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Susan D. Merrow
Chair

ENVIRONMENTAL MONITOR

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February 3, 2015

Scoping Notices

1. I-84 Project, Hartford
2. East Side Water Storage Tank and Pump Station, Southington
3. **NEW!** Hawleyville Low Pressure Sewer Extension, Newtown
4. **NEW!** Norwalk River Railroad Bridge Replacement, Norwalk

Post-Scoping Notices: Environmental Impact Evaluation (EIE) Not Required

1. Deep River Water Treatment Plant and Transmission Main Replacement Meter and Microturbine, Lebanon and Bozrah
2. Mohegan Park Water Tank, Norwich

Environmental Impact Evaluations

No Environmental Impact Evaluations were submitted for publication in this edition.

State Land Transfers

1. **NEW!** Hartland

The next edition of the Environmental Monitor will be published on February 17, 2015.

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Scoping Notices

"Scoping" is for projects in the earliest stages of planning. At the scoping stage, detailed information on a project's design, alternatives, and environmental impacts does not yet exist. Sponsoring agencies are asking for comments from other agencies and from the public as to the scope of alternatives and environmental impacts that should be considered for further study. Send your comments to the contact person listed for the project by the date indicated.

The following Scoping Notices have been submitted for review and comment.

1. Notice of Scoping for: I-84 Hartford Project

Municipality where proposed project might be located: Hartford, CT

Address of Project Location: I-84 from approximately Hamilton Street to I-91 interchange in downtown Hartford.

Project Description: The I-84 Hartford Project was initiated by the Connecticut Department of Transportation (CTDOT) to address structural deficiencies, improve traffic operations and safety, and reduce congestion on I-84 mainline and its interchanges from approximately Hamilton Street to I-91 in the City of Hartford. At the same time, the I-84 Hartford Project will strive to reduce the highway's adverse impact and footprint on the City, while integrating it more closely into the regional multimodal and interstate transportation system, both existing and planned.

Project Map: [Click here to view a map of the project area.](#)

There will be a Public Scoping Meeting for this project at:

DATE: **January 21, 2015** (snow date **January 28, 2015**; same time and location)

TIME: Open House from 3:00 p.m. to 7:30 p.m. Presentation at 5:30 p.m.

PLACE: Hartford Public Library, 500 Main Street, Hartford, CT 06103

Purpose of Meeting: The Scoping Meeting will present information about the project and solicit public comments on the project's purpose and need, preliminary alternatives, and areas of key environmental concern.

The study team will be available from 3:00 p.m.-5:30 p.m. and after the presentation until 7:30 p.m. to discuss the proposed project. The presentation will begin at 5:30 p.m.

Written comments from the public are welcomed. Public comments may be submitted verbally at the meeting, either in front of an audience, one-on-one with a stenographer, or in writing. The meeting facility is ADA accessible. Language assistance may be requested by contacting the Department of Transportation's Office of Communications (voice only) at (860) 594-3062 at least five (5) working days prior to the meeting. Language assistance is provided at no cost to the public, and efforts will be made to respond to requests for assistance. The Scoping Initiation Packet and other scoping materials are available online at www.i84hartford.com.

While comments may be submitted at any time throughout the course of this project, **comments must be postmarked by February 20, 2015 to be part of the scoping record.**

Written comments should be sent to:

Name: Mr. Richard Armstrong, Transportation Principal Engineer

Agency: Connecticut Department of Transportation, Bureau of Engineering and Construction

Address: P.O. Box 317546, Newington, CT 06131-7546

E-Mail: richard.armstrong@ct.gov (Please use the subject heading "I-84 HARTFORD Project")

Phone: (860) 594-3187

Other Information: I-84 Hartford Project Website, www.i84hartford.com

If you have questions about the public meeting, or other questions about the scoping for this project please contact Mr. Armstrong as directed above.

¿Habla español? Visite www.i84hartford.com y use la función "Google Translate."

2. Notice of Scoping for East Side Water Storage Tank and Pump Station

Municipality where proposed project might be located: Southington

Addresses of Possible Project Locations: Flanders Street on the Southington High School Property, Smith Street ROW, and Chesterwood Terrace

Project Description: In order to address pressure deficiencies in the existing distribution system, the Southington Water Department (SWD) has proposed to install a 1.0 million gallon pre-stressed concrete tank, approximately 1,500 lineal feet of transmission main, approximately 550 lineal feet of twin distribution mains, a new pump station, and associated components. The tank is proposed to be located in wooded area to the east of the Smith Street right-of-way. A new gravel access road will be constructed from the end of Smith Street to the tank site and a small parking area will be provided in front of the tank. Twin 8-inch water pipes will be installed to connect the pump station proposed to be constructed on the Southington High School Property to the existing water mains on Flanders Street.

Project Maps: Click [here](#) for a map of the project area. Click [here](#) for a more detailed view of the proposed East Side Water Storage tank. Click [here](#) for a more detailed view of the proposed pump station.

Written comments from the public are welcomed and will be accepted until the close of business on: Friday, February 20, 2015.

Any person can ask the sponsoring agency to hold a Public Scoping Meeting by sending such a request to the address below. If a meeting is requested by 25 or more individuals, or by an association that represents 25 or more members, the sponsoring agency shall schedule a

Public Scoping Meeting. Such requests must be made by Friday, January 30, 2015.

Written comments and/or requests for a Public Scoping Meeting should be sent to:

Name: Mr. Eric McPhee
Agency: Department of Public Health
Drinking Water Section
Address: 410 Capitol Avenue, MS # 51WAT
PO Box 340308
Hartford, CT 06134-0308
Fax: 860-509-7359
E-Mail: DPH.SourceProtection@ct.gov

If you have questions about the public meeting, or other questions about the scoping for this project, contact:

Name: Patricia Bisacky
Agency: Department of Public Health
Drinking Water Section
Address: 410 Capitol Avenue, MS # 51WAT
PO Box 340308
Hartford, CT 06134-0308
Phone: 860-509-7333
Fax: 860-509-7359
E-Mail: Patricia.Bisacky@ct.gov

3. Notice of Scoping for Hawleyville Low-Pressure Sewer Extension

Municipality where proposed project would be located: Newtown

Project Location: Residential and commercial/industrial properties along Route 6 (Mount Pleasant Road), Route 25 (Hawleyville Road), Covered Bridge Road and Hillcrest Drive.

