Susquehanna River Rail Bridge Project

Perryville and Havre de Grace, Maryland

NEPA Re-evaluation

October 3, 2023

PREPARED FOR

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DRAFT

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REVISION HISTORY

Revision	Date	Description
0	*July 5, 2022*	*Initial Draft*
1	*July 20, 2022*	*Revised Formatting & Intro*
2	*August 5, 2022*	*Submittal to QC Review*
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5	*Sept 16, 2022*	*Submittal for Amtrak Review*
6	*Oct 5, 2022*	*Amtrak Comments Incorporated*
7	*Oct 11, 2022*	*Submittal for FRA Review*
8	*Dec 9, 2022*	*FRA Comments Incorporated*
9	*Jan 5, 2023*	*FRA Comments v.2*
10	*Jan 23, 2023*	*FRA Comments v.3*
11	*August 3, 2023*	*FRA Comments v.4*
12	*September 14, 2023*	*FRA Comments v.5*
Final	*October 3, 2023*	*FRA-approved Version*

Amtrak Susquehanna River Rail Bridge Project
NEPA Re-evaluation

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1.00 Introduction

The National Railroad Passenger Corporation (Amtrak) is planning to replace the Susquehanna River Rail Bridge between the City of Havre de Grace in Harford County, Maryland and the Town of Perryville in Cecil County, Maryland—the "Susquehanna River Rail Bridge Project" or the "Project." The moveable swing bridge, built in 1906, is beyond the end of its 100-year design lifespan. The project would replace the two-track bridge with four tracks in the form of East and West spans over the Susquehanna.

The existing two-track bridge—located on Amtrak's Northeast Corridor (NEC) at Milepost (MP) 60 between MP 61 (south) and MP 59 (north)—has structural and operational deficiencies that prevent the accommodation of future high-speed rail plans for the NEC. The bridge also creates a bottleneck in train capacity and restricts speeds along this segment of the NEC, resulting in conflicts between Amtrak's regional service, Amtrak long-distance trains, the Maryland Area Regional Commuter (MARC) Penn Line trains, and Norfolk Southern Railway (NS) freight trains, which all use the bridge to carry regional, commuter, and freight rail service across the Susquehanna River.

The proposed Project consists of demolition and replacement of the existing bridge and construction of two new two-track river bridges with accompanying piers and abutments, along with new approaches, track realignment, embankments, and retaining walls. The two new bridges would require a widening of the right-of-way (ROW) on the approaches of both the Havre de Grace and Perryville sides. The ROW expansion necessitates undergrade and overhead bridge modifications, building and utility relocations in Perryville, major roadway realignment with Otsego Street in Havre de Grace, and a new access point for truck traffic at the Amtrak maintenance facility in Perryville.

As required under the National Environmental Policy Act of 1969 (NEPA), an Environmental Assessment (EA) was completed for the Project March 2017.[1] Following the EA, in May 2017, the Federal Railroad Administration (FRA) released a Finding of No Significant Impact (FONSI) and concluded that the Project was not likely to result in significant adverse environmental impacts. Since more than five years have lapsed from the FRA's issuance of the FONSI and several Design and Constructability Refinements (DCRs) have been proposed, this NEPA Re-evaluation has been prepared to determine whether the original document or decision remains valid, or a supplemental or new analysis (e.g., supplemental environmental impact statement [EIS] or environmental assessment [EA]) is needed.

This re-evaluation incorporates and assesses the DCRs that were developed post-EA—including the requirements and logistics needed for sequencing of construction and how to physically access a specific project location. This document assesses whether these DCRs result in any adverse effects not identified in the 2017 EA and whether the 2017 FONSI conclusion is still valid for purposes of compliance with NEPA. The following DCRs are analyzed in this re-evaluation:

- Old Station Undergrade Tunnel 60.69 Closure, Havre de Grace
- Warren Street Realignment, Havre de Grace
- North Stokes Street Undergrade Bridge 60.56 Narrowing, Havre de Grace
- North Freedom Lane Undergrade Bridge 60.51 Closure, Havre de Grace

[1] The 2017 EA is available on at https://www.susrailbridge.com/environmental-studies/environmental-assessment.html.

- Otsego Street Reconfiguration, Havre de Grace
- 138kV Transmission Line Reroute, Havre de Grace & Perryville
- Lower Ferry Park and Pier Access, Perryville
- Baltimore Gas & Electric (BGE) Tower Demolition & Replacement, Perryville
- Perry Interlocking Tower Relocation, Perryville
- Ikea Way Extension, Perryville
- Overhead (O.H.) Bridge Demolitions: O.H. 58.34 & O.H. 57.85/ Ballast Wash System Replacement, Perryville
- Overhead Bridge Rebuild: O.H. 57.60 (Golf Cart Path), Perryville
- Removal of Remnant Bridge Piers

2.00 Project Background

As described in the 2017 EA, Amtrak is proposing to improve rail connectivity along the NEC by replacing the Susquehanna River Rail Bridge. This rail bridge is a critical link along one of the U.S. Department of Transportation's (USDOT) designated high-speed rail corridors. FRA is the lead federal agency. Amtrak, as the bridge owner and operator, provided conceptual and preliminary engineering designs and is performing Final Design as well as coordination with FRA and the Maryland Department of Transportation (MDOT)—which oversees the Maryland Transit Administration (MTA) and its commuter rail system, MARC.

Amtrak, MARC, and NS use the bridge to carry intercity, commuter, and freight trains across the Susquehanna River. Current (2022) weekday revenue service running both northbound and southbound over the bridge includes approximately 80-90 Amtrak trains (NEC and long distance), 12-14 MARC trains, and 8-10 NS freight trains.

The primary purpose of the Susquehanna River Rail Bridge Project remains to provide continued rail connectivity along the NEC as documented in the EA and FONSI. As described in the EA, the goals of the Project include:

- Improve rail service reliability and safety;
- Improve operational flexibility and accommodate reduced trip times;
- Optimize existing and planned infrastructure and accommodate future freight, commuter, intercity, and high-speed rail operations; and
- Maintain adequate marine navigation and improve mariner safety along the Susquehanna River.

3.00 Project Status & Purpose of NEPA Re-evaluation

The purpose of a NEPA re-evaluation is to determine whether the FONSI decision remains valid for FRA decision-making. When there are changes in scope, conditions, or a significant amount of time has lapsed since issuance of an original NEPA decision or document, a re-evaluation is required for federal agencies—in this case, the FRA—to consider and disclose the environmental impacts of a proposed project as part of their decision-making process.

A NEPA Re-evaluation is a continuation of the project development process, though it does not constitute an automatic reopening of the NEPA process. The NEPA Re-evaluation is a review conducted by FRA of any proposed change in an action, affected environment, anticipated impacts, applicable requirements, or mitigation measures as they relate to the environmental document or decision, which for this Project is the 2017 FONSI. If the FRA decides, based on the re-evaluation, that there are changes that make the FONSI no longer valid for agency decision-making, then the FRA would determine the nature and scope of the supplemental analysis and documentation needed.

The Project was at a 30% Design level when the EA was completed in March 2017. Amtrak continued with updated design criteria and submittals until the COVID-19 pandemic in March 2020. In October 2021, Amtrak restarted the Project, with recent efforts in 2022 focused on the NEPA Re-evaluation, while design progresses. Project timelines and scope elements are subject to change due to constructability, sequencing, and phasing considerations.

Future project milestones include:

- 100% Design—2024
- Construction Notice to Proceed—2025
- Completion of the West Bridge—2031
- Completion of the East Bridge—2036

Since completion of the EA, Amtrak has followed the Selected 9A Alternative as the basis for project design, chosen from among 18 conceptual alternatives. In the development of the alignment alternatives, the following design factors were considered:

- Geometry of the NEC
- Design Speed
- Physical Spacing Between the Two Proposed Bridges
- River Navigational Clearances
- Track Grades
- Relationships to Other Adjacent and Related Planned Transportation Projects

Under the 9A Alternative, the Project would construct a new 90-miles-per-hour (mph) bridge to the west of the existing bridge, dismantle the existing bridge, and replace it with a high-speed, two-track bridge. With four tracks in total, the design would allow for a maximum speed of approximately 160 mph. The new bridge types are the steel-plate girder approaches based on 170-foot approach spans, with an arch main span and 19 in-water piers.

With design progression, the fundamental aspects of Alternative 9A remain unchanged: location, project limits and termini, height of the proposed bridges, span distance, approaches, and track alignment. However, additional design and constructability analysis has provided new details for some project elements that are assessed in this re-evaluation. The detailed descriptions of the DCRs in Section 6.0 below discuss the scope and reasons for these refinements. For example, some aspects of the design and construction would require additional property acquisition, temporary easements for construction access, and new visual elements, access restrictions and modifications, etc. The potential for changes to impacts to the resources originally evaluated in the EA and FONSI are documented herein.

4.00 Regulatory Context

Since the release of the EA and FONSI in 2017, there have been several regulatory changes on both the federal and state levels across several environmental considerations, including to NEPA and U.S. Fish & Wildlife Service (USFWS) oversight—see below for details. The regulatory changes are not expected to impact the Project or its re-evaluation.

A. NEPA

Since 2017, there have been several Executive Orders intended to improve NEPA. The two most recent regulatory changes include Executive Order (EO) 13990 and EO 14008.

On January 20, 2021, President Biden issued EO 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. EO 13990 directed the Council on Environmental Quality (CEQ) to review CEQ's 2020 regulations implementing the procedural requirements of the NEPA and identify necessary changes or actions to meet the objectives of EO 13990.

EO 13990 directs Federal agencies to immediately review and take action to address the promulgation of Federal regulations and other actions during 2017-2020.

On January 27, 2021, President Biden signed EO 14008, "Tackling the Climate Crisis at Home and Abroad," to declare the Administration's policy to move quickly to build resilience, both at home and abroad, against the impacts of climate change.

In line with these EO directives, CEQ reviewed the 2020 NEPA regulations and on April 20, 2022, issued a Phase 1 Final Rule to reverse the 2020 Final Rule and restore federal agency NEPA procedures, the definition of "effects" or "impacts," and the definition of "purpose and need."

B. Natural Resources

Although there have been no appreciable changes in the Rare, Threatened and Endangered (RTE) coordination and consultation process, the Maryland Department of Natural Resources (DNR) fisheries review group has changed from the Environmental Review Unit to the Environmental Review Program. In addition, federally listed species are now reviewed using the online Information for Planning and Consultation (IPaC) tool from USFWS, rather than through letter submissions. The IPaC tool provides an automated response from the USFWS local field office with any potential listed or candidate for listing species in a designated project area.

Amtrak completed the initial RTE coordination with the USFWS on June 13, 2022 through the online IPaC process. The USFWS online response letter indicated the potential presence of three federally listed or candidate listed species and/or critical habitat. These include the northern long-eared bat (NLEB), Maryland darter, and monarch butterfly (candidate species only, for which no further consultation is required).

The USFWS plans to propose listing the tricolored bat and little brown bat as well. This proposal would likely occur in 2023. Amtrak will coordinate with USFWS once details are available about these species.

As stipulated in the 2017 FONSI Appendix B Environmental Commitments, Amtrak will continue to coordinate with the DNR. As design progresses, coordination efforts would focus on DNR-listed species, including the map turtle, Maryland darter, and log perch.

Aquatic RTE Species & Essential Fish Habitat

Amtrak sent a letter dated June 16, 2022 to the National Oceanic and Atmospheric Administration (NOAA) Fisheries requesting information on federally listed RTE species, as well as fisheries within the project area. Amtrak sent a follow-up email to the NOAA Fisheries regional reviewer, Brian Hopper, on November 15, 2022. Mr. Hopper provided an email response on November 28, 2022, indicating that the shortnose sturgeon and Atlantic sturgeon, originating from five Distinct Population Segments, may occur within the project area. He also provided a link to an online mapping tool that NOAA Fisheries uses to document the potential presence of listed species and Critical Habitat within a project's action area.

Additionally, the NOAA Fisheries Essential Fish Habitat (EFH) online mapper was used to determine the potential presence of EFH within the project action area. According to this mapping tool, the mainstem of the Susquehanna River that bisects the project area is designated as EFH for Atlantic butterfish, Atlantic herring, black sea bass, bluefish, clearnose skate, red hake, scup, summer flounder, and windowpane flounder.

The consultation process for federally listed sturgeon species would be the same as it was in 2017, as conducted during the preparation of the EA. There was no Critical Habitat within the Susquehanna River at that time and that remains unchanged. The closest Critical Habitat is in the upper Delaware River beginning just downstream of the Chesapeake & Delaware Canal.

For the Maryland darter, Critical Habitat is shown to overlap the project area on the west side. Recent targeted surveys for the Maryland darter by the USFWS and DNR have not resulted in the detection of the species within historic waters. DNR considers the species extirpated. Further coordination with the USFWS is ongoing to determine whether the Project would need to complete a biological assessment of this species. The consultation process began on September 22, 2022, for a preapplication meeting for the Remnant Pier Removal early action project. Several meetings were conducted during Fall 2022, including with USFWS, to review the conditions specific to the Pier Removal permit, which is now under public review.

On Jan 11, 2023, a preapplication meeting was conducted with the Maryland Department of the Environment (MDE) and USACE for the Project. Consultation with the Joint Evaluation Committee, which also includes USFWS and NMFS, is expected to occur over the next several months in preparation of the permit applications. A pre-app field meeting is anticipated for February with all relevant resource agencies.

RTE Bats

In March 2022, the USFWS proposed to reclassify the NLEB from threatened to endangered under the Endangered Species Act (ESA). The bat faces extinction due to widespread impacts of white-nose syndrome, a deadly disease affecting cave-dwelling bats. On November 29, 2022, the USFWS announced a final rule to reclassify the NLEB as endangered under the ESA. The rule will take effect on January 30, 2023.

Additionally, in September 2022, the USFWS proposed listing the tricolored bat as endangered because of dramatic declines in species populations due to white-nose syndrome. The comment period ended on November 14, 2022, and the USFWS anticipates a final decision within 12 months. The USFWS is also reviewing the status of the little brown bat, whose populations have also been decimated by white-nose

syndrome. A decision to propose for federal listing of the little brown bat would likely be made in early 2023.

Previous project coordination with the USFWS regarding RTE bats focused on the NLEB. Amtrak received a letter from the USFWS that authorized the Project, which indicated few tree impacts and no evidence of maternity roost trees in the area. However, because of the rule change noted above, the review process has now changed, and as noted above, the USFWS is proposing to up-list the NLEB to endangered and possibly list two additional species of bats.

For the NLEB, the typical coordination process involved completion of an online Determination Key that followed one of two pathways: the Programmatic Biological Opinion (PBO) under the Final 4(d) Rule and the PBO for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat. The latter would apply since this project would receive funding from FRA.

As a result of the pending change in status for the species, recent guidance from the USFWS is that projects should wait to run the determination key until it is updated once the rule goes into effect at the end of January. The USFWS is working with the federal transportation partners, including the FRA, to update the PBO for transportation projects. To date, no updates have been provided, so Amtrak will continue to wait before continuing coordination on NLEB.

If the Project still qualifies under the PBO for transportations projects, no extensive field surveys for bats would likely be required. However, if not, a full biological assessment may be required, including the need for trapping studies along the project corridor.

Migratory Birds

Based on the information provided in the IPaC tool, migratory birds are listed as occurring within the project area. The USFWS regulates project-related impacts to migratory birds through the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Any activity—intentional or unintentional—resulting in a take of migratory birds, including eagles, is prohibited unless otherwise permitted by the USFWS (50 Code of Federal Regulations, Sec. 10.12 and 16 U.S. Code Sec. 668(a)). Avoidance and minimization efforts, as well as conservation measures, should be employed to minimize the exposure of migratory birds and their habitat to project-related impacts.

Forestry

No changes have occurred in Forest Conservation Coordination and Chesapeake Bay Critical Area Coordination since the 2017 EA.

Water Quality

The process for acquiring state water quality certification has changed since 2017. MDE's Key Elements for a Request for a Clean Water Act Section 401 Water Quality Certification (dated 11/3/2021) would need to be followed if an independent 401 Water Quality Certification is required.

As anticipated in the EA and 2017 FONSI, the Project will be subject to Section 404 of the Clean Water Act as well as state tidal and wetland permits. Under Section 404, the Project qualifies for an Individual Permit from the U.S. Army Corps of Engineers (USACE). The Section 401/404 process, known as the

joint permit process, has been initiated with USACE and MDE with a pre-application meeting scheduled for January 2023. As part of the Section 404 process, compensatory mitigation for impacts to waters of the U.S., including wetlands, needs to be identified before permit issuance. The compensatory mitigation identified in the 2017 EA is being reviewed to determine if any changes to land use or suitability have occurred since 2017.

Wetlands

The Maryland Interagency Review Team, comprised of representatives from the USACE, MDE, U.S. Environmental Protection Agency, NOAA Fisheries, USFWS, and DNR, have released revised permittee-responsible mitigation performance standards and monitoring protocols to guide monitoring of mitigation sites. As per the 2008 Mitigation Rule, mitigation banks or in-lieu fee programs are the preferred means of mitigation for unavoidable wetland/waters impacts.

There have been no changes to wetland/waters delineation protocols since 2017. Amtrak conducted a GPS-located, wetland delineation of the study area in August 2022.

5.00 Changes in Background Conditions

In connection with the preparation of this NEPA Re-evaluation, background conditions and the status of other development projects anticipated for completion by the Project's build year were updated. Updates to the No Action list are based on the review of publicly available information. As described below, projects have been completed, modified, and/or newly identified since the completion of the 2017 EA.

A. City of Havre de Grace

Since the development of the EA, the City of Havre de Grace completed the construction of a new state-of-the-art 250,000 square-foot Havre de Grace Middle School and High School. As discussed in the EA, the school athletic fields previously received funding from the Land and Water Conservation Fund (LWCF). Between 2018-2022 the campus went through a renovation but is still located on the same property. There are new tennis courts near the existing NEC and the ballfields have been updated.

