 28, 2006).

Due to an adverse effect for the prior FTA NHRV investment in 1998, FTA projects in the NHRV are conducted in accordance with the 1998 Section 106 Memorandum of Agreement (MOA) among FTA, the Advisory Council on Historic Preservation, the Connecticut Department of Transportation and the Connecticut State Historic Preservation Office.

The CTDOT submitted the historic documentation to SHPO (April 2007.) The SHPO subsequently approved the documentation and, in its correspondence dated May 31, 2007, stated “This office believes the submitted materials are consistent with our documentation standards and succinctly record the historic and architectural aspects of the Stores Facility-Building 10” and “This office believes that the CTDOT has satisfied the mitigative measures stipulated in our previous review, dated November 28, 2006, for the proposed undertaking.”

The mitigation required by SHPO for a determination of no adverse effect has been satisfied. t All

supporting documentation may be found in **Appendix A** of the EA document.

**11. Public Safety and Security**

The Proposed Action will have an overall beneficial impact on safety and security.

**12. Critical Environmental Areas and Threatened and Endangered Species**

The operations of the Proposed Action will not result in any adverse impacts to Critical Environmental Areas and Threatened and Endangered Species.

**13. Water Resources and Water Quality**

The operations of the Proposed Action will not result in a decrease in water quality.

**14. Wetlands**

Correspondence from the U.S. Army Corps of Engineers, dated March 18, 2009, affirmed their correspondence of May 31, 2007 that indicated that the wetlands on the NHRY site were isolated and not jurisdictional for the purposes of the Clean Water Act Section 404 permit requirements. CTDOT had applied for and secured the appropriate State wetland permits for the Proposed Action.

**15. Floodplains**

The Proposed Action site encroaches on the 100-year floodplain zone. Due to the size of the large coastal floodplain, this impact will be negligible. New structures will be constructed to the 500-year floodplain level (see **Attachment C**).

**16. Wild and Scenic Rivers, Navigable Waterways and Coastal Resources**

The operations of the Proposed Action will not result in any adverse impacts to Wild and Scenic Rivers or Navigable Waterway, as these resources do not exist in the area. The NHRY lies entirely within the coastal flood hazard area (CFHA), as such any construction within this area is considered an impact to coastal resources that must be coordinated to reduce impacts from development, erosion, and sedimentation. Since development in a CFHA is sensitive, coastal consistency review will be requested from the Connecticut Department of Environmental Protection for each construction phase of the Proposed Action.

**17. Public Utilities and Services**

The Proposed Action will result in some impacts to public utilities and services (water, gas, electric, and sewer) due to temporary, short-term utility service disruptions will potentially occur during the project construction period. However, customers will be notified in advance of these potential service disruptions.

**18. Environmental Risk Sites and Hazardous Materials**

The NHRY has been an active rail yard since 1869. Based on previous site investigations for hazardous substances and historic land use at the rail yard, there is a potential for encountering contamination during construction. Construction of the improvements will involve demolition of existing buildings and rail facilities as well as excavation and grading to prepare the site for foundations, new track placement, and utility connections among other improvements. Detailed investigations are being carried out by the Department under the supervision of a Licensed Environmental Professional as the project continues. Where contaminated media are encountered as a part of the planned construction projects, they will be managed, treated and/or disposed in accordance with applicable state and federal regulations.

## 19. Construction Impacts

Construction will be planned, phased, and sequenced to minimize adverse impacts on Community and Neighborhoods, Air Quality, Traffic, Water Resources and Water Quality, Public Utilities and Services, and from Noise. Rail service interruptions will also be minimized.

## 20. Secondary and Cumulative Impacts

There will be a secondary, beneficial impact to the state's rail transportation system. There will be a cumulative, beneficial impact to Socioeconomic Conditions.

## 8.0 SECTION 4(f)

FTA's approval of the New Haven Rail Maintenance Facility Project must comply with Section 4(f) of the Department of Transportation Act of 1966, codified at 49 U.S.C. 303. Investigations for this EA identified one contributing historic resource within the NHRY that will be affected by the Proposed Action and that was not previously documented and mitigated. This resource, the Stores Facility, is also known as Building 10, was built in 1947. It was one of the long narrow structures in the area of the historic Lamberton Street Shops. It is a contributing feature of the National Register-eligible NHRY, which is significant under Criterion A for its contribution to the development of the national transportation system 1869-1969 and a key link to the development of industry in New England. The proposed demolition of the Stores Facility (Building 10) was recognized as a potential Section 4(f) use.