Project Description: As part of an economic development project, the Town of Newtown desires to provide developed and undeveloped parcels with access to public sewers as depicted in Figure 1. The purpose of the project is to incentivize development within the Hawleyville Area pursuant to the goals established by the Town's Economic Development Commission and in accordance with Housatonic Valley Council of Elected Officials (HVCEO) Guidance Bulletin #94.

Utilizing a Small Town Economic Assistance Program (STEAP) Grant and benefit assessments not exceeding the appraised value of each property that connects to the system, the town intends to provide a low-pressure sanitary sewer system servicing the properties abutting the above listed roadways. Properties that are currently developed will be provided with a semi-positive displacement grinder pump and a service lateral extending from the grinder pump discharge to the low-pressure sewer main in the street. For commercial/industrial properties that are currently undeveloped, the intent of the project is to provide an adequately sized, low-pressure sewer connection stub to the property line to serve the property in the future. In addition, the Town intends to purchase and stockpile pumps capable of pumping the design flowrate based upon existing zoning for the undeveloped properties.

In order to convey the complete buildout scenario presented in the 1998 Hawleyville Area Facility Plan and based on the land use mix presented in the HVCEO Bulletin #94, a 6-inch dry forcemain will be installed in the same trench as the low pressure sewer, providing sufficient project budget exists. The 6-inch forcemain will extend from the proposed manhole directly in front of the Midway Home Estates to the intersection of Route 6 and Route 25 and be capped there. The purpose of this forcemain will be to convey future wastewater, which can drain via gravity along Mount Pleasant Road to the intersection with Route 25. The developers of the two large vacant properties would be responsible for siting and providing the pump station to serve their properties.

Wastewater collected from the proposed collection system will flow westward and discharge into an existing manhole directly upstream of the existing Toll Brothers Pump Station at 164 Mount Pleasant Road. From there, the wastewater flow is pumped along Route 6 to Bethel's collection system and ultimately discharged for treatment at the Danbury Wastewater Treatment Facility. In all, it is estimated that approximately 7,350 linear feet of low pressure sewer and approximately 500 linear feet of gravity sewer will be provided as part of this project.

Project Maps: [Click here to view a map of the proposed sewer infrastructure.](#)
[Click here to view a map of the sewer service area.](#)

Written comments from the public are welcomed and will be accepted until the close of business on: March 6, 2015

Any person can ask the sponsoring agency to hold a Public Scoping Meeting by sending such a

request to the address below. If a meeting is requested by 25 or more individuals, or by an association that represents 25 or more members, the sponsoring agency shall schedule a Public Scoping Meeting. Such requests must be made by February 13, 2015.

Written comments and/or requests for a Public Scoping Meeting should be sent to:

Name: Carlos Esguerra
Agency: Department of Energy & Environmental Protection
 Bureau of Water Protection & Land Reuse
Address: 79 Elm Street
 Hartford, CT 06106-5127
Phone: 860-424-3756
Fax: 860-424-4067
E-Mail: carlos.esguerra@ct.gov

If you have questions about the public meeting, or other questions about the scoping for this project, contact Mr. Esguerra, as directed above.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Any person with a disability who may need a communication aid or service may contact the agency's ADA Coordinator at 860-424-3194 or at deep.hrmed@ct.gov. Any person with limited proficiency in English, who may need information in another language, may contact the agency's Title VI Coordinator at 860-424-3035 or at deep.aaooffice@ct.gov. ADA or Title VI discrimination complaints may be filed with DEEP's EEO Manager at (860) 424-3035 or at deep.aaooffice@ct.gov.

4. Notice of Scoping for the Norwalk River Railroad Bridge, Norwalk

Project Title: Replacement of the Norwalk River Railroad Bridge (WALK Bridge)

Municipality where proposed project might be located: Norwalk, Connecticut

Project Description: The Connecticut Department of Transportation (CTDOT) proposes to replace the Norwalk River Railroad Bridge, which carries the New Haven Line Railroad over the Norwalk River in the city of Norwalk. The bridge was built in 1896 and is a truss swing bridge with three fixed spans and one movable span. Total length is 565 feet. The activities associated with total replacement of the existing bridge include the following:

- Complete replacement of the entire bridge
- Complete replacement of the fender system
- Complete replacement of the high towers
- Replacement of the track rails and ties
- Signal and communications replacements which will include the installation of a new cable spanning the river either via submarine or aerial path

The purpose of this project is to replace the existing, deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of commuter and intercity passenger rail service, offer operational flexibility and ease of maintenance, as well as provide for increased capacity and efficiencies of rail transportation along the New Haven Line/ Northeast Corridor.

Project Maps: Click [here](#) to view a map and an aerial photograph of the project area.

Written comments from the public are welcomed and will be accepted until the close of business on: Tuesday, March 10, 2015

There will be a Public Scoping Meeting for this project at:

DATE: Tuesday, **February 24, 2015** (In case of inclement weather: Thursday, February 26, 2015 same time and place)

TIME: 7:00 pm

PLACE: City Hall Community Room, 125 East Avenue, Norwalk, Connecticut 06851

NOTES: The meeting location is accessible to persons with disabilities (ADA accessible). Deaf and hearing impaired persons and those with limited English proficiency wishing to attend this meeting and requiring an interpreter may make arrangements by contacting the CTDOT's Office of Communications at 860-594-3062 (voice only) at least five working days prior to the meeting. Language assistance is provided at no cost to the public.

Additional information about the project can be viewed in person at CTDOT's Office of Engineering, 2800 Berlin Turnpike, Newington, Connecticut, during regular office hours, Monday

through Friday, 8:30 a.m. to 4:30 p.m.

Written comments should be sent to:

Name: Mr. Mark Alexander, Transportation Assistant Planning Director
Agency: Connecticut Department of Transportation, Bureau of Policy and Planning
Address: 2800 Berlin Turnpike, Newington, Connecticut, 06131
E-Mail: dot.environmentalplanning@ct.gov

If you have questions about the public meeting, or other questions about this project, contact:

Name: Mr. John Hanifin, Transportation Supervising Engineer
Agency: Connecticut Department of Transportation, Bureau of Engineering and Construction
Address: 2800 Berlin Turnpike, Newington, Connecticut, 06131
Phone: (860) 594-2899
E-Mail: John.Hanifin@ct.gov

Post-Scoping Notices: Environmental Impact Evaluation Not Required

This category is required by the October 2010 revision of the [Generic Environmental Classification Document](#) for State Agencies. A notice is published here if the sponsoring agency, after publication of a scoping notice and consideration of comments received, has determined that an Environmental Impact Evaluation (EIE) does not need to be prepared for the proposed project.