Developers continue to construct Bulle Rock, a large residential community, with another planned 56 single-family detached dwellings and 55 single-family townhouse dwellings, respectively. At the time of the EA, nearly 1,000 homes were completed. When fully completed, Bulle Rock is anticipated to have nearly 2,000 homes.

In addition, there are plans for a proposed mixed-use development consisting of 123 apartment units and a 6,720 square-foot commercial building called the Villages at Blenheim Run. Developers are constructing Blenheim Run in two phases with the first phase of 51 affordable units currently under construction. There are also plans for a new 31,000-square-foot indoor facility that would become an art incubator, art center, and regional economic driver at the Harmer's Town Art Center.

The City of Havre de Grace is also constructing the Water Street Living Shoreline and Heritage Park Project by transforming the former Jean S. Roberts and David Craig city waterfront parks along the Susquehanna River. These parks were already identified in the EA as having potential Section 4(f) impacts due to the bridge replacement. The Living Shoreline Project spans the shoreline both north and south of the existing rail bridge. The purpose of this project is to create over 2,800 linear feet of shoreline protection and stormwater management through the construction of bulkheads, planting of marshlands, and fill extending into the channel using a mix of sand and wood chips with cobble fill. Construction of the Water Street Living Shoreline Project began in June 2022. Heritage Park would include the construction of a boat ramp, floating pier, soft-launch kayak ramp, and trailer and vehicle parking along the shore of the Susquehanna River.

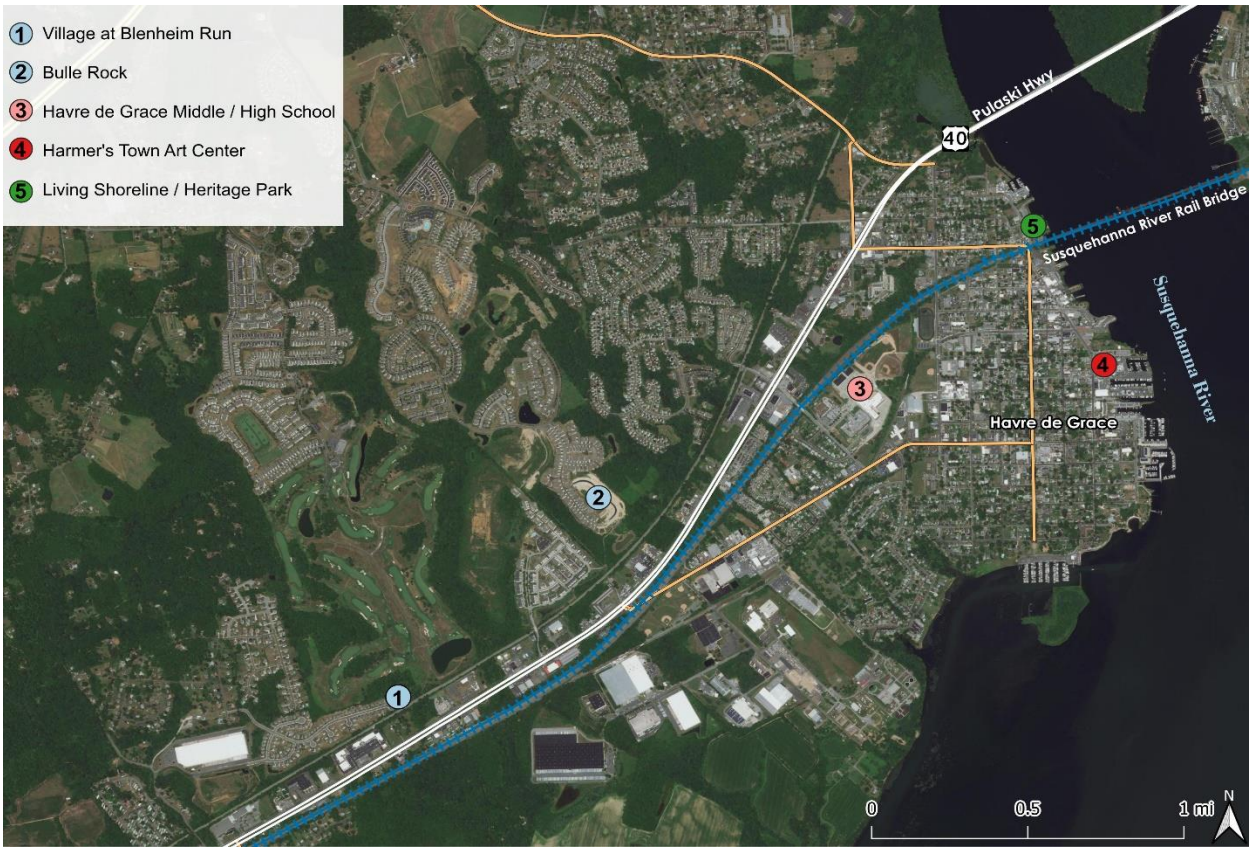
B. Town of Perryville

Since the development of the EA, the Town of Perryville completed two of three phases of the Perryville Municipal Complex, including the construction of a new 8,000-square-foot police department and the reconstruction of the Little League field (Trego Field). The third phase (the construction of a new Town Hall) is in the planning phase and the Town of Perryville anticipates it would be completed within the next five years. The Town of Perryville also completed Lower Ferry Park and Pier, which includes a new comfort station, a band shell, playground equipment, and walking paths. Lower Ferry Park and Pier is now zoned Open Space and was listed in the Draft Section 4(f) Evaluation chapter of the 2017 EA.

In addition, a microbrewery and restaurant, called the 5th Company Brewing, was recently constructed at the location of the former old Muller-Thym Milk Plant, and offers views of Rodgers Tavern and Lower Ferry Park. With these developments, the Town of Perryville continues to make progress with transit-oriented development plans and creating active waterfront, downtown, and train station areas.

As described in the EA, the MARC Northeast Maintenance Facility project would entail the construction of a new operation, maintenance, and storage facility located on a 115-acre site in Perryville, adjacent to the NEC. The Federal Transit Administration (FTA) issued a FONSI to conclude the NEPA review for this project, but the MTA currently lacks funding for final design, ROW acquisition, or construction. In addition, the construction of a new 50,000 square-foot warehouse, also described in the EA, has not occurred at 950 Principio Furnace Road, located at the intersection of Principio Furnace Road and Ikea Way.

Outside of the study area, there are plans to redevelop a public marina, restaurant, and bar at 31 River Road and plans for 22 single-family dwelling units at Richmond Hills at Charles Street. In addition, a newly proposed project includes the construction of a Great Wolf Lodge at the Chesapeake Overlook. Developers anticipate the site would include 700 suites and a 126,000-square-foot indoor water park. The Town expects The Great Wolf Lodge to be completed in 2023.


1 Village at Blenheim Run
2 Bulle Rock
3 Havre de Grace Middle / High School
4 Harmer's Town Art Center
5 Living Shoreline / Heritage Park
Pulaski Hwy
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Susquehanna River Rail Bridge
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1 Great Wolf Lodge
2 Richmond Hills at Charles St
3 Tiki Lee's
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6 Perryville Police Department
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Pulaski Hwy
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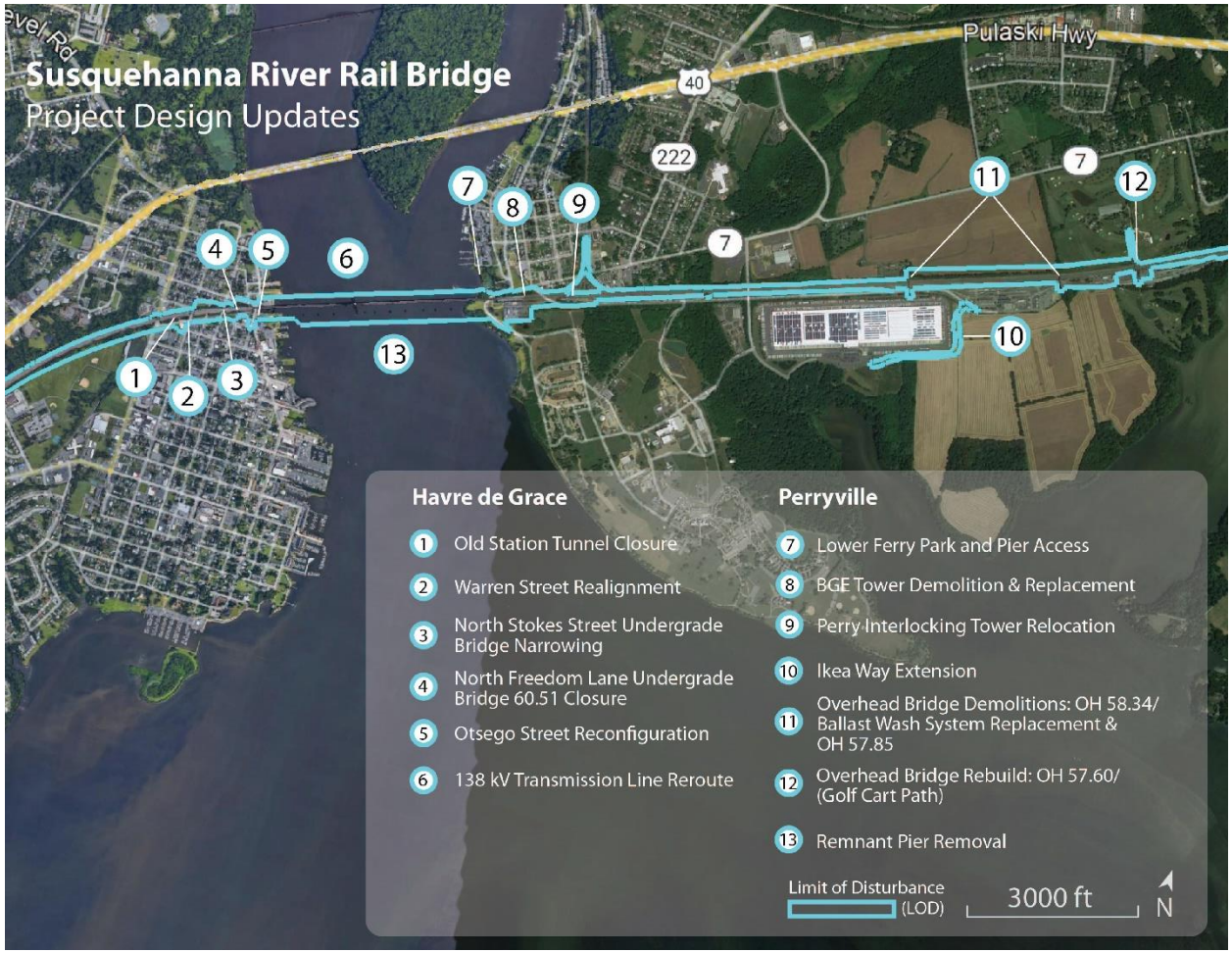
6.00 Design and Constructability Refinements

The DCR section summarizes the project design updates, which have been identified for either initial disclosure or more detailed clarification since the 2017 publications of the EA and FONSI. The accompanying figure and table summarize the DCRs. This is followed by a detailed discussion of the reasons for each DCR, its potential effects, and any required coordination with applicable stakeholders.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12 Overhead Bridge Rebuild: OH 57.60/ (Golf Cart Path)
13 Remnant Pier Removal
Limit of Disturbance (LOD)
3000 ft
N

Map Location	Project Development	Location	Design and Constructability Refinements
1	Old Station Undergrade Bridge 60.69 Closure	Between North Juniata Street & North Adams Street, Havre de Grace	▪ The 2017 EA included the potential closure of the pedestrian underpass, which links the west side to the east side of the abandoned passenger station. Design progression confirms the underpass would be permanently closed and filled in as part of embankment widening for the Project. Most external station elements would be removed, and the East stairwell would be buried.
2	Warren Street Realignment	Warren Street, between North Adams Street & Centennial Lane, Havre de Grace	▪ The 2017 EA stated Warren Street would need a slight realignment. Additional details from design progression include a modified Warren Street roadway, sidewalk, and intersection curbing at N. Adams Street to allow for the parallel ROW retaining wall and an extended North Adams Street Undergrade Bridge.
3	North Stokes Street Undergrade Bridge Narrowing	North Stokes Street at Amtrak ROW, Havre de Grace	▪ The 2017 EA stated a narrowing of the North Stokes Street Undergrade Bridge would be required. The refined design of the Re-evaluation details that the new right-of-way (ROW) abutment placement would narrow the existing space under the bridge by 2-3 feet on each side.
4	North Freedom Lane Undergrade Bridge 60.51 Closure	North Freedom Lane, Havre de Grace	▪ The 2017 EA stated an extension of undergrade bridge would be needed. It has been determined that closure of the underpass would be required as part of the Project to facilitate staging and construction.
5	Otsego Street Reconfiguration	Otsego Street at North Union Ave & Water Street, Havre de Grace	▪ At this location, the 2017 EA stated Otsego Street would be temporarily closed to construct the bridge abutment and piers. Design progression has revealed that full closures would be up to 6 months for earth moving and stabilization work for the west portion of the south abutment and the first pier, as well as another 6 months at some point for the erection of steel girders. Partial closures due to erection of abutments walls and pier column would be up to 6 months with one lane of traffic remaining open.

Map Location	Project Development	Location	Design and Constructability Refinements
6	138kv Transmission Lines Reroute	Susquehanna River	▪ In the 2017 EA the transmission lines were assumed to be above the tracks, similar to the existing conditions. The transmission power cables are now proposed to be installed in the ballast retainer on side of bridge in lieu of overhead wires on existing bridge. This would require the addition of 36-foot-high termination structures on each side of river.
7	Lower Ferry Park & Pier	Broad Street, Perryville	▪ The installation of a temporary construction platform in the river and extending from the shoreline was disclosed in the 2017 EA; however, design progression has revealed that the use of several boat slips located on the nearby public pier would be restricted due to safety concerns. This requires coordination under Section 4(f) and Section 6(f) with the Town of Perryville.
8	BGE Tower Demolition & Replacement	Perryville ROW	▪ The 2017 EA did not include any discussion of the potential movement of this structure. It is now proposed to demolish the existing, non-historic lattice transmission tower and replaced with two BGE monopoles between the retaining wall and roadway.
9	Perry Interlocking Tower Relocation	Perryville Station	▪ At the time of the 2017 EA, it was undetermined whether this asset would be relocated or demolished. The Environmental Commitments in the 2017 FONSI disclosed the need to shift, rather than demolish the tower. In respect of that commitment, the current design shows the structure being moved 35 feet south from its existing location in Perryville Station complex to accommodate the expanded ROW.
10	Ikea Way Extension	Ikea Way, Perryville	▪ As disclosed in the 2017 EA, the Amtrak Access Road Undergrade Bridge 59.52 would be permanently closed due to new rail bridge abutment placement, requiring a new access road for Amtrak Perryville Maintenance Base. Updated design since 2017, shows the Ikea Way extension through existing farmland as the selected alternative for vehicular access to the Amtrak facility.

Map Location	Project Development	Location	Design and Constructability Refinements
11	Overhead Bridge Demolitions: O.H. 58.34 & O.H. 57.85/ Ballast Wash System Replacement	Perryville ROW	▪ The 2017 EA stated there could be changes to two abandoned Amtrak overpasses along the ROW and updated design would remove the bridges along with a relocation of an existing ballast wash system—a low-tech sprinkler system attached to the underside of the O.H. 58.34—and phase break signals attached to its span. The ballast wash—with its new sprinkler system and gantry—and new signals would be relocated along the ROW, just north of their existing location.
12	Overhead Bridge Rebuild: O.H. 57.60 (Golf Cart Path Bridge)	Perryville ROW	▪ The 2017 EA disclosed that changes to this structure would be necessary to attain appropriate vertical clearance. With design progression, the Golf Cart Path must be rebuilt to accommodate the increased elevation required for clearance over the realigned tracks. The Golf Cart Path crosses the ROW by way of two existing truss bridges, with the western truss bridge slated to be rebuilt for proper clearance.
13	Removal of Remnant Bridge Piers	Susquehanna River	▪ Originally disclosed in the 2017 EA, as part of the Preferred Alternative, this is now proposed to proceed as an Early Action Project. The specifics of the pier removal remain unchanged from what was included in the 2017 EA and FONSI. The final permit application was submitted on December 13th, 2022 and is expected to be available in January 2023 for public comment. The final permit application reflects comments received from NMFS and DNR in compliance with ESA requirements. Removal of the remnant piers is anticipated for Summer 2023.

6.01 Old Station Undergrade Tunnel 60.69 Closure, Havre de Grace

In the 2017 EA, the selected Alternative 9A included the demolition of remnants of the former Havre de Grace rail station located at MP 60.69, between North Adams Street and North Juniata Street. The former Pennsylvania Railroad station underpass—which is a tunnel that connected the east and west sides of the station— would be permanently sealed up with the need for a wider ROW to accommodate the four rail tracks. Although in decades past, there has been some community discussion for potentially reviving the passenger station in Havre de Grace—it was permanently closed in 1971—this option is infeasible for operation due to its location on the curve south of the river bridge.

The text above has been clarified from the EA, where, originally, the underpass was proposed to be closed. Closure of the Old Station Tunnel is already incorporated in the Programmatic Agreement (PA). Now the intention is to fill the tunnel with lightweight flowable fill, with other elements of the old station to be removed. These changes to the station constitute an adverse effect. Over the years, most of the station elements have been demolished or destroyed with the remainder in various stages of disrepair (see accompanying figure below). As project design has developed, the potential to demolish station elements is confirmed to include the sealing of the dormant 89-foot tunnel and the demolition of the remaining structural elements within the station's east side are part of the project scope. Demolition includes the station tunnel roof, wall, upper portion of the East stairwell leading to the platform—with the lower portion to be filled in, and the removal of metal railings and asphalt platform at the track level.

Flowable fill would be poured into the tunnel at maximum of two-foot lifts until filled. A permanent closure wall would be installed at both the existing boarded-up archway and existing staircase on the West side of the tracks. The existing mural on the West side wall facing Otsego Street would remain in place. On the East side, the former tunnel access currently has an outer wall in its place, which would be partially removed and replaced during construction.