### 8.1 De Minimis Section 4(f) Coordination

Under Section 774.5 (b), the Section 4(f) de minimis coordination requirements for historic properties are:

- (i) The consulting parties identified in accordance with 36 CFR part 800 must be consulted; and
- (ii) The Administration must receive written concurrence from the pertinent State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), and from the Advisory Council on Historic Preservation (ACHP) if participating in the consultation process, in a finding of "no adverse effect" or "no historic properties affected" in accordance with 36 CFR part 800. The Administration shall inform these officials of its intent to make a de minimis impact determination based on their concurrence in the finding of "no adverse effect" or "no historic properties affected, and
- (iii) Public notice and comment, beyond that required by 36 CFR part 800, is not required.

CTDOT and FTA met the abovementioned Section 4(f) de minimis requirements by coordinating with CT SHPO and USDOJ as recoreded in the following supporting documentation. The supporting documents for the Proposed Action indicate that no consulting paries were identified, CT SHPO issued a No Adverse Effect finding, and FTA indicated its intent to use the no adverse effect finding to support a de minimis Section 4(f) finding. This coordination meets the requirements of 23 C.F.R. Section 774.5 (b). The following supporting documents are located in **Attachment B**:

1. Correspondence from CT SHPO dated November 28, 2006 proposing a conditional no adverse effect to the NHRY if CTDOT documents the Stores Facility (Building 10) to the professional standards of the SHPO.
2. Correspondence from CT SHPO dated May 31, 2007, stating, "This office believes the submitted materials are consistent with our documentation standards and succinctly record the historic and architectural aspects of the Stores Facility-Building 10" and "This office believe that the CTDOT has satisfied the mitigative measures stipulated in our previous review, dated November 28, 2006, for the proposed undertaking."
3. Corrspondence dated March 20, 2009 from FTA to CT SHPO indicating the intent to use the no adverse effect finding to support a de minimis Section 4(f) finding for the Proposed Action. The FTA

correspondence also confirmed with SHPO that no consulting parties were identified for the Proposed Action.

4. Correspondence dated April 6, 2009 from the US DOI offering, "our concurrence on the primary proviso of Section 4(f) that there are no feasible and prudent alternatives."

### 8.2 De Minimis Section 4(f) Recommendation

The CTDOT recommended the Proposed Action for consideration of a Section 4(f) de minimis impact finding. Based upon the information presented in the EA, extensive coordination with the CT SHPO, the proper mitigation measures and coordination have been undertaken and the determination that the use of the NHRV or its contributing features the Stores Building (Building 10) is not affected by this project. Moreover, FTA concurs that there is no prudent and feasible alternative to the Proposed Action.

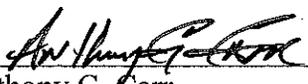
FTA has approved the de minimis Section 4(f) request by CTDOT since the impacts are minimal based upon the coordination and supporting documentation and there is no feasible and prudent alternative to the Proposed Action.

### 8.3 De Minimis Section 4(f) Finding

Based upon the Federal Transit Administration's (FTA) review of the project description and supporting documentation on the Proposed Action as described in the EA, it is FTA's determination that the de minimis Section 4(f) requirements set forth in 23 C.F.R. Section 774. 3(b) have been met and that sufficient documentation exists to demonstrate that the impacts are de minimis.

## 9.0 FTA NEPA FINDING

FTA has reviewed the *New Haven Rail Maintenance Facility Improvements and Section 4(f) Evaluation* and finds that the Proposed Action will have no significant impact on the environment.

  
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Anthony G. Carr  
Deputy Regional Administrator, Region II  
Federal Transit Administration

5/7/09  
Date

### Attachments:

- Attachment A – Location Map and Site Plan
- Attachment B – Correspondence
- Attachment C – Measures to Minimize Harm