The Following Post-Scoping Notices have been submitted for publication in this edition.

1. Post-Scoping Notice for: Deep River Water Treatment Plant and Transmission Main Replacement, Meter and Microturbine

Municipalities where project will be located: Lebanon and Bozrah

CEPA Determination: On June 7, 2011 the Department of Public Health (DPH) published a [Notice of Scoping](#) to solicit public comments for this project in the *Environmental Monitor*.

Based on the [comments](#) provided by the Department of Energy and Environmental Protection (DEEP) dated July 8, 2011, it has been determined that the project does not require the preparation of Environmental Impact Evaluation (EIE) under CEPA. The DPH will coordinate with Norwich Public Utilities to ensure that the recommendations by the DEEP will be implemented.

The agency's conclusion is documented in a [Memorandum of Findings and Determination](#) and an [Environmental Assessment Summary](#).

If you have questions about the project, you can contact the agency at:

Name: Mr. Eric McPhee
Agency: Department of Public Health
 Drinking Water Section
Address: 410 Capitol Avenue, MS #51WAT
 PO Box 340308
 Hartford, CT 06134-0308
Phone: 860-509-7333
Fax: 860-509-7359
E-Mail: DPH.SourceProtection@ct.gov

What happens next: The DPH expects the project to go forward. This is expected to be the final notice of the project to be published in the *Environmental Monitor*.

2. Post-Scoping Notice for: Mohegan Park Water Tank

Municipality where project will be located: Norwich

CEPA Determination: On August 7, 2012, the Department of Public Health (DPH) published a [Notice of Scoping](#) to solicit public comments for this project in the *Environmental Monitor*.

Based on the [comments](#) provided by the Department of Energy and Environmental Protection (DEEP) dated September 5, 2012, it has been determined that the project does not require the preparation of Environmental Impact Evaluation (EIE) under CEPA. The DPH will coordinate with Norwich Public Utilities to

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

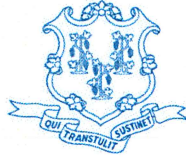
Appendix C-2 Agency Comments

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

March 10, 2015

Mark Alexander
Transportation Assistant Planning Director
Bureau of Policy and Planning
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131

Re: Notice of Scoping for the Norwalk River Rail Road Bridge, Norwalk

Dear Mr. Alexander:

The Drinking Water Section of the Department of Public Health has reviewed the above-mentioned project for potential impacts to any sources of public drinking water supply. This project does not appear to be in a public water supply source water area; therefore, the Drinking Water Section has no comments at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric McPhee".

Eric McPhee
Supervising Environmental Analyst
Drinking Water Section



Phone: (860) 509-7333 • Fax: (860) 509-7359 • VP: (860) 899-1611
410 Capitol Avenue, MS#51WAT, P.O. Box 340308
Hartford, Connecticut 06134-0308
www.ct.gov/dph

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**CONNECTICUT DEPARTMENT OF
ENERGY & ENVIRONMENTAL PROTECTION
OFFICE OF ENVIRONMENTAL REVIEW
79 ELM STREET, HARTFORD, CT 06106-5127**

To: Mark W. Alexander - Transportation Assistant Planning Director
DOT - Office of Environmental Planning, 2800 Berlin Turnpike, Newington

From: David J. Fox - Senior Environmental Analyst **Telephone:** 860-424-4111

Date: March 10, 2015 **E-Mail:** david.fox@ct.gov

Subject: Norwalk River Railroad Bridge

The Department of Energy & Environmental Protection (DEEP) has reviewed the Notice of Scoping for proposed replacement of the Norwalk River railroad bridge (WALK Bridge). The following comments are submitted for your consideration.

Based upon the available scoping materials, it appears that ConnDOT is well aware of the appropriate environmental resources to be evaluated in the CEPA/NEPA document and the state permits, reviews and authorizations required for the project. ConnDOT has already had significant involvement with various project stakeholders, including the Permitting & Enforcement Section of the Office of Long Island Sound Programs (OLISP). Specifically, several pre-application meetings have been held, where Micheal Grzywinski provided resource information and identified permitting issues. To supplement this information, I have included some preliminary comments from the OLISP Planning Section and the Inland Fisheries Division as well as general recommendations to minimize construction impacts.

As you know, the proposed project is within Connecticut's coastal boundary as defined by section 22a-94 of the Connecticut General Statutes (CGS) and is subject to the provisions of the Connecticut Coastal Management Act (CCMA), sections 22a-90 through 22a-112. In accordance with CGS section 22a-100, state actions within the coastal boundary that may significantly affect the environment must be consistent with the standards and policies of the CCMA.

The site of the Norwalk River railroad bridge crossing has abundant coastal resources, both to the north and south, including coastal waters, intertidal flats and tidal wetlands. Please find enclosed CCMA fact sheets for information specific to protection policies regarding these resources. As the project proceeds towards design, these resources should be protected to the maximum extent practicable, with remaining impacts to be fully mitigated. OLISP expects to provide further analysis once plans are developed.

Managing for water quality protection will be of paramount importance. Construction practices for replacement or repair represent significant potential adverse impacts to water quality during construction and all best management practices to minimize and mitigate for such impacts should be incorporated as design proceeds. Details of construction sequencing and measures to avoid discharge of any foreign material into the water column would be required.

The railroad bridge is surrounded by public access on both sides of the river, up and down the harbor as well as many active water-dependent uses which rely on readily available access north and south of the railroad bridge. Public access is by definition is a water-dependent use pursuant to the CCMA and subject to the CCMA's full protections as well as enhancement and mitigation policies. The relevant CCMA policy is "preserve and protect water-dependent uses by managing uses in the coastal boundary giving highest priority and preference to water-dependent uses and facilities in shorefront areas" [CGS section 22a-92(b)(1)(A)]. See enclosed fact sheet for more information regarding water-dependent uses.

The Maritime Aquarium at Norwalk offers public waterfront uses, dock access and parking open to the public north and south of the railroad bridge. There are several other public walkways and spaces which will likely be impacted during construction that will require full compensation and mitigation. Other parks and public walkways along the harbor have the potential of being impacted to various degrees during construction. OLISP anticipates that many water-dependent use businesses will be significantly impacted by the disruption and adequate compensation will be required once more detail is provided.