This tunnel is a contributing element to the Susquehanna River Rail Bridge and Overpasses historic property and the Havre de Grace Historic District, although it is not individually eligible for National Register of Historic Places (NR) designation. Archaeological sites would be identified during the upcoming technical studies.

As disclosed in the 2017 EA, the selected Alternative 9A would adversely and permanently impact the Havre de Grace Historic District and the Susquehanna River Rail Bridge, along with eight of the nine associated masonry undergrade rail bridges that carry the NEC. This includes the North Adams Street Undergrade Bridge, MP 60.60, as it was referred to in the EA and now is referred to as the Old Station Undergrade Tunnel. The EA analyzed the construction of a new concrete abutment on the east side of the tracks and a concrete abutment extension on the west side. The EA analyzes the effects of the selected Alternative 9A on the Havre de Grace Historic District by analyzing alterations to the undergrade bridges and physical taking of properties within the historic district.

Stipulations to mitigate impacts to these resources have been outlined in the PA. Stipulation V.D includes mitigation for construction-related impacts and specifically requires Amtrak to prepare a Historic Properties Protection Plan to protect, monitor, and manage construction-related physical effects on identified historical properties. Stipulation V.E requires the preparation of Level II Historic American Engineering Record (HAER) written and photographic documentation for deposit with U.S. National Park Service (NPS) and Maryland State Historic Preservation Office (SHPO). Photographic documentation will

record the undergrade bridge, its retaining walls, and surrounding resources. Written documentation will address this station's contribution to the Pennsylvania Railroad's overall history and evolution.

Furthermore, the PA also describes the process for disclosing project changes as described under Stipulation VII. This stipulation states that Amtrak will afford the consulting parties the opportunity to review and comment on project changes that could potentially affect historic resources. Closure of the Old Station Tunnel is one of these changes in addition to those described below in Section 6 that are included in this process.

Stipulation XVII of the PA requires that Amtrak will provide consulting parties an annual summary report detailing work undertaken and any tasks completed pursuant to the PA terms, which includes activities necessary to advance the project towards construction. In compliance with these stipulations, Amtrak will submit the first annual report to FRA in January 2023, which also discusses these changes in the context of a revised APE for archaeological resources and architectural resources.

Section 106 consultation for the Project is ongoing. The annual report also includes the scope of work for the upcoming Phase IA archaeological study. Maryland Historical Trust (MHT) will review and concur with the annual summary and associated materials. The following is an anticipated timeline for Amtrak to submit the following draft documents as part of the Section 106 process.

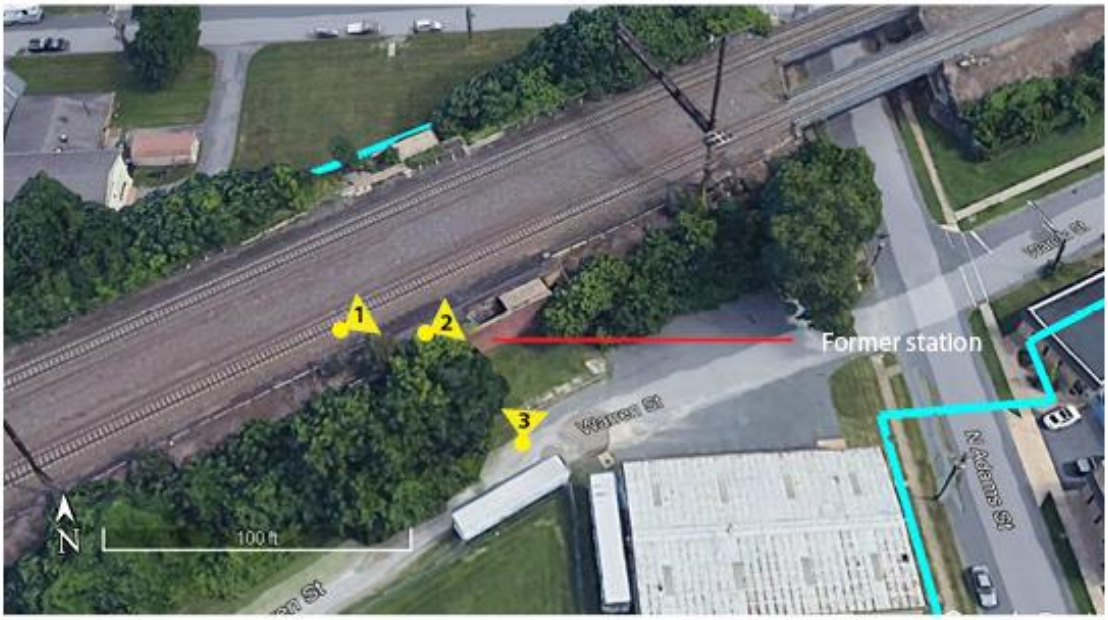
- PA Annual Report – January 2023
- Relocation plan for Perryville Tower—Summer 2023
- Phase IA archaeological survey—Fall 2023
- Phase IB archaeological survey—Winter 2023/2024
- Phase II archaeological testing—Summer 2024 (if needed)
- Architectural Determinations of Eligibility (DOEs) on the expanded APE—Fall 2023
- Documentation of current conditions associated with new project elements such as towers, utility lines, structure closures, and pier removal—Summer 2023
- Other required documentation plans and mitigation plans per the PA—Fall/Winter 2023/2024
- Determination of Effect for archaeology, newly recorded architectural resources, and other project elements—Winter 2024
- Evaluation of need for PA Amendment and preparation of document (if warranted)—Winter 2024
- HAER Documentation—Winter 2024
- Signage and mitigation per the PA—Summer 2024

Throughout this process, Amtrak will coordinate with FRA, MHT, and other consulting parties. This includes coordinating survey, reports and ensuing deliverables, inviting any additional consulting parties or tribes to participate in the process, and meetings to discuss resource documentation, project effect on historic properties, avoidance/minimization/mitigation for adverse effects, crafting a project Memorandum of Agreement or amendment to the PA to outline steps to mitigate adverse effects, and setting forth a plan for such studies.

Forest stands are located adjacent to the proposed Project and may be impacted. Maryland DNR Forestry Division will have to approve a Natural Resources Inventory (NRI)/ Forest Stand Delineation (FSD) and Forest Conservation Plan for any forest impacts.

Old Station Tunnel Closure

1



Susquehanna River Rail Bridge NEPA Re-evaluation

6.02 Warren Street Realignment, Havre de Grace

In Chapter 3, Transportation, under Section D, Potential Impacts, the EA disclosed that a slight realignment of Warren Street would be required. More detailed roadway impacts have been revealed as design has progressed since the 2017 FONSI.

A portion of Warren Street roadway and sidewalk would be realigned and narrowed to allow for the installation of the new Retaining Wall #12 on the ROW—which runs parallel to Warren Street. The curbing at the intersection of Warren and North Adams Street would also be realigned to allow for the extension of the North Adams Street Undergrade (UG) Bridge 60.66 (see accompanying figure below).

Warren Street is to be narrowed by several feet with a slight realignment along the western side of the street between Centennial Lane and North Adams Street, approximately 250 feet in length. This realignment would maintain proper horizontal clearance between the edge of the road and the wall.

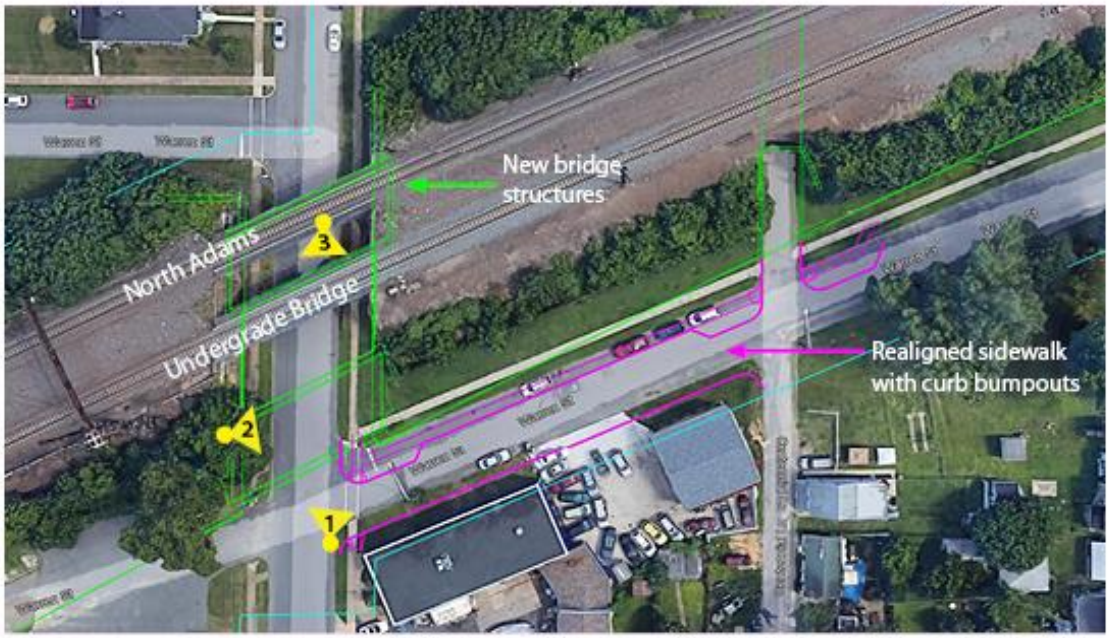
The planned East bridge for North Adams Street UG 60.66 would extend 35 feet closer to the Warren Street intersection, necessitating the curb line to be shifted south and narrowing the road to allow for adequate clearance and sidewalk. The sidewalk and curbing would be restored for Americans with Disabilities Act-compliant pedestrian access.

Due to the road narrowing, it is anticipated that there would be a loss of a small number of informal (unlined) parking spaces along the roadway, as on-street parking would be eliminated on the western side of Warren Street between North Adams Street and Centennial Lane. Since the sidewalks would be restored and maintained and no change in vehicular access, this action would not result in an adverse effect. No safety impacts due to roadway realignment are anticipated.

No environmental resources are being impacted. No permits are required.

Warren Street Realignment

2



Susquehanna River Rail Bridge NEPA Re-evaluation

6.03 North Stokes Street Undergrade Bridge 60.56 Narrowing, Havre de Grace

The 2017 EA disclosed the construction of new concrete abutments on both sides of the tracks for the North Stokes Street Undergrade Bridge, located at MP 60.56. This would result in the narrowing of the underpass along North Stokes Street. The widening of the overhead rail ROW requires new abutment placement and an extension of the undergrade bridge.

While the EA states there would be a modification, it does not specify the level of alteration to the undergrade bridge. As design has developed, it is expected that the narrowing would result in a loss of several feet of buffer space between the existing sidewalks and abutments on each side of North Stokes Street. The construction of the concrete abutments in front of the existing undergrade bridge abutments would narrow the amount of underpass space. However, there would be no change in roadway and sidewalk dimensions.

The bridge is comprised of masonry gravity abutments and wing walls that support the overhead steel-plate girders. While the deck is made of reinforced concrete, the masonry abutments and steel-plate girders are estimated to be part of the original undergrade bridge construction circa 1906. As was disclosed in the 2017 EA, the Project would remove a portion of the existing masonry abutment on the west side of the tracks.

By building in front of—in lieu of cutting through—the existing abutments, significant temporary excavation support and shoring up UG 60.56 can be avoided, as well as minimizing other riskier construction activities. Once the proposed abutment walls are built between the existing abutment and roadway, the sidewalk would be rebuilt between the new abutment and roadway. No change to the roadway width and no safety impacts are anticipated from the narrowing.

UG 60.56 is one of four undergrade bridges constructed at the same time as the 1906 Susquehanna River Rail Bridge and is considered a contributing element to the Havre de Grace Historic District—although it is not individually eligible for NR listing. There are no archeological concerns.

As per the PA, any adverse effects to the historic district will be mitigated, including Amtrak's commitment to design the alteration of UG 60.56 in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (*Standards*). This would include a form liner that emulates the look, color, and texture of the bridge's existing stone, the installation of lighting to improve safety, and measures to prevent water infiltration and mineral seepage in the existing stone material.

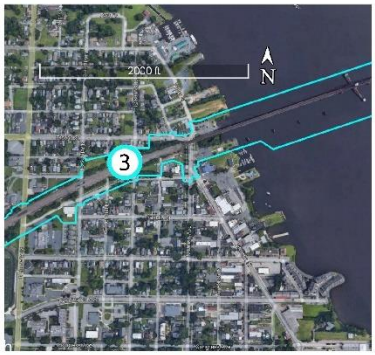
Per the PA Stipulation V.E, Amtrak will prepare Level II HAER written and photographic documentation for deposit with NPS and SHPO as a contributing element to the historic district. Photographic documentation will record the undergrade bridge, its retaining walls, and surrounding resources. Written documentation will address this bridge's construction as part of the Pennsylvania Railroad's early 20th century construction campaign and the railroad's overall history and evolution.

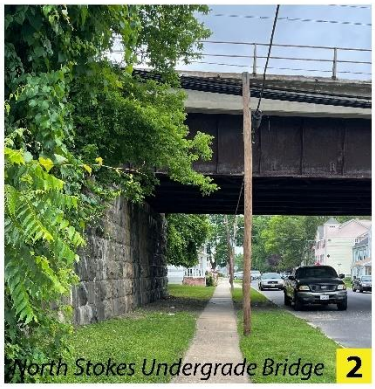
Any loss of grassy area between the existing abutment and the sidewalk would be within Amtrak's ROW; therefore, no property acquisition would be required for this action.

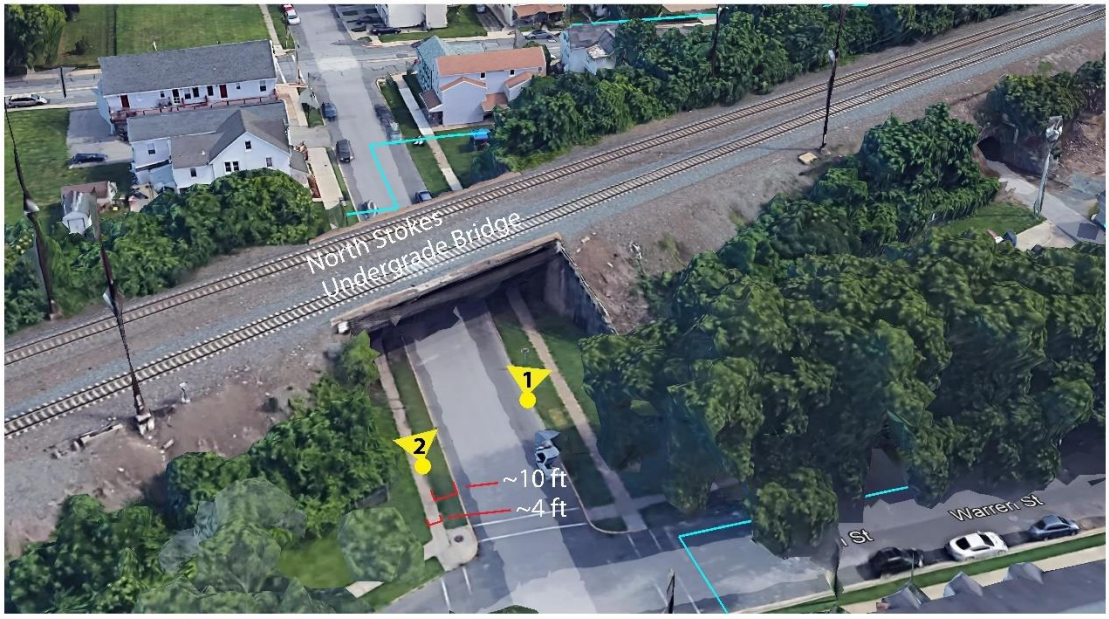
No environmental resources are within or near the proposed Project. However, the Project is located within the Chesapeake Bay Critical Area, which requires Critical Area approval by the DNR Critical Area Commission.

North Stokes Street Undergrade Bridge Narrowing

3







Susquehanna River Rail Bridge NEPA Re-evaluation

6.04 North Freedom Lane Undergrade Bridge 60.51 Closure, Havre de Grace

Within the 2017 EA, this small, stone masonry arch undergrade bridge was to be extended to support the expanded rail ROW, with the construction of a precast concrete culvert extensions with limited to no anticipated impacts to this historic resource. However, based on potential design changes to the final placement of the bridge abutment and the corresponding adjustments to the ROW alignment, this undergrade bridge would be permanently closed to all pedestrian and vehicular traffic. Freedom Lane would be sealed up using a precast retaining wall system.

During further constructability and design efforts, it was determined that to keep Freedom Lane Bridge open during construction would be extremely difficult. These construction challenges include tying in the large retaining walls (#8 and #10) with the arch and existing structure, excavation around the tunnel, waterproofing of joints and construction of the track above the tunnel (see accompanying figure below). The Freedom Lane arch was to be extended at each end to align with Retaining Walls 8 & 10 to carry the widened track alignment. Other constructability aspects of the Freedom Lane Bridge design are dependent upon the final design and location of the main bridge abutment at Otsego Street, including an increased load upon the undergrade bridge.

The sealing of Freedom Lane is a desirable outcome for the community, as its closure was recommended by the City of Havre de Grace in an advisory board bulletin for project-related street and undergrade bridge closures. There are several benefits to closing the roadway and filling in the underpass, including the elimination of long-term maintenance, reduction in project cost, and improvement of constructability for retaining walls and bridge abutments.

Currently, Freedom Lane is seldom used by the public, with most crossing the rail line either at Otsego Street or North Stokes Street. Closure of Freedom Lane would have no impact to traffic, with its narrow lane for vehicular access and an uninviting passageway as a pedestrian route. In addition to Otsego Street and North Stokes Street, several underpasses in the immediate vicinity which run parallel to one another below the rail ROW, provide better connection to and from the Havre de Grace downtown and waterfront areas with wider roadways and sidewalks.