Due to the significant construction disruption over a period of years, OLISP anticipates additional public walkway development will be required along both sides of the river and northeast to Smith Street to satisfy the water dependent use criteria and impacts of the railroad project. OLISP believes the City will specifically be looking, in part, for waterfront walkway enhancements on both sides of harbor, lighting under the bridge, a path from the harbor back to Smith St on the north side of tracks along the east side of river, and other public park area development, public parking and signage to offset public use/water-dependent use criteria and impacts.

The Norwalk *Plan of Conservation & Development* and *Harbor Management Plan* strongly supports water-dependent use and public access development policies and goals within the Norwalk Harbor area. These plans, along with the *Norwalk River Watershed Plan*, also strongly support preservation and enhancement of natural and coastal resources and water quality. These documents should be fully analyzed and planned for as project details become available.

The Inland Fisheries Division has also been consulted by ConnDOT and provided the following preliminary observations. Some of the alternatives may involve new dredging and other benthic impacts if the piers are built in new locations, so there will be long-term habitat issues to examine for each alternative. Depending on the methods used to demolish the piers, measures will be recommended to protect anadromous fish and perhaps other species from excessive noise, pressure waves, or other demolition effects. Also, dredging projects in the Norwalk River/Harbor are routinely evaluated for effects on winter flounder reproduction during the period February 1 through May 15 and anadromous fish migration from April 1 through June 30; seasonal restrictions would be required, as appropriate.

In designing the new bridge, the effects of climate change, in particular sea level rise and increased storm surges, should be considered. Given that the age of the existing structure is approaching 120 years, it is likely that the replacement bridge will be expected to be in service

throughout the century. It should be designed to withstand projected conditions for its anticipated lifespan.

The extent of land side construction along the railway approaches is not known. Given the urban location, the discovery of hazardous materials, hazardous waste and/or contaminated soils is likely. It is assumed that ConnDOT's standard procedures, such as preparing Land Use Evaluation reports (Task 110) and Preliminary Evaluation reports (Task 120), would be employed to evaluate the potential to encounter contamination. A site-specific hazardous materials management plan should be developed prior to commencement of construction and a health and safety plan for construction workers should also be prepared.

It should also be noted that rail lines in Connecticut are historically contaminated with PCBs. PCB waste in the form of soil, ballast, ties, and rails may be generated during rail line projects. Such waste must be managed in accordance with state and federal PCB requirements and are subject to approval by DEEP and EPA. Additional information is also available on-line at: [PCB Program](#).

The Department's standard comments concerning construction projects in urban areas are submitted for your information:

Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations, that is not hazardous waste, is considered to be special waste. The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA. In addition, the regulations prohibit the disposal of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

The Waste Engineering & Enforcement Division has issued a *General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer)* (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site. A fact sheet describing the general permit, a copy of the general permit and registration

forms are available on-line at: [Soil Management GP](#).

The DEEP Office of Environmental Justice is aware that previous construction projects in urban environments have resulted in displacement of rodents that result in problem infestations in neighboring areas. Prior to construction, a comprehensive survey of the project area should be conducted to identify rodent nesting/feeding areas. An extermination plan should be developed in coordination with municipal health officials to be implemented before construction activities commence. The project site and surrounding areas should be monitored to confirm the success of the extermination efforts and investigate any reports of rodents. Additional extermination efforts should be implemented, as necessary.

For large construction projects, the Department typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

The Department also encourages the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of the Department.

As you know, the Natural Diversity Data Base (NDDB) has been consulted to determine whether the project would affect Federally listed endangered or threatened species or species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern, that occur within the project corridor. The NDDB does not anticipate negative impacts to listed species from implementation of the project. (See letter to Christopher Samorajczyk dated November 17, 2014.) The NDDB response includes all information regarding critical biological resources available at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the

scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Thank you for the opportunity to review this proposal. If you have any questions concerning these comments, please contact me.

cc: Robert Hannon, DEEP/OPPD
Marcy Balint, DEEP/OLISP
Micheal Grzywinski, DEEP/OLISP
Mark Johnson, DEEP/IFD
Dawn McKay, DEEP/NDDB
Edith Pestana, DEEP/OEJ
Ellen Pierce, DEEP/APSD
Lori Saliby, DEEP/PCB



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT
INTERGOVERNMENTAL POLICY DIVISION

March 10, 2015

Mr. Mark Alexander
Bureau of Policy and Planning
Connecticut Department of Transportation,
2800 Berlin Turnpike, Newington, Connecticut, 06131

Re: Notice of Scoping:
Norwalk River Railroad Bridge

Dear Mark:

The Office of Policy and Management (OPM) has reviewed the Notice of Scoping for the Norwalk River Railroad Bridge and submits the following comment:

- The second sentence of the Walk Bridge website (<http://www.walkbridgect.com>) says:

The new or rehabilitated Walk Bridge will improve maritime navigation on the Norwalk River.

However, the Project Description in DOT's Notice of Scoping does not specifically mention maritime navigation:

The purpose of this project is to replace the existing, deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of commuter and intercity passenger rail service, offer operational flexibility and ease of maintenance, as well as provide for increased capacity and efficiencies of rail transportation along the New Haven Line/ Northeast Corridor.

People appreciate the state considering how it can maintain and even improve access to Long Island Sound when undertaking coastal area projects and the CEPA process is an opportunity for considering the benefits and costs. Given that it does not appear that maintaining maritime navigation is an essential element of this project, as it would be if the bridge separated the Thames River from Long Island Sound, for example, perhaps DOT should also evaluate the alternative of securing the existing bridge in closed position, despite the loss of navigability for vessels too large to pass beneath the bridge.

Given the significant cost associated with each of the existing alternatives, the CEPA process seems well-suited to evaluating the environmental (including socio-economic) impacts of a secure-in-position alternative. An EIE would help estimate the extent to which any cost savings from this alternative might be offset by additional costs to mitigate impacts on those who currently depend on the bridge opening. An EIE could also provide a better understanding of future anticipated costs associated with maintenance and repair activities for each alternative and how the timing and frequency of bridge operations might affect the reliability and safety of the passenger rail system.

Thank you for the opportunity to respond to this Notice of Scoping and please feel free to contact me if you have any questions.

Sincerely:

A handwritten signature in blue ink, appearing to read "Bruce Wittchen", with a stylized, cursive script.