Freedom Lane Bridge is listed as one of the nine undergrade bridges that constitute a major contributing feature to the Susquehanna River Rail Bridge's historic nature, as well as to the Havre de Grace Historic District. The underpass is not individually eligible for NR listing.

The additions needed to support the new alignment would leave little of the original historic Freedom Lane bridge visible, with only the inside of the tunnel remaining. Based on design progression, the undergrade bridge would be permanently closed. This constitutes an additional adverse effect under Section 106 not previously listed in the 2017 EA. As required for Section 106 of the National Historic Preservation Act, additional review and coordination will be performed with signatories and consulting parties listed on the PA. Coordination with PA parties would determine effects of the Freedom Lane Bridge closure, appropriate mitigation measures, and any needed changes to the PA. As described above in Section 6.01, the Section 106 process is ongoing and project refinements are being addressed according to the stipulations of the PA. Amtrak will submit the annual report in January 2023, and coordination with the PA consulting parties is ongoing.

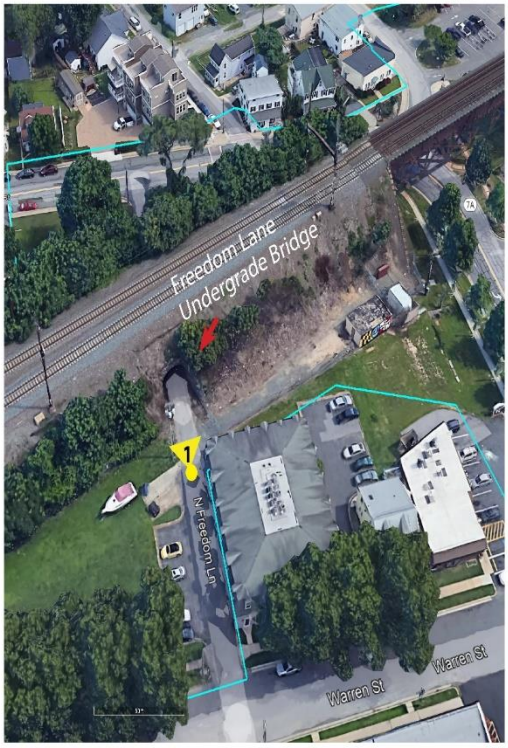
In addition, Amtrak will prepare Level II HAER written and photographic documentation for deposit with NPS and SHPO as a contributing historic resource to the Havre de Grace Historic District. Photographic documentation will record the undergrade bridge, its retaining walls, and surrounding resources. Written

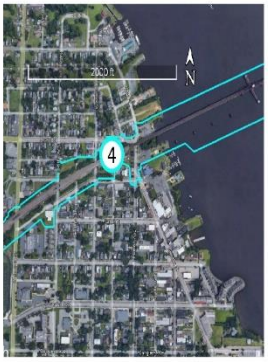
documentation will address this bridge's construction as part of the Pennsylvania Railroad's early 20th century construction campaign and the railroad's overall history and evolution.

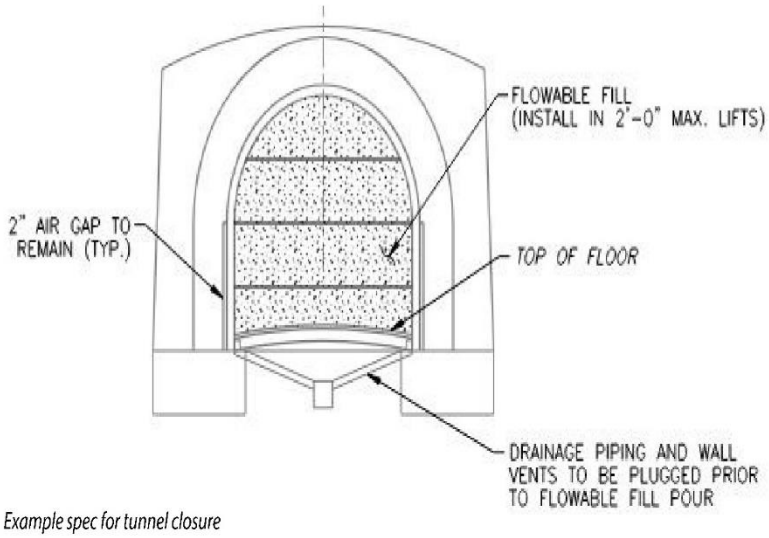
There are no environmental resources within or near the proposed Project. However, the Project is located within the Critical Area, which requires Critical Area approval by the DNR Critical Area Commission. Also, there is a forest cluster adjacent to Freedom Lane that may be impacted. Forest clusters and forest stands impacted within the Critical Area will require a buffer management plan and Critical Area approval.

4

North Freedom Lane Undergrade Bridge 60.51 Closure







Example spec for tunnel closure

Susquehanna River Rail Bridge NEPA Re-evaluation

6.05 Otsego Street Reconfiguration, Havre de Grace

Although new roadway alignments were already anticipated and planned during 30% Design and disclosed prior to the 2017 FONSI, the reconfiguration of Otsego Street would require a partial street closure during construction for an extended period—which was not specified in the EA—due to the location of the new bridge abutments and piers and their construction activities.

As was stated in the 2017 EA, construction of the new West bridge approach includes new piers, which must be located within the existing intersection where Otsego Street—also known as Maryland State Highway 7A (MD-7A)— meets North Union Avenue and Water Street. This intersection is a critical gateway, which serves as the primary transportation corridor residents and visitors use to access the city's waterfront, downtown, and Havre de Grace Historic District. The result would be a realigned roadway at this intersection, Pearl Street, adjacent residential driveways, and the access roads for the two waterfront parks—Jean S. Roberts Park and David Craig Park located on each side of the existing rail bridge (see figure below, Otsego Street Reconfiguration).

Otsego Street would be realigned at North Union Avenue and Water Street with the bridge pier placement to be constructed at 170-feet intervals. A commitment within the PA tasked Amtrak to investigate the potential feasibility of 220' span lengths within the Havre de Grace Historic District. After detailed evaluation, the 220-foot spans would not be a feasible option due to structural capacity, dynamic behavior, and constructability.

The proposed abutment location—which is nearly identical for both the 170-foot and 220-foot span lengths—would be relocated farther south from the waterfront towards North Freedom Lane, as compared to the existing abutment, to accommodate the roadway realignment and allow for sufficient sight distance for vehicles. This was requested by the City of Havre de Grace to preserve the viewshed when heading towards the water on Otsego Street. The roadway realignment is necessary regardless of final span configuration due to the pier locations of the new bridges. Relocating the south abutment from its existing location to a position closer to North Freedom Lane would allow for Otsego Street to be reconstructed with a larger radius horizontal curve. This new roadway alignment and larger horizontal curve meets current federal highway design criteria, improves sight distance around the curve and at the intersections, and represents a significant enhancement in terms of safety.

The pier and abutment placement would require that Otsego Street be closed or partially closed to traffic at various times during the Project due to construction sequencing, safety, and efficiency, for varying lengths of time. The specific activities, include partial demolition of the existing abutment, pier construction, and beam erection. It is currently anticipated that a full closure of Otsego Street would be required for approximately 6-9 months during the earth moving and stabilization work for the west portion of the south abutment and the first pier. An additional full closure of Otsego Street would be required for a minimum of 6 months for the erection of the steel girders for the initial bridge span. A partial closure would be required for approximately 6-9 months, for the erection of the abutment walls and pier column. During the partial closure it is anticipated that one lane of traffic can remain open. While these activities are taking place, traffic would be restricted to temporary lanes or otherwise detoured around the work area Amtrak conducted a traffic study to assess the potential impacts on vehicular and pedestrian mobility and the analysis demonstrated that the roadway closure impacts to traffic operations at intersections along the proposed detour route could be mitigated by altering the signal timing for specific approaches. The routing, signing,

and temporary traffic control details would be further developed during the final design phase to be reviewed and approved by MDOT.

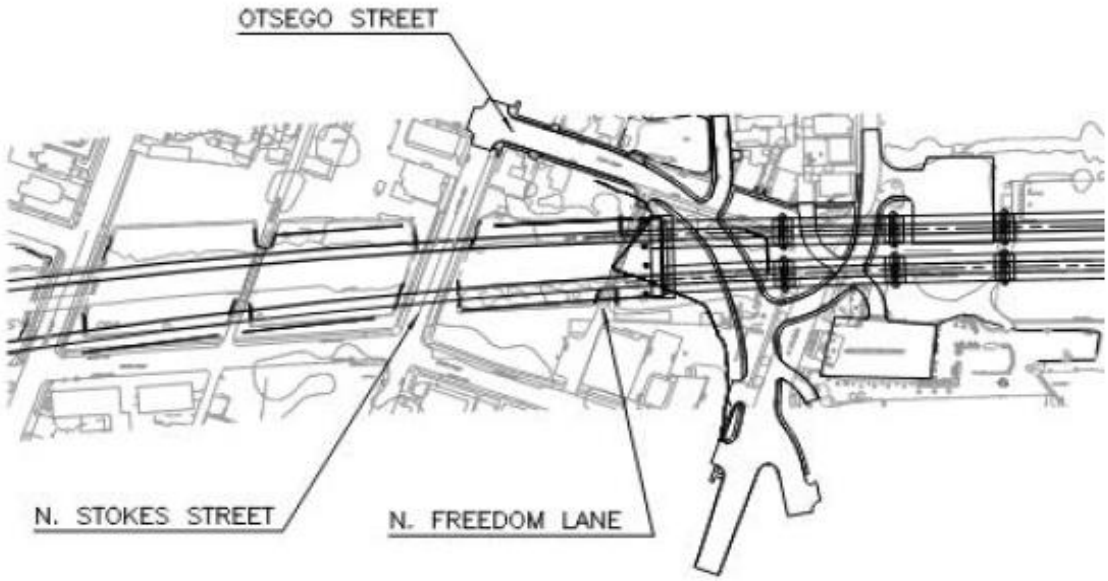
Following demolition of the existing end span and abutment, Otsego Street would be reconstructed along its new alignment, along with post-construction repairs and mitigation restoring the surrounding area to an equal or better condition. Serving as the gateway to the Havre de Grace Historic District, the final roadway design would be compatible with its surroundings and therefore, have no significant effect on the historic district.

This Project is located within the Critical Area; however, since there is no development being proposed, Critical Area approval is not required. If disturbances do occur, there are individual trees adjacent to this Project that could be impacted, and Critical Area approval would be required along with a buffer management plan.

Otsego Street Reconfiguration

5

Otsego Street Existing Conditions



Otsego Street Potential Reconfiguration

Susquehanna River Rail Bridge NEPA Re-evaluation

Otsego Street Reconfiguration

5

NOTES:
1. OVERALL DETOUR LENGTH = 2.75 MILES
2. CONSTRUCTION WORK ON MD-7A (OTSEGO STREET) SHALL NOT COINCIDE WITH THE CLOSURE OF LEWIS LANE BRIDGE.

LEGEND
DETOUR ROAD
OTHER ROUTE
WORK AREA
TRAIN TRACKS
MUNICIPAL BOUNDARY

400 0 400 800
SCALE IN FEET

Susquehanna River Rail Bridge NEPA Re-evaluation

6.06 138kV Transmission Line Reroute, Havre de Grace & Perryville

One of the major design updates since publication of the EA/FONSI is the relocation of the aerial transmission circuits from the existing bridge-mounted overhead contact system (OCS) structures to an installation within the ballast retaining system on the new bridge. As preliminary design proceeded, development of the construction staging identified the relocation of the transmission circuits as a critical path item in the overall project schedule.

The existing bridge currently supports OCS structures that carry 138kV transmission circuits. These circuits connect the southern portion of the NEC's electrified territory to the entire 138kV transmission network. Numerous staging and safety challenges have been identified with the construction of the two new river bridges next to the energized overhead high-voltage circuits—all while maintaining revenue service throughout the Project duration. Safety for workers during an overhead installation would be challenging, as would the constructability of building the new bridge so close to the existing bridge's OCS.

Using the ballast retainer locations in lieu of the OCS provides many advantages, as it would simplify construction staging on the bridge, increase worker safety, streamline the construction schedule, and add an aesthetic benefit by reducing visual obstructions to the viewshed by removing the over 140-foot tall overbuild OCS structures (see overbuild graphic on page 38).

A. Termination Structure Locations

On land, the transmission cables would be placed in a single concrete-encased duct bank, roughly 3-6 feet below grade, with corresponding cable termination structures on both ends of the river to support the cable potheads and lightning arresters. The dimensions for each termination structure would be approximately 26 feet in length by 15-feet-wide by 36-feet high. Each structure would have a manhole at its base to serve as the conduit between the terminal structure and the main duct bank.

In Havre de Grace, the 138kV transmission cable would be routed to termination structures located in a plot of land adjacent to the ROW between North Stokes Street and North Freedom Lane—the Lafayette parcel, which would now require a full 0.4-acre property acquisition. In the 2017 EA, the taking of this parcel was disclosed as a partial sliver taking of approximately 0.05 acre. The additional acquisition has become necessary since the Lafayette parcel has been identified as a preferred location for the termination structure for the 138kV transmission line. In Perryville, the two termination structures would be located within Amtrak's existing Perryville Substation.

At these locations, the transmission line would transition from aerial to a direct buried installation. Once underground, the 138kV circuits would be routed to the new West bridge. The ballast retainer wall of the West bridge would be used to route the transmission cables across the river. At the north abutment, the transmission cables would exit the West bridge and be routed underground to new termination structures located adjacent to Perryville Substation.

The final routing of the duct bank and termination structures would be coordinated with the design constraints for the bridge abutments, retaining walls, and Amtrak property lines in both Havre de Grace and Perryville (see pages 34-35 for termination structure locations).

The Havre de Grace structure would be located within the Havre de Grace Historic District. The introduction of a new, 36-foot-tall visual element, combined with the removal of adjacent vegetation, has the potential to diminish the characteristics that render this resource eligible for the National Register of

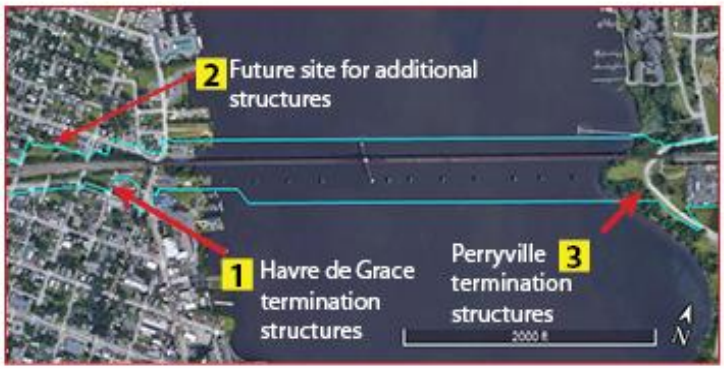
Historic Places. As stipulated in Section VII of the PA, Amtrak in coordination with FRA, will afford MHT and the consulting parties the opportunity to review and comment on this and other changes that could potentially affect historic resources in the Project's APE. It has been previously determined that the Project in general would have an adverse effect on this resource. If it is determined that this DCR would require additional mitigation stipulations will be determined in consultation with the FRA, Amtrak, the MHT, and Section 106 consulting parties.

The impacts of the Perryville structure on historic properties will be evaluated in accordance with Section VII of the PA. Preliminary review suggests that the new element would potentially have no effect on historic properties in the project area of potential effects (APE). While the new structure may be visible from Rodger's Tavern or the Perryville Railroad Station, it would be located within the extant substation. This modern facility is an existing visible element within the viewshed of these two resources, and the new structure would be within the complex and thus not visible as an individual new intrusion in the viewshed. In addition, reducing the height of the structure from 50 feet to 36 feet assures that it would not stand above existing substation-built elements.

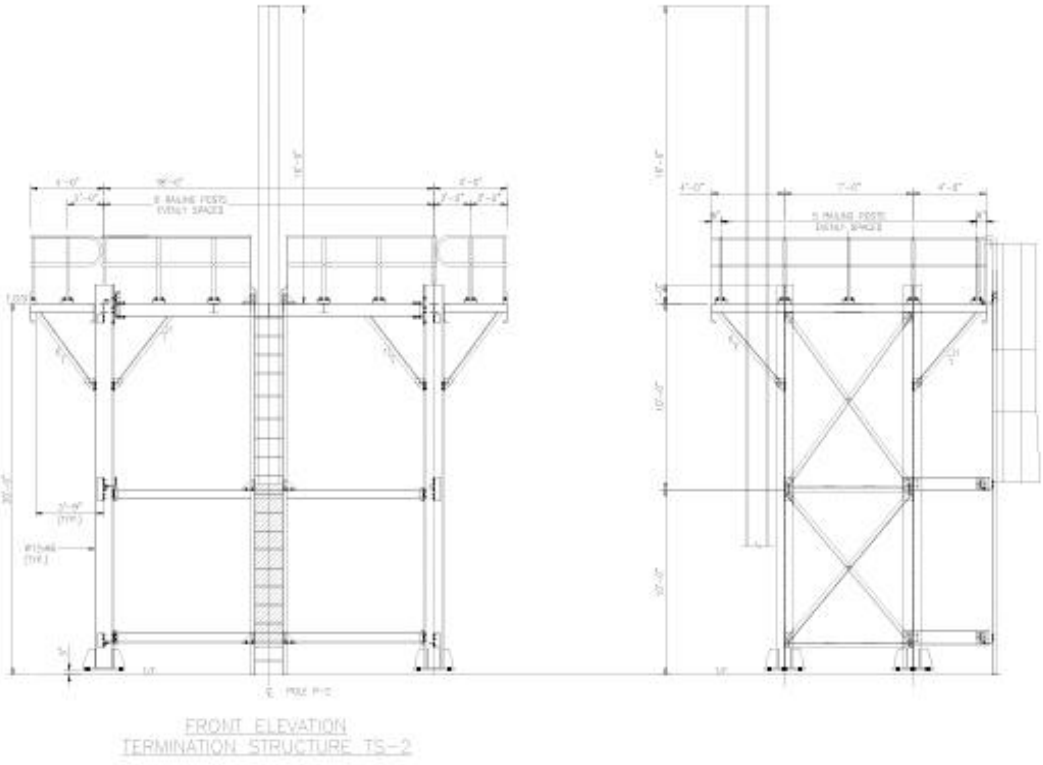
For the proposed termination structures in Havre de Grace, their location in the Critical Area would impact individual trees, which triggers Critical Area approval and development of a buffer management plan. Most of the individual trees are specimen trees (>30" diameter at breast height). There is also a forest stand paralleling the parcel that could also be impacted, which could trigger the DNR Forestry Division review and approval of those impacts. A specimen tree variance may be required for any impacts to those types of trees and would require approval by DNR Forestry Division.