Bruce Wittchen
Office of Policy & Management
450 Capitol Ave, MS# 54ORG
Hartford, CT 06106
(860) 418-6323
bruce.wittchen@ct.gov

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

Appendix C-3 Agency Coordination

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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August 8, 2014

Mr. Mark Alexander
Office of Environmental Planning
Department of Transportation
2800 Berlin Turnpike
P.O. Box 317546
Newington, CT 06131-7546

Subject: Project No. 301-40
Replacement of Bridge No. 04288R
Norwalk, Connecticut

Dear Mr. Alexander,

The State Historic Preservation Office (SHPO) is in receipt of your request for our comments concerning the referenced project, dated July 21, 2014. The Norwalk River Railroad Bridge (No. 04288R, also known as the WALK Bridge) was listed on the National Register of Historic Places in 1987. It is one of the few remaining swing bridges in the state. This office provided prior comments to the Department of Transportation (DOT) for the rehabilitation of this bridge during 2002. At that time, SHPO commented that the proposed rehabilitation would have no adverse effect to this historic property with the condition that SHPO receives a copy of *Rehabilitation of Norwalk Swing Bridge Engineering Significance Study* and that a submission is prepared for publication in the *Society for Industrial Archeology New England Chapters Newsletter*. During 2004, this office issued a letter accepting the requested bridge documentation.

SHPO understands that rehabilitation is no longer sufficient and replacement of the bridge is necessary as part of an Emergency Declaration because it does not reliably open and close. SHPO concurs with the Office of Environmental Planning (OEP) at DOT that demolition and replacement of this historic property constitutes an adverse effect. This office appreciates DOT's efforts to also consult with the Norwalk Historical Commission and we look forward to consulting with DOT to develop a suitable Memorandum of Agreement for this project.

These comments are provided in accordance with the Connecticut Environmental Policy Act and Section 106 of the National Historic Preservation Act, as amended. For additional information, please contact Catherine Labadia, Environmental Reviewer, at (860) 256-2764 or catherine.labadia@ct.gov.

Sincerely,

Daniel T. Forrest
State Historic Preservation Officer

State Historic Preservation Office



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

November 17, 2014

Christopher Samorajczyk
State Of Connecticut Department Of Transportation
2800 Berlin Tpke.
PO Box 317546
Newington, CT 06131
christopher.samorajczyk@ct.gov

Project: CTDOT 301-0040, Replacement of Metro-North Railroad Bridge (Bridge # 04288R) over the Norwalk River in Norwalk
NDDB Determination No.: 201411167

Dear Christopher Samorajczyk,

I have reviewed Natural Diversity Data Base (NDDB) maps and files regarding the area delineated on the map provided for the proposed CTDOT 301-0040, Replacement of Metro-North Railroad Bridge (Bridge # 04288R) over the Norwalk River in Norwalk, Connecticut. I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDB. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits. This determination is good for one year. Please re-submit an NDDB Request for Review if the scope of work changes or if work has not begun on this project by November 17, 2015.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at (860) 424-3592, or dawn.mckay@ct.gov. Thank you for consulting the Natural Diversity Data Base.

Sincerely,

A handwritten signature in cursive script that reads 'Dawn M. McKay'.

Dawn M. McKay
Environmental Analyst 3



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

DEC 19 2014

Mark W. Alexander
Transportation Assistant Planning Director
Bureau of Policy and Planning
State of Connecticut, Department of Transportation
2800 Berlin Turnpike, PO Box 317546
Newington, CT. 06131-7546

Re: Replacement of New Haven Line Railroad Bridge over Norwalk River, Norwalk, CT.

Dear Mr. Alexander:

This is in response to your letter received December 11, 2014 requesting information on the presence of species listed under the Endangered Species Act by NOAA's National Marine Fisheries Service (NMFS) in the Norwalk River near the Walk Railroad Bridge at Norwalk Connecticut.

The following endangered species may occur in the Norwalk River: Shortnose sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) (Distinct Population Segments [DPSs]: New York Bight, Chesapeake Bay, Carolina, South Atlantic), Kemp's ridley sea turtle (*Lepidochelys kempi*), green sea turtle (*Chelonia mydas*), and leatherback turtle (*Dermochelys coriacea*).

The following threatened species may occur in the Norwalk River: Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) (Distinct Population Segments [DPS]: Gulf of Maine), and Northwest Atlantic Ocean DPS of loggerhead sea turtle (*Caretta caretta*).

Conclusion

As listed species of sea turtles and sturgeon may occur in the Norwalk River in the vicinity of your proposed project, any proposed in-water work has the potential to impact these species. As project details become finalized, a consultation, pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended, may be necessary as any discretionary federal action, such as the approval or funding of a project by a federal agency, that may affect a listed species must undergo consultation pursuant to section 7 of the ESA of 1973, as amended. If the proposed project has the potential to affect listed species, and it is being approved, permitted or funded by a Federal agency, the lead Federal agency, or their designated non-Federal representative, is responsible for determining whether the proposed action is likely to affect the listed species. The Federal agency, or their designated non-Federal representative, would submit their determination along with justification for their determination, and a request for concurrence to the attention of the ESA Section 7 Coordinator, NMFS Northeast Regional Office, Protected Resources



Division, 55 Great Republic Drive, Gloucester, MA 01930. After reviewing this information, NMFS would then be able to conduct a consultation under section 7 of the ESA. Should you have any questions about these comments or about the section 7 consultation process in general, please contact Max Tritt at 207-866-3756 or by email max.tritt@noaa.gov.

NOV 01 2014

Essential Fish Habitat

The Norwalk River provides habitat for a wide variety of resident, migratory and forage species including striped bass, alewife, blueback herring, weakfish, tautog, American eel, winter flounder, summer flounder and many others. Depending upon the nature and extent of the work proposed, seasonal in-water work restrictions or other conditions may be required to avoid, minimize or mitigate for any adverse effects to aquatic resources and their habitats. In addition, Essential Fish Habitat (EFH) has been designated within the project area. EFH consultation by the federal action agency may be required as part of the federal permit process. For a listing of EFH and further information, please go to our website at: <http://www.nero.noaa.gov/habitat>. If you wish to discuss this further, please contact Carol She at 732-872-3023 or e-mail carol.she@noaa.gov.

Sincerely,



Kimberly Damon-Randall
Assistant Regional Administrator
for Protected Resources

EC: Tritt, NMFS/PRD
She, NMFS/HCD

File Code: Section 7/Non-fisheries/FTA/Technical Assistance/2014/Walk RR Bridge Replacement, Norwalk, CT.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

July 7, 2015

To Whom It May Concern:

Under Section 7 of the Endangered Species Act, Federal agencies that authorize, fund or carry out an action that may affect a federally listed species are required to ensure their actions do not jeopardize the continued existence of a listed species or adversely modify federally designated critical habitat through consultation with the U.S. Fish and Wildlife Service. As you are aware, the northern long-eared bat (*Myotis septentrionalis*) (NLEB) was recently listed as threatened with an associated interim 4(d) rule (April 2, 2015). The NLEB was once widespread throughout New England, but due to white-nose syndrome, the primary threat to its existence, the population in New England has declined by at least 90 percent. Currently, we do not have presence/absence data for this species for the vast majority of New England. Therefore, in order to assess effects of a project, we must assume presence in the absence of project-specific surveys. This has led to an increase in project review requests made to staff in this office.

In order to streamline the review process and provide regional guidance to Federal agencies and their applicants, the New England Field Office (NEFO) consulted with our state wildlife agency partners to develop regional time-of-year restrictions for tree clearing activities that if implemented, will avoid take of the NLEB. The time-of-year restrictions we are adopting vary, depending on the location of the proposed project.

The time-of-year restrictions described below are predicated on our conclusion that if surveys are not conducted to determine whether NLEBs are present, we must assume presence as long as suitable habitat is present. Based on regional data on NLEB presence and seasonal behavior, we recommend the following time-of-year restrictions to avoid adverse effects to bats that may be roosting in trees that could be cleared (assuming presence).

April 15 - October 31 - project is located within 1 mile or less from known hibernaculum

April 15 - September 30 - Known site - acoustic and/or mist-net confirmation - ("known site" as determined in consultation between NEFO and the State Natural Resource agency) **OR** projects located in "Coastal New England" where we appear to have greater numbers of NLEB based on recent acoustic surveys. "Coastal New England" includes all towns bordering the coast of Connecticut and Rhode Island, Massachusetts including Buzzards Bay, Cape Cod, Martha's

July 7, 2015

2

Vineyard, Nantucket, and the North and South Shore of Massachusetts, and the coast of New Hampshire.

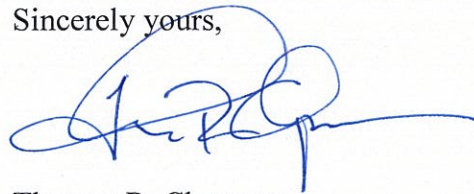
April 15 - August 31 - Unknown site/no data (with the exception of coastal towns)

These time-of-year restrictions do not address a minimum acreage below which we do not anticipate habitat impacts to NLEBs. We still need to review the proposed acreage of tree cutting to ensure that there are no impacts as a result of significant roosting or foraging habitat loss if we assume bats are present in the project area.

We suggest that it may be to your advantage to assess the effect of the loss of suitable habitat resulting from the proposed activity in the context of the surrounding forested habitat and provide that analysis or discussion in your project review requests. Such information should expedite our review and response.

Thank you for your cooperation, and please contact Ms. Susi von Oettingen of this office at (603) 223-2541, extension 6418, if you have questions.