138kV Transmission Line Reroute

6



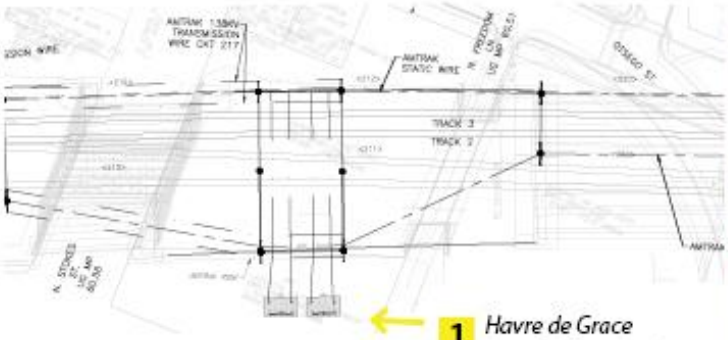
Example elevation views for gantry structures which transition the transmission line between the bridge and approach structures.



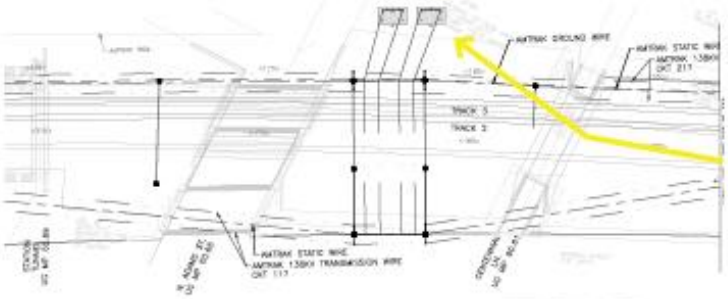
Susquehanna River Rail Bridge NEPA Re-evaluation

138kV Transmission Line Reroute

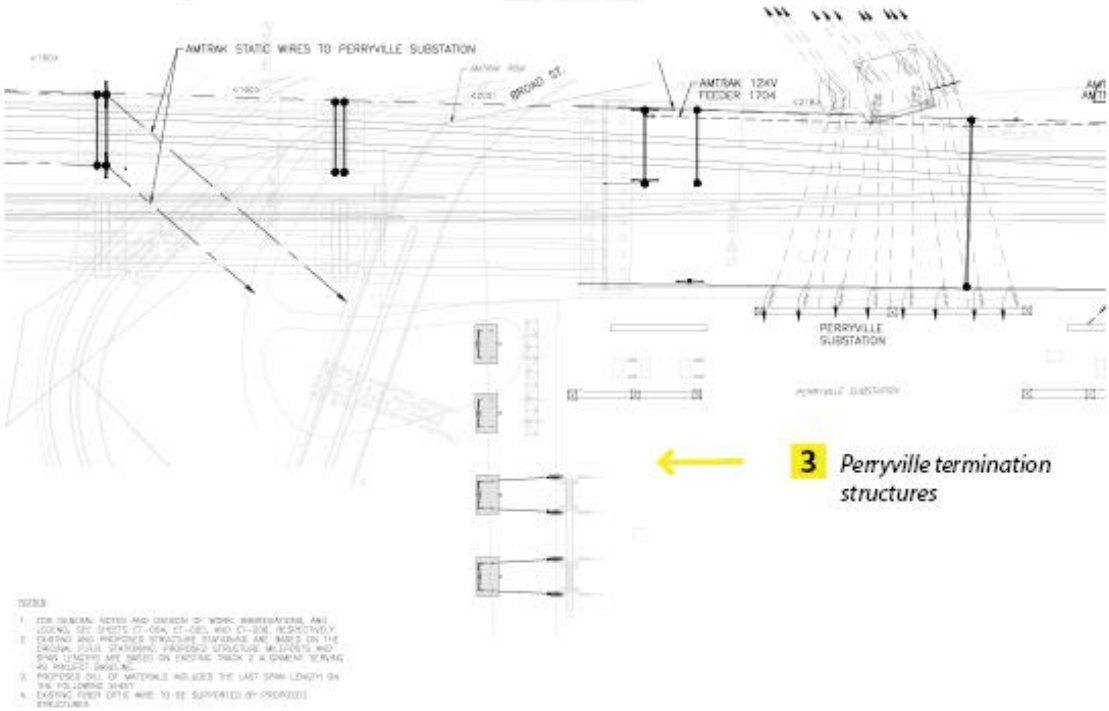
6



1 *Havre de Grace termination structures*



2 *Future site for additional termination structures as needed*



3 *Perryville termination structures*

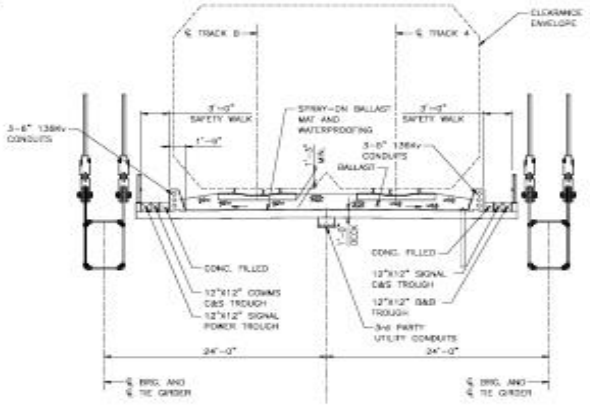
Susquehanna River Rail Bridge NEPA Re-evaluation

138kV Transmission Line Reroute

6

Ballast Retainer Wall Cross Sections

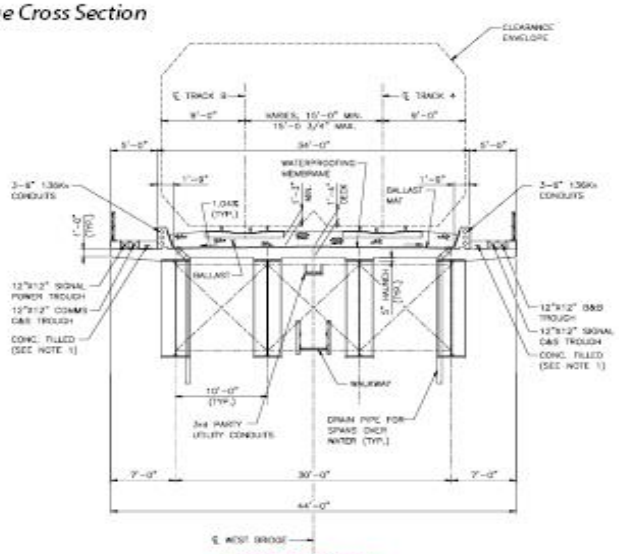
Approach Cross Section



Looking South / Up Station

NOTE 1: AT POINTS OF 138kv PULL BOXES CONCRETE AREA TO BE BOXED OUT TO PROVIDEACCESS. VOID TO BE COVER WITH AN ACCESS PANEL.

Bridge Cross Section



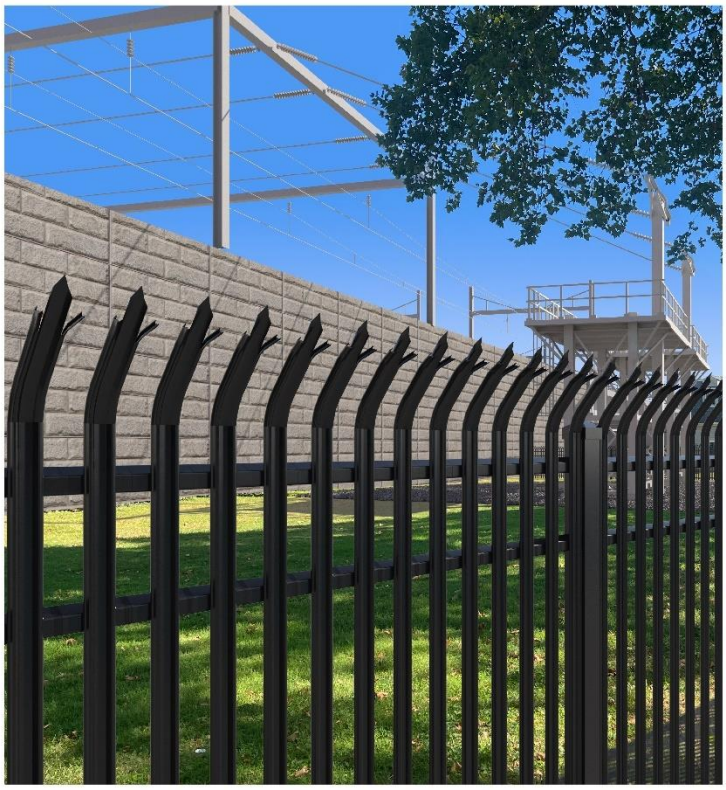
Looking South / Up Station

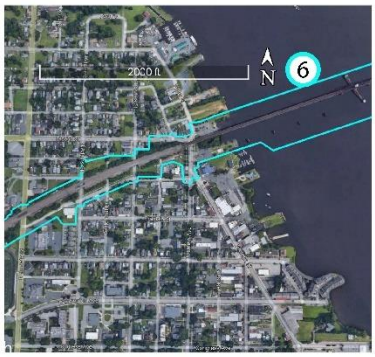
Susquehanna River Rail Bridge NEPA Re-evaluation

138kV Transmission Line Reroute

6

Termination Structure Renderings



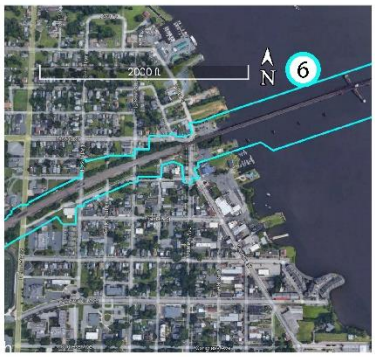


Susquehanna River Rail Bridge NEPA Re-evaluation

138kV Transmission Line Reroute

6

Overbuild



6.07 Lower Ferry Park & Pier Access, Perryville

The 2017 EA proposed the installation of several work platforms (temporary docks) for construction in shallow areas along the shoreline where barges would not be able to operate. One pier was to be located near Lower Ferry Park and Pier, which qualifies as both Section 4(f) and Section 6(f) property. The EA stated that this resource would not be adversely affected by the Project. However, as design has developed, demolition and construction activities of the rail bridge conducted from the finger pier would require a temporary use of a portion of this resource.

Lower Ferry Park and Pier is a 1.84-acre municipal park and recreational resource, which includes waterfront views, benches, decorative lighting, and 12 public boat slips along its pier on the Susquehanna River in Perryville. The park was developed using Maryland DNR Program Open Space (POS) funds, thus qualifying it as a Section 6(f) resource[2]; however, the pier was not. No Section 6(f) evaluation is required for this resource as there would be no acquisition and conversion of land to a non-recreational use for this Section 6(f) resource.

The Town of Perryville obtained an easement from a private landowner in 2005 for a 28 feet wide ROW to establish a walkway from the shore to connect the pier to the Town's public property. Public access between the Lower Ferry Park and Pier is via this private property easement as shown on the figure in the attachment. Per the terms of the easement, the easement is in effect as long as the Town maintains the pier. The pier is accessible by water using the slips and by land via the easement. Land access to Lower Ferry Park is available from all directions.

The temporary finger pier, which would be built on piles or a causeway with an estimated 495 feet in length over the river, would be located approximately 40 feet to the east of Lower Ferry Pier. The 2017 EA disclosed that the finger pier would be 50 feet from the Lower Ferry Pier to accommodate demolition activities of the existing bridge and construction activities in building the West bridge. The Project would not require permanent or temporary occupancy of the park, pier, or easement. Due to safety concerns during construction activities, project engineers recommend the temporary closure of the six slips on the east side of the pier. During Project construction, there would be no access restrictions to Lower Ferry Park and the easement, as well as land access to the pier. However, there would be access restrictions to one of two water access points for Lower Ferry Pier. For the six southern (bridge-side) slips, there would be temporary water access restrictions for safety reasons; however, the six northern slips would remain open and operational for public use throughout construction, so water access from the northern direction would be maintained.

Amtrak completed a Section 4(f) analysis for FRA to determine whether a Section 4(f) use occurs (see attachment). A Section 4(f) use occurs when: (1) land is permanently incorporated into a transportation project; (2), there is a temporary occupancy of land that is adverse; or (3) there is a constructive use which is defined as "a project's proximity impacts are so severe that the protected activities, features or attributes of a property are substantially impaired". For publicly owned public parks, recreation areas, and wildlife and

[2] In Maryland, some parks and recreational facilities have been funded through DNR Program Open Space (POS), established in 1969. Although POS is not part of the LWCF, the two programs work in parallel to protect the recreational areas they fund, and the two carry similar requirements for conversions of use. The conversion of land acquired or developed using POS funding requires the written approval of the Secretary of DNR, the Secretary of the Department of Budget and Management, and the Secretary of the Department of Planning. Funding for POS is made available to local communities through the Outdoor Recreation Land Loan of 1969 and through the LWCF of the USDOI (FRA 2017; p. 10-1).

waterfowl refuges, a *de minimis* impact is one that will not adversely affect the activities, features, or attributes of the Section 4(f) property.

The Project would not result in changes in landownership or adverse changes to the activities, features, or attributes of the boat slips. This temporary restriction would not be adverse and would be to maintain safety during construction. The temporary access restriction would not result in a substantial impairment to the use or enjoyment of the pier. Boats would still be able to dock on the northern slips and access would remain to the park and other amenities on the shore. There would be no physical changes to the pier and no adverse effects to the Lower Ferry Park and Pier.

As part of a *de minimis* determination, the public must be afforded an opportunity to review and comment on the efforts of the Project on the Section 4(f) resource and the officials with jurisdiction over the property must be informed of USDOT's intent to make the *de minimis* impact determination and provide written concurrence.

Amtrak and the Town of Perryville met on June 12, 2023 to discuss the Section 4(f) impacts to Lower Ferry Park and Pier. Amtrak presented a finding of a *de minimis* impact letter to the Town of Perryville. George Patchell, Town Administrator, noted the letter would need to be reviewed and voted on by the Town Commissioners at their next meeting before signature. After the Town Commissioners meeting on June 20, 2023, Mr. Patchell notified Amtrak that the letter would need to be voted on during a public meeting pursuant to Town regulations. On Thursday July 6, 2023, the Town of Perryville hosted a public meeting and presented the Section 4(f) letter. On July 7, 2023, the Town of Perryville provided a signed copy of the letter concurring with the *de minimis* impact.

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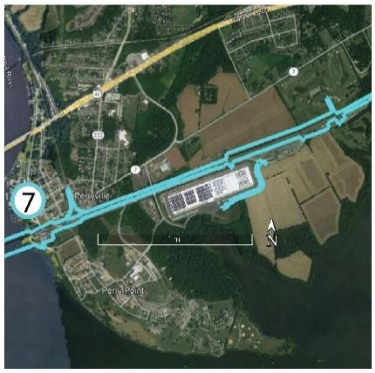
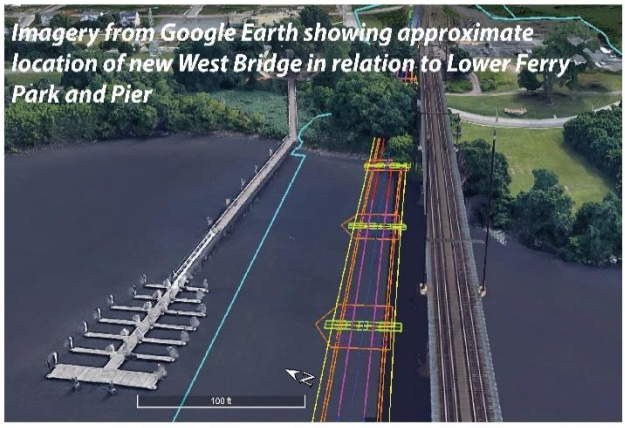
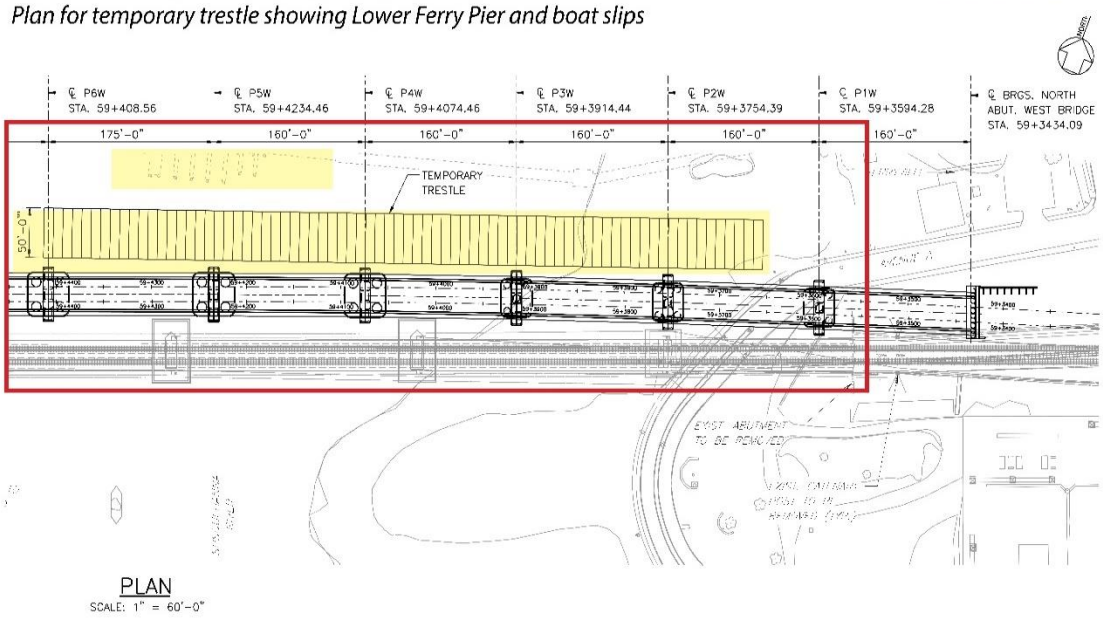
Lower Ferry Park and Pier Access





Plan for temporary trestle showing Lower Ferry Pier and boat slips



Susquehanna River Rail Bridge NEPA Re-evaluation

6.08 Baltimore Gas & Electric (BGE) Tower Demolition & Replacement, Perryville

In the original design, any modifications to the BGE Tower were not part of the scope; however, as the Project has progressed since 2017, this 1970s-era, 109-foot utility tower would be demolished and replaced. The lattice utility tower, which is located within the railroad ROW, near Broad Street and the Rodgers Tavern in Perryville, would be dismantled due to an inability to maintain clearance between the retaining wall and track during Phase 1 of construction, which shifts the tracks slightly westward towards Broad Street.