Sincerely yours,

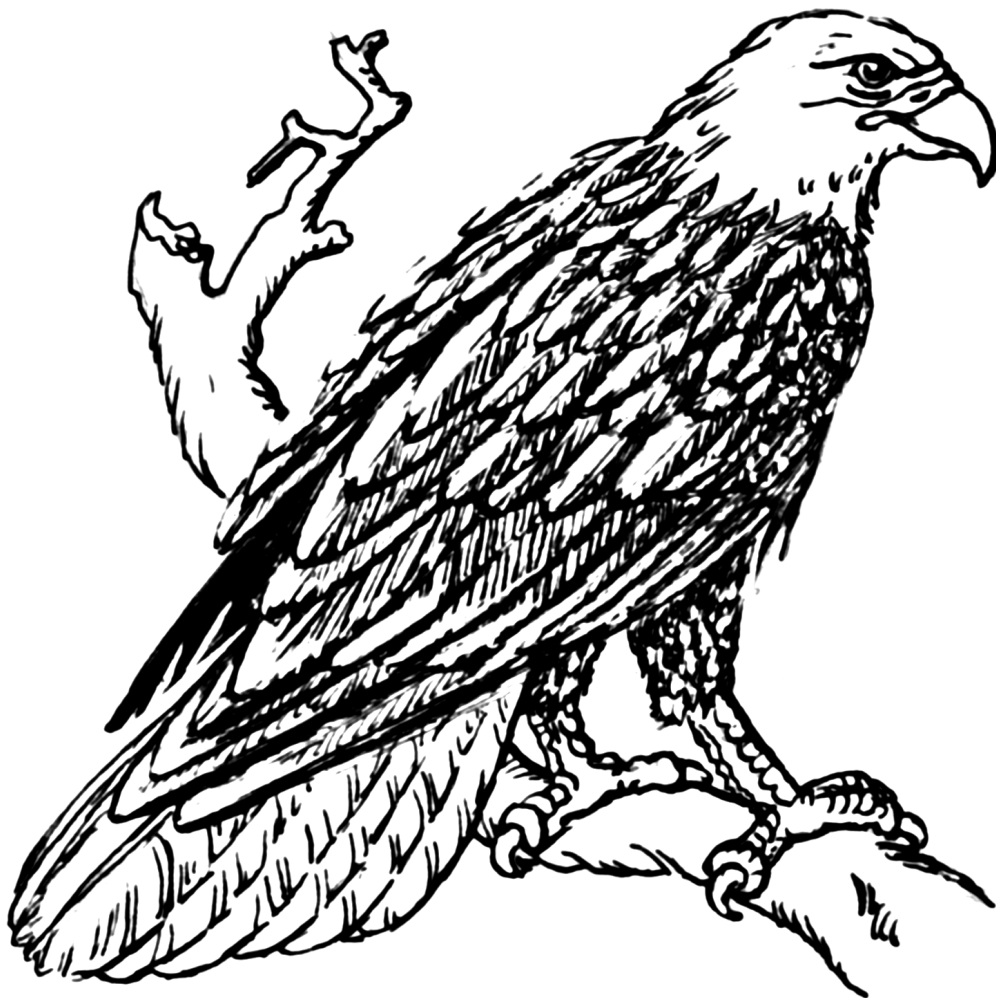


Thomas R. Chapman
Supervisor
New England Field Office

Walk Bridge

IPaC Trust Resource Report

Generated September 02, 2015 12:43 PM MDT



US Fish & Wildlife Service

IPaC Trust Resource Report



Project Description

NAME

Walk Bridge

PROJECT CODE

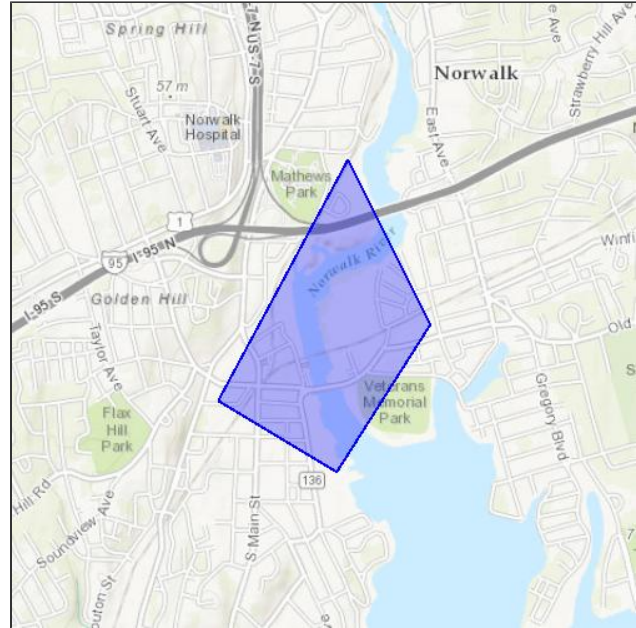
65N6Y-K4YPB-HSVFA-EM3VA-KKS62I

LOCATION

Fairfield County, Connecticut

DESCRIPTION

No description provided



U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the [Endangered Species Program](#) and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under [Section 7](#) of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an Official Species List from the regulatory documents section.

Birds

Red Knot *Calidris canutus rufa*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0DM>

Mammals

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0JE>

Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

<p>American Oystercatcher <i>Haematopus palliatus</i> Year-round https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0G8</p>	Bird of conservation concern
<p>American Bittern <i>Botaurus lentiginosus</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0F3</p>	Bird of conservation concern
<p>Bald Eagle <i>Haliaeetus leucocephalus</i> Year-round https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B008</p>	Bird of conservation concern
<p>Black Rail <i>Laterallus jamaicensis</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B09A</p>	Bird of conservation concern
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0HI</p>	Bird of conservation concern
<p>Blue-winged Warbler <i>Vermivora pinus</i> Season: Breeding</p>	Bird of conservation concern
<p>Canada Warbler <i>Wilsonia canadensis</i> Season: Breeding</p>	Bird of conservation concern
<p>Fox Sparrow <i>Passerella iliaca</i> Season: Wintering</p>	Bird of conservation concern
<p>Gull-billed Tern <i>Gelochelidon nilotica</i> Season: Breeding</p>	Bird of conservation concern
<p>Horned Grebe <i>Podiceps auritus</i> Season: Wintering</p>	Bird of conservation concern
<p>Hudsonian Godwit <i>Limosa haemastica</i> Season: Migrating</p>	Bird of conservation concern
<p>Least Bittern <i>Ixobrychus exilis</i> Season: Breeding</p>	Bird of conservation concern
<p>Least Tern <i>Sterna antillarum</i> Season: Breeding</p>	Bird of conservation concern
<p>Pied-billed Grebe <i>Podilymbus podiceps</i> Year-round</p>	Bird of conservation concern

Prairie Warbler <i>Dendroica discolor</i> Season: Breeding	Bird of conservation concern
Purple Sandpiper <i>Calidris maritima</i> Season: Wintering	Bird of conservation concern
Rusty Blackbird <i>Euphagus carolinus</i> Season: Wintering	Bird of conservation concern
Saltmarsh Sparrow <i>Ammodramus caudacutus</i> Season: Breeding	Bird of conservation concern
Seaside Sparrow <i>Ammodramus maritimus</i> Year-round	Bird of conservation concern
Short-eared Owl <i>Asio flammeus</i> Season: Wintering https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD	Bird of conservation concern
Snowy Egret <i>Egretta thula</i> Season: Breeding	Bird of conservation concern
Upland Sandpiper <i>Bartramia longicauda</i> Season: Breeding https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HC	Bird of conservation concern
Wood Thrush <i>Hylocichla mustelina</i> Season: Breeding	Bird of conservation concern
Worm Eating Warbler <i>Helmitheros vermivorum</i> Season: Breeding	Bird of conservation concern

Refuges

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Wetland data is unavailable at this time.



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION I
Connecticut, Maine,
Massachusetts,
New Hampshire,
Rhode Island, Vermont

Volpe Center
55 Broadway, Suite 920
Cambridge, MA 02142-1093
617-494-2055
617-494-2865 (fax)

August 8, 2016

Mr. Daniel Forrest
State Historic Preservation Officer
Connecticut Commission on Culture and Tourism
One Constitution Plaza
Hartford, CT 06103

**RE: Norwalk River Railroad Bridge Replacement, Norwalk, CT
Section 106 Adverse Effect and Section 4(f) Temporary Occupancy**

Dear Mr. Forrest:

The Connecticut Department of Transportation (CTDOT) is proposing to utilize Federal Transit Administration (FTA) financial assistance to replace the Norwalk River Railroad Bridge located in Norwalk, Connecticut. The bridge is identified as No. 04288R, also known as the Walk Bridge, and carries four tracks of the New Haven Line of Metro-North Railroad commuter service over the Norwalk River and is also used for intercity and high-speed passenger service by Amtrak as well as for freight service. The purpose of the project is to replace the existing deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of rail service; offer operational flexibility and ease of maintenance; and provide for increased capacity and efficiencies of rail transportation along the New Haven Line/Northeast Corridor, while maintaining or improving navigational capacity and dependability for marine traffic in the Norwalk River.

Section 106

The Area of Potential Effect (APE) is delineated as: 1) the limits of project actions within the railroad right-of-way (ROW), extending from the east end of the South Norwalk Railroad Bridge over South Main and Washington Streets to a point east of the Fort Point Street Railroad Bridge; 2) the project's temporary construction staging/access areas; 3) historic properties that are immediately adjacent to either of these; and 4) underwater and shoreline areas that could be impacted by the project's temporary and permanent facilities in the Norwalk River in the vicinity of the bridge.