The tower is an important element within the ROW as it supplies direct power from the utility BGE to the Amtrak Perryville Substation for distribution along this portion of the NEC. The existing tower would be replaced by two monopoles, each approximately 120 feet in height, with one on the current site and the other adjacent to it along the ROW. The monopoles would be designed by BGE in conjunction with Amtrak.

The BGE Tower was built in the 1970s and is near 50 years in age. As such, it will be the subject of a determination of eligibility to determine eligibility as part of the Section 106 process outlined in the PA. in accordance with the PA. As described above in Section 6.01, the Section 106 process is ongoing and should it be determined that the tower is a historic property, the Project's effect on the structure will be evaluated according to the stipulations of the PA.

Because the demolition and replacement were not part of the original design, the impacts of this action on the nearby NR-listed Rodgers Tavern, which is located across Broad Street, have not been evaluated. Per the stipulations in the existing Section 106 PA, the potential effect would be determined during future FRA/MHT consultation. However, for the purposes of this re-evaluation, this action would potentially provide an aesthetic benefit to the Rodgers Tavern viewshed with reduced visual footprint with the two monopoles as replacement.

No environmental resources are within or near the proposed Project. However, disturbances caused by the demolition of existing tower and replacement with monopoles may require Critical Area approval.

BGE Tower Demolition & Replacement

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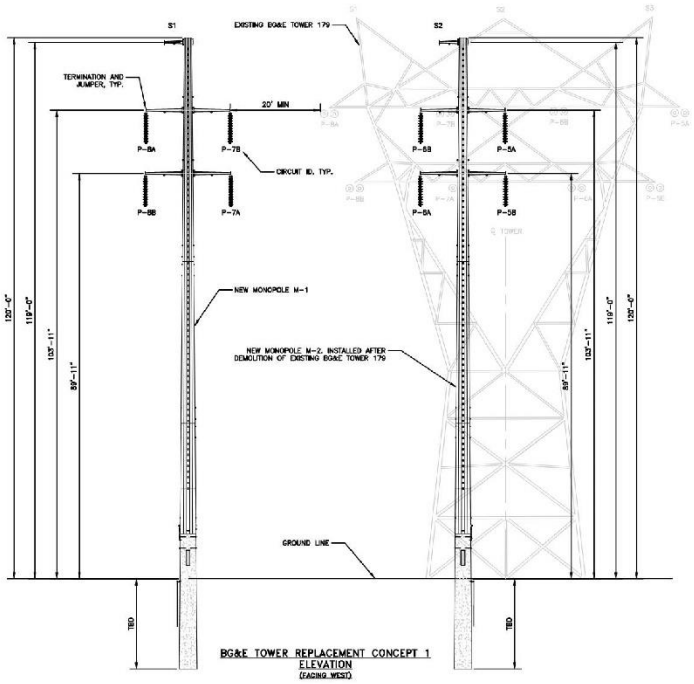
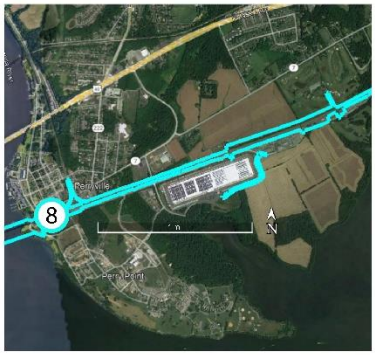
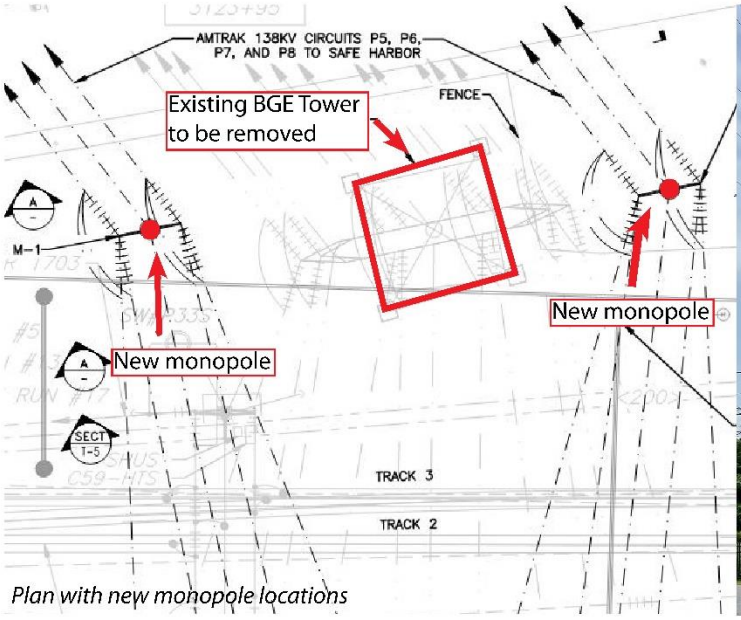


Monopole spec showing size comparison to BGE tower



BGE Tower Existing Conditions with Substation



Plan with new monopole locations

BGE Tower Existing Conditions View from Rodger's Tavern

Susquehanna River Rail Bridge NEPA Re-evaluation

6.09 Perry Interlocking Tower Relocation, Perryville

In the Draft Section 4(f) Evaluation chapter of the 2017 EA, it stated Alternative 9A would require the demolition or removal of the Perry Interlocking Tower. As part of the PA, there was a recommendation for relocation, rather than demolition. As project design has developed, the interlocking tower building—located within the Perryville Station complex on the east side of the main line, adjacent to the western leg of the Port Road Branch—would remain structurally intact and proposed to be moved approximately 35 feet east of its current location.

The move is required to accommodate the relocation and modification of signal equipment north of Undergrade Bridge 59.52, as well as the construction of new track alignments—needed for the four-track approach of the planned East bridge. While the main structure of the building would be relocated, the basement—which includes Amtrak and various third-party copper/fiber cables—and foundation would remain in place and be demolished before the ROW expansion and signal work. Per PA Stipulation V.E.c, the tower will be recorded through HAER Level II documentation prior to relocation and demolition of the foundation.

The two-story brick building—which was constructed in the 1940s with elements dating to 1905—sits on a concrete foundation, rectangular in plan, and contains a broad, pyramidal hip roof with slate shingles. The tower is currently unoccupied, with miscellaneous equipment remaining in disuse, including a switch machine, switch board, power board, and relays. The tower and its functions are obsolete for the modern railroad, as the interlockings are controlled from a remote location. When the tower was in operation it controlled the movement of trains in and out of the Port Road Branch (the Wye currently used for freight), as well as trains passing through the Prince Interlocking (formerly Principio) to the north on what is the current NEC ROW.

The Perry Interlocking Tower is a contributing resource to the rail station's historic significance and moving this building would have an adverse effect. Mitigation stipulations outlined in the PA include a relocation plan, as well as Amtrak preparing a HAER, to document the tower's historical and architectural significance to the Perryville Station complex and the Pennsylvania Railroad. Development of the relocation plan and subsequent approval is ongoing. As described above in Section 6.01, the Section 106 process is ongoing and project refinements are being addressed according to the stipulations of the PA. Amtrak will submit the annual report in January 2023, and coordination with the PA consulting parties will commence. Prior to building relocation and subsequent demolition of the remainder of the foundation, an asbestos survey would be conducted for potential contamination in the boiler room and a lead survey for the battery storage room, both of which are in the basement. Removal and abatement would be performed according to contract specifications.

Perry Interlocking Tower Relocation

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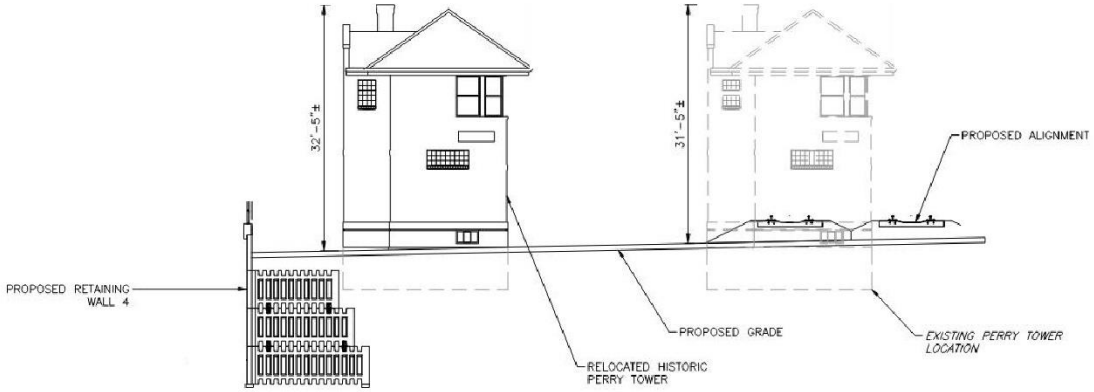
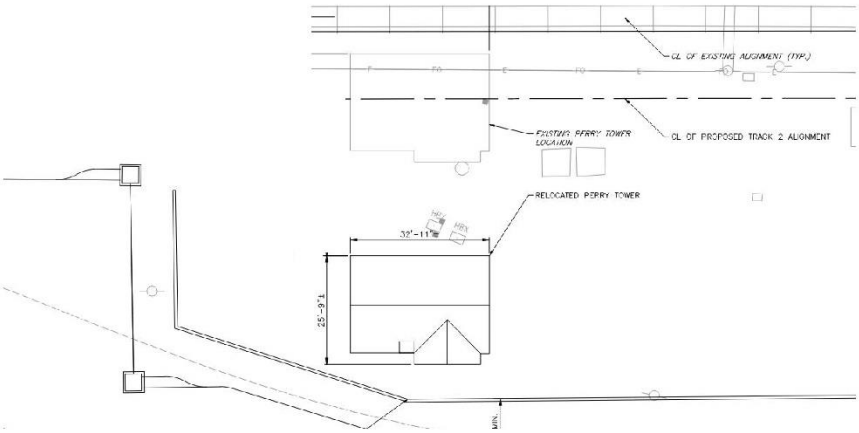
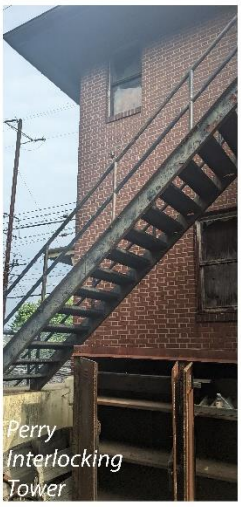
Relocation Plan







Susquehanna River Rail Bridge NEPA Re-evaluation

6.10 Ikea Way Extension, Perryville

A. Amtrak Access Undergrade Bridge Closure

As disclosed in the 2017 EA, the undergrade bridge at MP 59.52 (UG 59.52, see photo below) is to be permanently closed due to the ROW expansion and trackwork realignment on the adjacent, freight-only Perryville Wye, used by NS. The closure of UG 59.52, which is the delivery entrance for the Amtrak Perryville Maintenance of Way (MOW) Base, necessitates a new entry point to the access road, as there would be no way for truck traffic on the western side of the ROW to reach the eastern side, where the Amtrak MOW facility is located (see page 50 for Truck Route to Amtrak MOW Facility figure).

There are 20 daily weekday trips for delivery trucks from 7 am to 3 pm, with an additional 70 trips every six weeks for double-axle trucks to deliver ballast material to the facility over a two-day period. Trucks have very few options to cross the main rail ROW to reach the Amtrak Access Road –the primary access road for the maintenance facility. Keeping UG 59.52 open was not feasible with its existing structural configuration. Other rail bridge underpasses on Broad Street are severely height restricted and require trucks to navigate through Perryville residential streets and the local business district.

The Town of Perryville has voiced concerns about the existing traffic pattern for accessing the Amtrak maintenance facility, as it requires large trucks to drive through the town along Roundhouse Drive to the current delivery entrance off Front Street/ Broad Street. At present, trucks going to and from the facility are required to use Broad Street via UG 59.52 and other downtown arterials to access Maryland State Highway 7 and U.S. Highway 40.

B. Original Plan: Amtrak Access Road Extension to Avenue A

As part of the original design this new access road was proposed to be extended around the Perryville substation perimeter to join a realigned Avenue A. This would require truck traffic to use Avenue A (which is a private access road for the Perry Point Veterans Administration (VA) Medical Center entrance), navigate residential streets through the town, and link with Broad Street at the edge of the downtown Perryville business district.

Broad Street turns into Avenue A as it crosses under the rail ROW and becomes the VA entrance. With the new West and East rail bridges, the planned abutments would be set significantly further back from the Susquehanna River, with accompanying new pier configurations supporting the bridge spans. Consequently, the original design calls for Broad Street to meet Avenue A with a slight realignment to the north between the new abutments and piers at the reconstructed. The Broad Street at Avenue A realignment remains unaltered in the updated design.

However, since the 2017 FONSI, it was determined that the updated design would not extend the Amtrak Access Road to meet Avenue A due to truck traffic concerns from both Perryville and VA officials, the difficulty for trucks making the turn under the Broad Street undergrade bridge, and the phasing schedule constraints that require both bridge abutments to be built before the realignment could proceed.

C. Ikea Way Extension Alternative

As design has progressed, it has been determined that by extending Ikea Way—which currently serves as a feeder road to and terminates at the Ikea Distribution Facility in Perryville—through adjacent farmland, is the best alternative to be the new connector road to the nearby Amtrak maintenance facility. The extension—which is approximately a half mile in length (2,575 feet)—would be an ingress and egress access easement and allow a direct route to the Amtrak facility traffic to the rail ROW overpass that leads directly to Coudon Road (Maryland State Highway 7), en route to U.S. Highway 40. This is the route currently used by Ikea truck traffic in and out of their distribution facility. By using Ikea Way as the main ingress and egress to the Amtrak maintenance facility, large trucks can avoid the downtown streets and gain access directly from the highway, offering a significant benefit to the Perryville community and Amtrak operations.

Although, the proposed Ikea Way extension to the Amtrak MOW facility is located on farmland directly adjacent to the Ikea distribution center. The property lies within the Town of Perryville municipal boundaries and is not considered prime agricultural farmland, as defined by the Maryland Agricultural Land Preservation Foundation. .

With respect to natural resource impacts, there is a visible drainage swale within the agricultural field where the extended road is planned. Soils in that area are mapped as hydric, though neither DNR nor the National Wetlands Inventory wetlands maps indicate the potential presence of wetlands in this location. Also, since the farm fields appear to have been present on aerial photography at least back to 1985, if wetlands had been present, they would now be considered prior converted farmland because the fields have remained as active farmland since 1985. There may be an ephemeral channel crossing which would need to be permitted by the USACE but for which no mitigation would be required. MDE does not regulate ephemeral channels and any coordination with USACE will be conducted as part of the overall Section 404 permitting process. If this is categorized as a minor wetland fill, the action could be permitted under the new MDGPSP-6 general permit as a Category A Linear Project, whereby total temporary and

permanent wetland/waters disturbance would be no more than 5,000 square feet and no more than 200 linear feet of stream.

The Perryville Truck Route Study was undertaken to show the existing and proposed truck routes through the Town of Perryville (see figure on page 51). The study evaluated three routes: the existing route, the route included in the 30% design submission, and the new proposed Ikea Way route. The truck route figure also shows photographic evidence of the operational challenges for trucks and highlights the resulting impact to Perryville roads along the truck route.

The updated proposed route via an Ikea Way extension would bypass downtown Perryville to connect with nearby Maryland State Highway 7 and U.S. Highway 40. The design change provides a different point of access for freight and delivery trucks that would need frequent access to the Amtrak facility, as well as a community benefit compared to the previous Access Road layout presented in the EA, which still relied on usage of Broad Street and Roundhouse Drive for commercial traffic flow.

This change would be beneficial for Perryville, as it would alleviate facility-generated truck traffic through its downtown business district and residential corridors, which are currently being used as main thoroughfares to access U.S. Highway 40.

For impacts to forests, site work would require DNR Forestry Division approval of NRI/FSD and FCP. Critical Area approval for impacts to trees and tree clusters within the Critical Area may also be needed.

MDE Non-tidal Wetland and Waterway Construction Permit would be required due to impacts to the 100-year floodplain.

The Project has the potential to impact intact archaeological sites. This expansion of the APE would be investigated through a Phase IA and IB archaeological study to identify archaeological sites. Should any sites be identified that are potentially eligible for the NR, Phase II testing will be performed. If the site is determined eligible, an avoidance analysis and mitigation will be performed if avoidance is not possible, per the PA (Stipulation IV). As described above in Section 6.01, the Section 106 process is ongoing and project refinements are being addressed according to the stipulations of the PA. The annual report was submitted in January 2023 and coordination with the PA consulting parties is ongoing.

Ikea Way Extension

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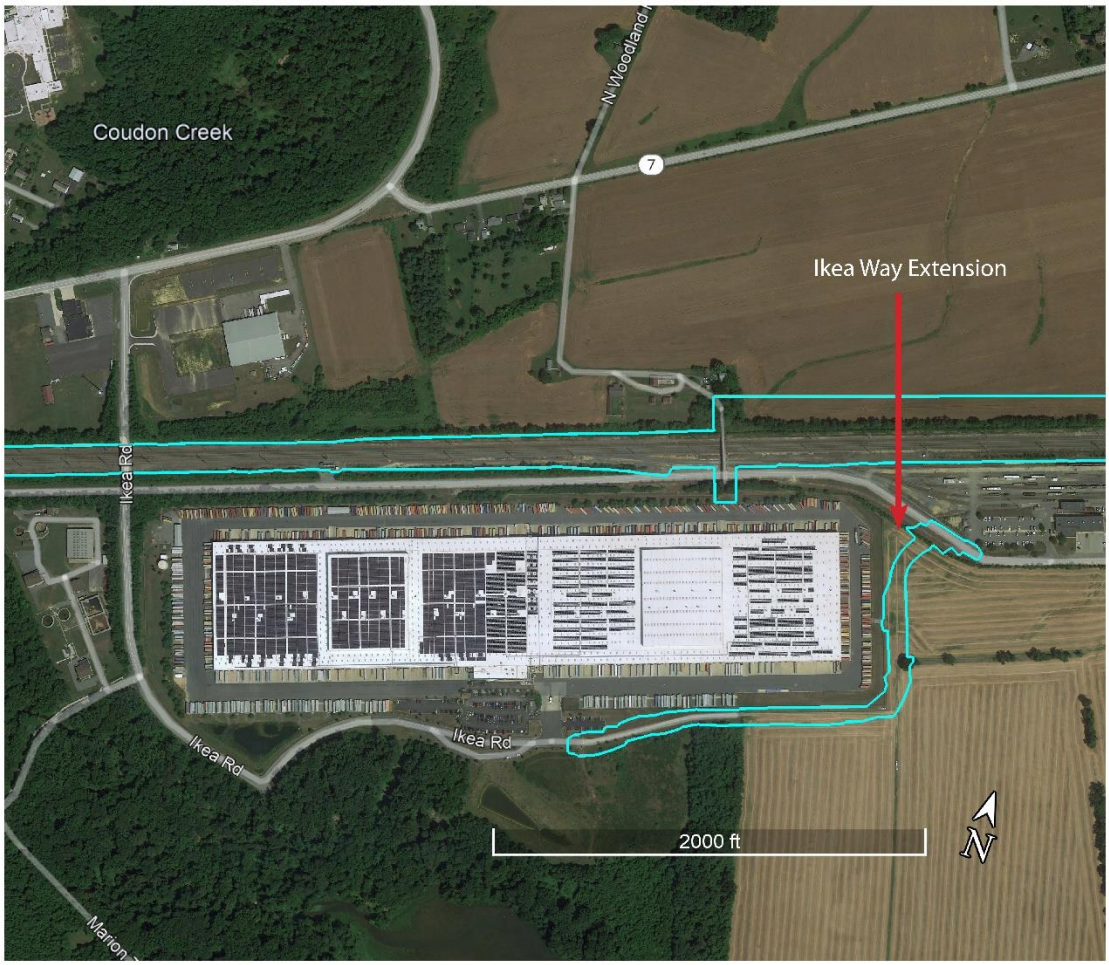
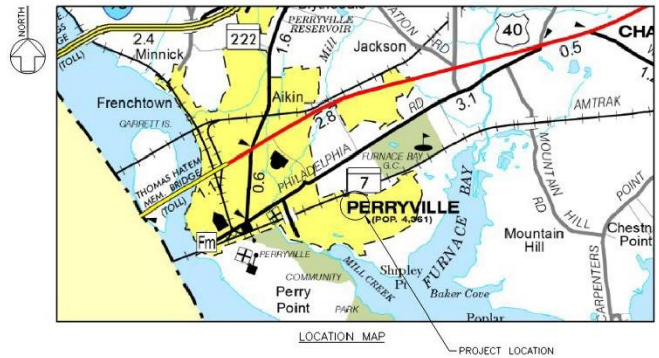


Susquehanna River Rail Bridge NEPA Re-evaluation

Ikea Way Extension

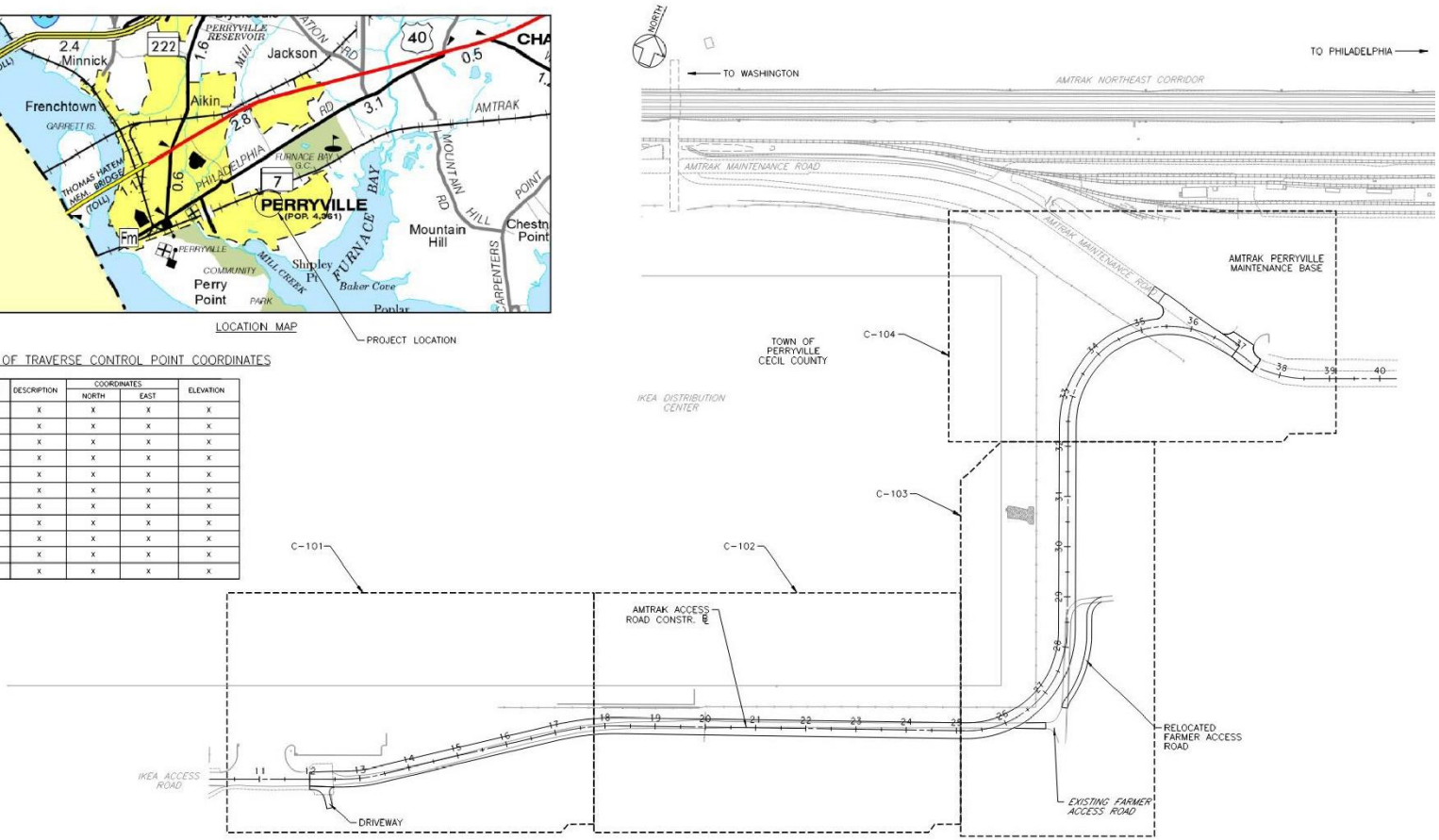
10

Access Road Key Plan



SUMMARY OF TRAVERSE CONTROL POINT COORDINATES

POINT	DESCRIPTION	COORDINATES		ELEVATION
		NORTH	EAST	
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x
x	x	x	x	x



Ikea Way Extension

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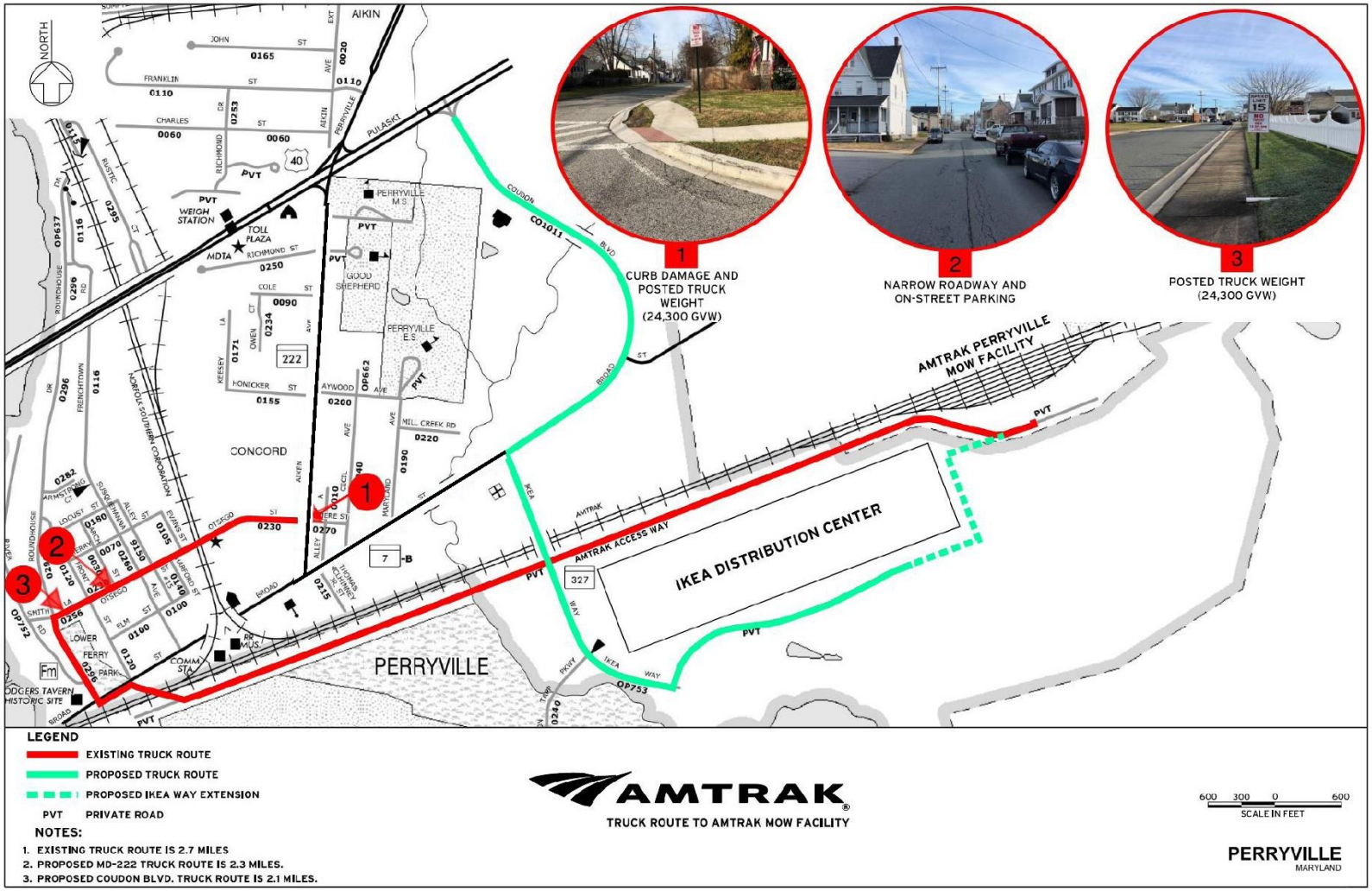
Typical truck route through Perryville and potential reroute to Amtrak MOW Facility



6.11 Overhead (O.H.) Bridge Demolitions: O.H. 58.34 & O.H. 57.85/ Ballast Wash System Replacement, Perryville

These two overhead bridges spanning across the ROW are abandoned and have reached the end of their useful life. The EA stated there could be changes to the overhead bridges and post-EA Design now calls for the removal of the bridges, along with the replacement of a ballast wash system—which is currently attached to the span of O.H. 58.34 (see accompanying figure below).

In the northern Perryville rail bridge approaches, the proposed tracks are built on wider track centers that interfere with the piers at these two abandoned bridges. To accommodate the new expanded track ROW and train clearance, O.H. 57.85 and O.H. 58.34 would be demolished and removed prior to the final track construction. Bridge O.H. 58.34, which currently supports the Track 4 OCS wires, also supports bridge-mounted phase break indicator signals that must be relocated before demolition. Neither overhead bridge is of historic significance.

The ballast wash—currently located over the MOW track and attached to O.H. 58.34—is used to remove fine material from ballast prior to its use in track construction or maintenance. With the overhead bridge removal, a new sprinkler system and gantry, along with a new water and spoil collection system would be installed on Amtrak's MOW tracks north of the existing location (see page 53 for accompanying graphic).

Neither bridge is NR-listed or eligible for NR listing per the architectural studies completed at the time of the 2017 EA. There is no anticipated archaeological concern, as no subsurface disturbances are planned. The bridge demolitions may need construction easements on private property for site access to the abandoned overpasses —which were not disclosed in the EA regardless of rehab or removal. Easements may include agricultural lands that are within the Woodlands Farm Historic District. In compliance with Stipulation VII of the existing Section 106 PA, the effect on the Historic District will be determined in consultation with FRA, MHT, and the Section 106 consulting parties. A Section 4(f) evaluation for this resource is ongoing and will be completed upon determination of effects under Stipulation VII of the existing Section 106 PA and will be assessed in a future re-evaluation.

These demolitions would have no impacts to wetland/waters resources. Narrow, linear forest stands are currently shown outside of the limits of disturbance (LOD) and would also not be impacted. If the LOD for access would need to be enlarged, minor impacts to these linear forest resources may occur. Potential impacts to forest resources may require DNR Forestry Division approval of NRI/FSD and FCP, as well as are regulated under the state Roadside Tree Law and the state Forest Conservation Act, as the area lies outside of the Chesapeake Bay Critical Area. Minor reforestation may be needed but would depend upon completion of the forest conservation worksheet.

Overhead Bridge Demolitions: OH 58.34 & OH 57.85/ Ballast Wash System Replacement

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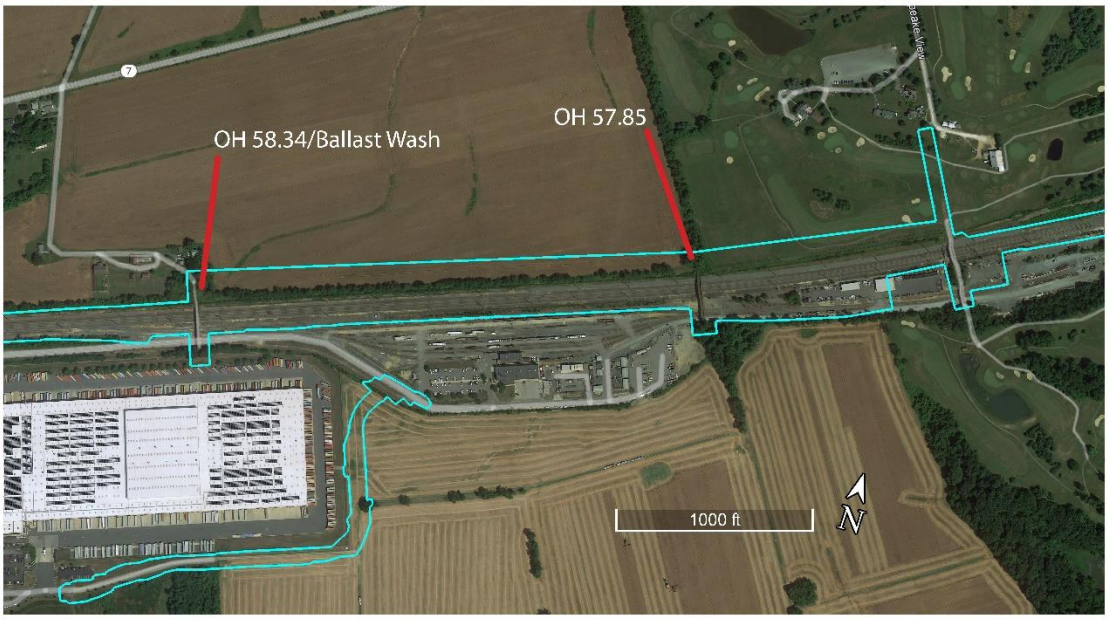
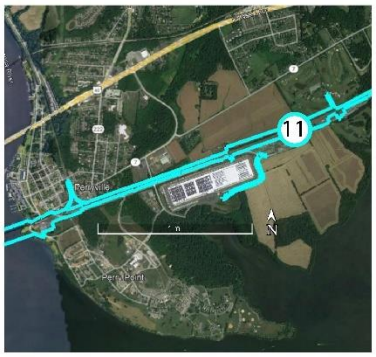