Based on an historic evaluation conducted by a cultural resources consultant, it was determined that historic properties potentially affected by the project include the bridge itself, the high towers, catenary structures, stone retaining walls, and Fort Point Street Railroad Bridge, which are contributing components of the overall historic rail line; and four listed or potentially eligible historic districts immediately adjacent to the right-of-way or construction staging/access areas (see attached *Technical Report: Historic Resources Evaluation Report*). The Walk Bridge,

constructed in 1896, is a deck-truss swing bridge that carries the Metro-North Railroad over the Norwalk River between South Norwalk and East Norwalk stations and is listed on the National Register of Historic Places. Also, the New Haven Line within Connecticut has been determined eligible for the National Register of Historic Places as a linear district (District) by CTSHP.

The project will include demolition of the existing bridge and is also expected to require changes to or replacement of elements associated with the electrification of the line including the steel lattice high towers, removal and replacement of catenary support structures, removal of stone retaining walls, replacement of the Fort Point Street Bridge, and temporary construction staging/access areas. These activities will alter the historic characteristics of the bridge and the historic rail line. Work will conform to the Secretary of the Interior standards and will be monitored for compliance with those standards by a cultural resources professional.

In accordance with 36 CFR Part 800.5(a) Protection of Historic Properties, the FTA has determined that the Norwalk River Railroad Bridge project will have an adverse effect on historic resources. The FTA is requesting your concurrence with the adverse effect determination, and the following information is provided to support this determination:

- CTDOT Recommendation of Adverse Effect letter
- DRAFT Memorandum of Agreement
- Technical Report: Historic Resources Evaluation Report
- Technical Report: Archaeological Sensitivity Assessment

In addition to your concurrence with the adverse effect finding, we would appreciate your review and comments on the attached DRAFT Memorandum of Agreement. Please respond to this office within 30 days of receipt of this request. In accordance with 36 CFR Section 800.3 (c)(4), if a response is not received within 30 days FTA will proceed with the section 106 process.

Section 4(f)

The impacts of the project on the Walk Bridge and the historic rail line will constitute a use of a historic resource under Section 4(f) of the US DOT Act, and an individual 4(f) evaluation is being prepared. Additionally, creation and use of temporary construction staging/access areas will require a temporary occupancy of certain non-rail historic resources. The parking area of the parcel containing the former Norwalk Lock complex at 18 Marshall Street will be used for temporary construction staging/access area, and a portion of the South Main and Washington Streets Historic District, primarily a strip of undeveloped land at the rear of the buildings as well as the footprint of the interlocking tower (the SONO Switch Tower Museum), will be used for temporary construction staging/access. The project is not anticipated to impact the utilization of the Switch Tower Museum, CTDOT will employ protective measures to minimize impacts to properties during construction, and no physical damage will occur as a result of the preparation and use of the temporary construction staging/access areas.

In order to meet the exception to the requirement for Section 4(f) approval, the following criteria, as specified in 23 CFR 774.13(d), shall be met:

- (1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;


- (2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- (3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- (4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- (5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

We request your concurrence as the officials with jurisdiction that these impacts would meet the conditions of a temporary occupancy under Section 4(f) of the US DOT Act as per 23 CFR 774.13(d).

If you have any questions regarding this matter, please contact Leah Sirmin at 617-494-2459.

We look forward to receiving your response.

Sincerely,



Mary Beth Mello
Regional Administrator

cc: J. Redeker, CTDOT
J. Fallon, CTDOT
M. Alexander, CTDOT

Attachment



Department of Economic and
Community Development

Connecticut
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October 12, 2016

Ms. Mary Beth Mello
Federal Transit Administration, Region I
Volpe Center
55 Broadway, Suite 920
Cambridge, MA 02142-1093

Subject: Replacement of Bridge No. 04288R
Norwalk, Connecticut

Dear Ms. Mello,

The Connecticut State Historic Preservation Office (SHPO) is in receipt of your request for our comments concerning the referenced project, dated August 8, 2016. The Norwalk River Railroad Bridge (No. 04288R and also known as the WALK Bridge) was listed on the National Register of Historic Places in 1987. It is one of the few remaining swing bridges in the state. SHPO understands that replacement of the bridge is necessary as part of an Emergency Declaration because it does not reliably open and close. The proposed undertaking will include demolition of the WALK Bridge, lattice high towers, and catenary support structures; as well as removal of masonry retaining walls and replacement of the Fort Point Street Bridge. SHPO concurs with the Area of Potential Effect (APE) defined in your letter, which includes temporary construction facilities.

The existing railroad corridor is embedded in the Norwalk community and reflects its development around this important piece of our nation's transportation history. The historic features associated with this portion of the rail corridor within the APE; including the bridges, masonry walls, high tower and catenary structures; are considered by SHPO to be eligible for listing on the National Register of Historic Places (NRHP) as contributing elements to a linear historic district. As a result, this office concurs with FTA that the Norwalk River Railroad Bridge project constitutes an adverse effect to historic properties. This office has reviewed the Memorandum of Agreement (MOA) prepared by the Federal Transit Administration (FTA) for the undertaking. SHPO does not have any substantive comments regarding this document, but recognizes that the comment period for this project has been extended and a new public hearing has been scheduled for November 17, 2016. Therefore, this office requests that the mitigation efforts not be finalized until the public has been given the additional opportunity to comment.

As defined in 23 CFR 774.17, SHPO has official jurisdiction for historic sites in compliance with Section 4(f) of the Department of Transportation Act. SHPO appreciates the Connecticut Department of Transportation's commitment to employ protective measures wherever and

State Historic Preservation Office

One Constitution Plaza | Hartford, CT 06103 | P: 860.256.2800 | Cultureandtourism.org

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whenever possible to avoid or minimize harm to historic resources during construction. With the implementation of such measures taken into consideration, SHPO concurs that FTA would meet the conditions of a temporary occupancy under Section 4 (f).

These comments are provided in accordance with the Connecticut Environmental Policy Act and Section 106 of the National Historic Preservation Act, as amended. For additional information, please contact me at (860) 256-2764 or catherine.labadia@ct.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catherine Labadia".

Catherine Labadia
Deputy State Historic Preservation Officer

cc: Alexander, CT DOT
Sirmin, FTA

State Historic Preservation Office

One Constitution Plaza | Hartford, CT 06103 | P: 860.256.2800 | Cultureandtourism.org

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