Existing conditions

Susquehanna River Rail Bridge NEPA Re-evaluation

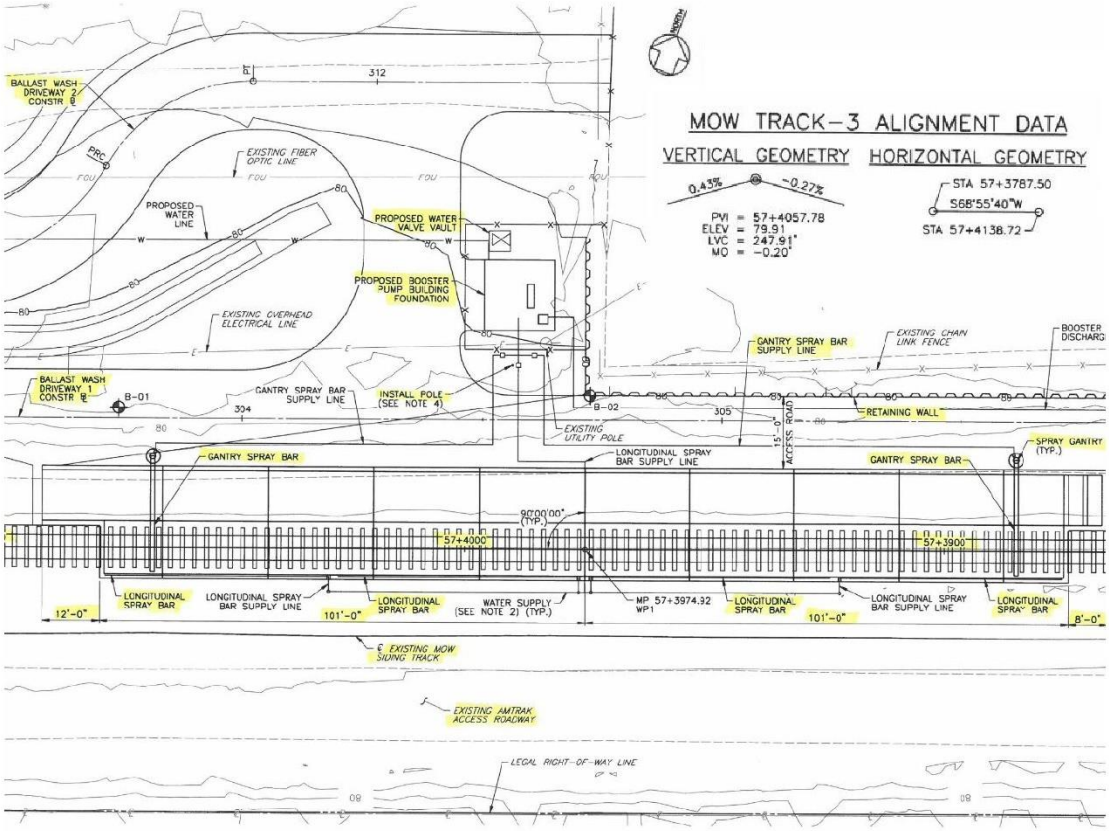
Ballast Wash System Replacement

11



NOTES:

1. SEE ELECTRICAL PLANS FOR LOCATION OF THE ELECTRICAL LINES.
2. SEE PLUMBING PLANS FOR SPRAY BARS AND SPRAY BAR SUPPLY LINES INFORMATION.
3. SEE E&S PLANS FOR DRAINAGE DETAILS AND OIL GRIT SEPARATOR.
4. INSTALL 3" DIAMETER POLE 4'-0" ABOVE GROUND FOR ELECTRICAL SWITCH. USE FENCE POST DETAIL FOR INSTALLATION. SEE CIVIL PLANS FOR FENCING DETAILS. SEE ELECTRICAL PLANS FOR SWITCH INFORMATION.



6.12 Overhead Bridge Rebuild: O.H. 57.60 (Golf Cart Path), Perryville

The 2017 EA stated the Project could require changes to this overhead bridge on Chesapeake View Road to accommodate the new track profile and train clearance. However, no specific details were disclosed, including construction access routes and any potential effects from temporarily restricting access to a portion of the Furnace Bay Golf Course.

To accommodate the track alignment reconfiguration, this overpass would need to be replaced to provide vertical clearances for freight traffic. The overpass serves as a golf cart path connecting the course at the privately owned, publicly accessible golf course. The cart path crosses the ROW by way of two existing truss bridges, with the western truss bridge slated to be rebuilt with an additional 3-6 feet for proper clearance (see accompanying figure below).

The 18-hole Furnace Bay course currently has Holes 2-6 located on the easterly side of the rail ROW, which is accessible by golf carts via O.H. 57.60. This proposed course segmentation would render this section cut off to the main portion of the course—Holes 1, and 7-18, the clubhouse, and parking facilities—while the overhead bridge is being replaced in conjunction with the track work.

Post-FONSI, HNTB had an August 2017 meeting with the Furnace Bay Golf Course owners to inform them about the Project and its potential effects on their business. The owners indicated their plan to continuously operate the golf course during construction even without Holes 2-6. Bridge removal would affect privately owned utilities that serve the golf course and would be replaced as part of the overall Project.

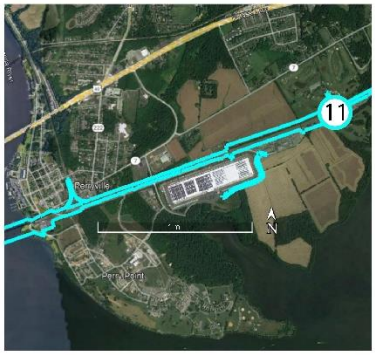
The overhead bridge has been determined to be not eligible for the NR by the MHT. The area would be examined for archaeological potential during the upcoming technical studies.

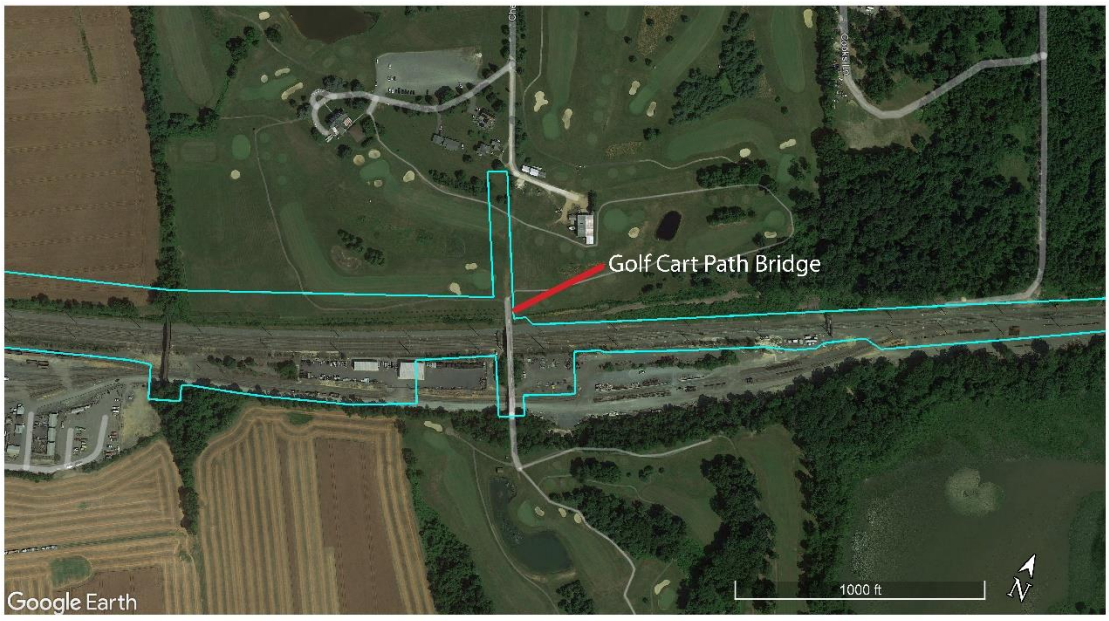
No parks would be impacted, but there would be a temporary effect to the privately owned golf course, as described above. Although this facility is open to the public, it is privately owned, and therefore, would not require a Section 4(f) review as part of the NEPA Re-evaluation.

There are no wetland/waters impacts, but possibly minor forest impacts outside the Critical Area. Narrow, linear forest stands are located adjacent to the proposed Project outside of the LOD and would also not be impacted. If the LOD for access would need to be enlarged, minor impacts to these linear forest resources may occur and DNR Forestry Division will have to approve an NRI/FSD and Forest Conservation Plan for any forest impacts. The impacts would be regulated under the state Roadside Tree Law and the state Forest Conservation Act, as the area lies outside the Critical Area. Minor reforestation may be needed but would depend upon completion of the forest conservation worksheet.

12

Overhead Bridge Rebuild: OH 57.60 (Golf Cart Path)





Susquehanna River Rail Bridge NEPA Re-evaluation

6.13 Removal of Remnant Bridge Piers

Ten remnant piers from an 1866 railroad bridge remain in the Susquehanna River, approximately 120 feet east of the current Amtrak Susquehanna River Rail Bridge. These piers pose a navigational hazard to mariners and the removal of these piers was included as part of the overall Project, as examined in the 2017 EA. The removal of these remnant piers remains unchanged from what was proposed in the EA in terms of construction, potential environmental effects, and permitting and coordination requirements. However, it is now proposed that the remnant piers are to be removed as part of an Early Action Project under its own permitting process. Early Action Projects are enabling component projects within the project area to ease constructability sequencing for the Project.

The remaining 10 (of an original 12) in-water remnant piers were from the Philadelphia, Wilmington, and Baltimore Railroad Bridge (PW&B), which began construction in 1862 and was completed in 1866. The Pennsylvania Railroad gained control of the bridge in 1881, and later constructed a new bridge between 1904 and 1906, which is the current Susquehanna River Rail Bridge. In 1906 the PW&B Bridge was closed to rail traffic and eventually converted into a vehicular bridge. The State Highway Commission bought it in 1926 and closed it in 1940. The bridge was dismantled and sold for scrap iron in 1943, but the stone and concrete piers were left intact. Since that time two piers, located closest to the navigational channel, have been removed.

The remnant piers are owned by the Maryland State Highway Association, noted in the 1977 State Historic Sites Survey by MHT for inventory of the remnant piers (FONSI Appendix F p. 62/200). The survey describes the piers, their material, size, location, and construction method. It also includes a statement of significance which was conducted via an interview of residents in 1971. In 2007, the pilings were determined not eligible for listing on the National Register by MHT: “The granite pilings, located approximately 120 feet south of the Susquehanna River Rail Bridge, were left intact. These were determined not eligible for listing on the NR by MHT in 2007,” (Section 106 Effects Assessment p. 59/233).

A pre-application meeting was held on September 22nd, 2022, with the USACE and MDE to discuss the proposed Pier Removal project, required permits, potential Time of Year (TOY) restrictions, and possible construction methods and engineering controls to avoid and/or minimize any adverse effects. A Joint Permit Application (JPA)--distinct from the larger bridge replacement project—was submitted on October 14th, 2022, and the project was discussed with all relevant resource agencies at the monthly Joint Evaluation Committee meeting on October 26th. An additional meeting was held with MDE’s DNR and the National Marine Fisheries (NMFS) on November 14th, 2022 to further refine the TOY restrictions to minimize adverse effects on RTE species and Submerged Aquatic Vegetation. On November 23rd,2022 letters of notification were mailed to all adjacent property owners as in compliance with the JPA requirements. This was followed with another presentation at the November 2022 Joint Evaluation Monthly Meeting to confirm the team’s understanding of the DNR and NMFS conditions discussed at the November 14th meeting. The joint permit application was submitted on December 13th, 2022, with a Public Notice published in 2023 for public comment.
Approval for the JPA permit was authorized in March 2023 by USACE and MDE. All ESA requirements will be met through coordination efforts associated with the JPA process and the General Permit for the project. Removal of the remnant piers is anticipated for Summer 2024.

13

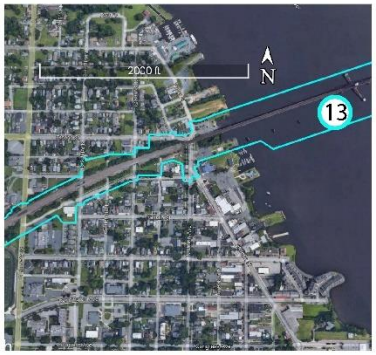
Remnant Pier Removal

LEGEND

- LOD — LIMIT OF DISTURBANCE
- TURBIDITY CURTAIN
- CD — COFFERDAM
- UNDERWATER ARCHAEOLOGY EXCLUSION ZONE
- SUBMERGED AQUATIC VEGETATION
- WETLAND

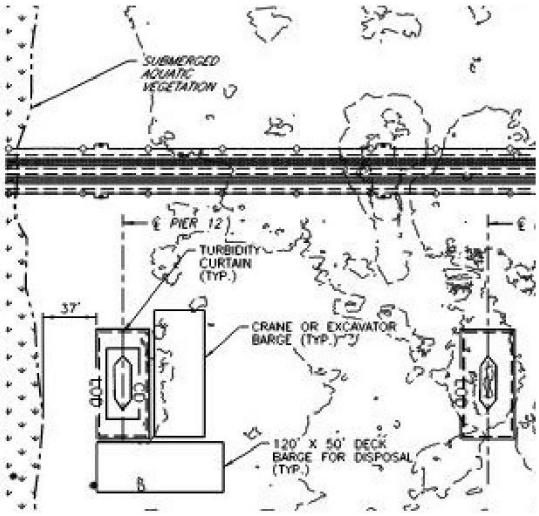
NOTES:

1. REMNANT BRIDGE PIERS TO BE REMOVED TO 2.0' BELOW MUDLINE. WHERE THE BEDROCK IS 2.0' OR LESS BELOW MUDLINE, REMOVE REMNANT BRIDGE PIERS TO BEDROCK ELEVATION.
2. PIER DEMOLITION TO BE PERFORMED IN ACCORDANCE WITH ENVIRONMENTAL PERMIT REQUIREMENTS.

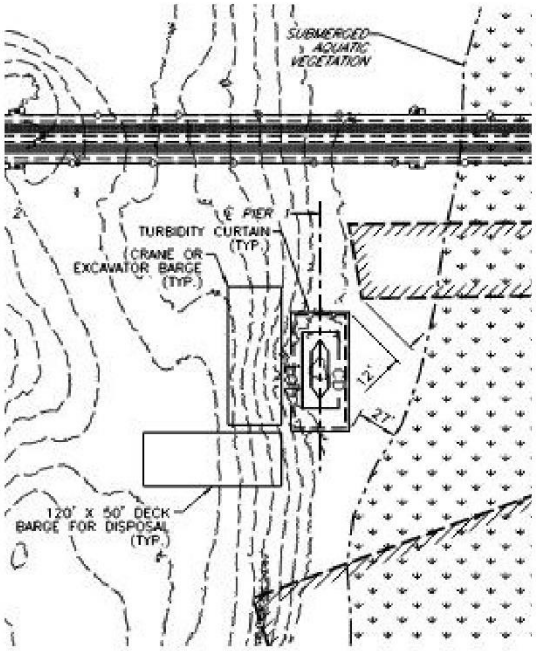


Excerpt showing proposed removal of Piers 1 and 12 closest to each shoreline.

Pier 12



Pier 1



SUGGESTED DEMOLITION SEQUENCE

1. REFER TO TIME OF YEAR (T.O.Y.) RESTRICTIONS TABLE ON PLT-001 FOR ALLOWABLE WORK PERIODS. DO NOT INSTALL TURBIDITY CURTAINS OR COFFERDAMS OR PERFORM WORK DURING T.O.Y. RESTRICTIONS.
2. BARGES TO BE POSITIONED AS FAR FROM NAVIGATION CHANNEL AND SENSITIVE ENVIRONMENTAL AREAS AS POSSIBLE. BARGES TO BE ORIENTED TO LIMIT DEBRIS FROM FALLING INTO THE RIVER.
3. ANY DEBRIS THAT FALLS INTO WATER MUST BE IMMEDIATELY AND COMPLETELY REMOVED.
4. ENSURE TURBIDITY CURTAINS AND COFFERDAMS IN PLACE AND PROVIDING CONTINUOUS PROTECTION OF THE WATERCOURSE PRIOR TO COMMENCING WORK.
5. EXCAVATOR TO HAMMER PIER FROM TOP DOWN.
6. DEBRIS TO BE COLLECTED ONTO THE BARGE AND DISPOSED OF IN ACCORDANCE WITH THE SPECIFICATIONS AND PERMIT REQUIREMENTS.
7. UNDERWATER STRUCTURE TO BE HAMMERED WITH EXCAVATOR AND DEBRIS SHALL BE MUCKED OUT ON BARGE.

Susquehanna River Rail Bridge NEPA Re-evaluation

7.00 Permitting & Environmental Commitments

The following permits were disclosed in the EA and applicable to elements of the Design Refinements, as well as any Early Action Projects not covered under this re-evaluation:

- **Section 404 (Clean Water Act) Joint Permit**—USACE/MDE—for the discharge of dredged or fill materials into waters of the U.S. (greater than 2000 linear feet), including wetlands (greater than 1 acre)
- **Section 10 Permit (Rivers and Harbors Act)**—USACE—for the construction of bridge structures over the navigable waters of the Susquehanna River
- **Section 9 Permit**—USCG—for construction of a new bridge over a navigable waterway
- **Section 401 Water Quality Certification**—MDE—in conjunction with Section 404 Joint Permit
- **Nontidal Wetland and Waterways Permit**—MDE—for impacts to nontidal wetlands and streams, including a 25-foot buffer surrounding the wetland
- **Waterway Construction Permit**—MDE—for work in streams and floodplains
- **Water Appropriation and Use Permit**—MDE—for water usage in construction activities
- **Tidal\Wetland License**—Maryland Board of Public Works—for impacts to tidal wetlands and waters associated with the Susquehanna River
- **National Pollution Discharge Elimination System (NPDES) Permit and Notice of Intent**—MDE—water pollution prevention

Updated Permitting Since EA Publication:

- **Maryland State Programmatic General Permit-6 (MDSPGP-6)**—revised permit (Oct 1, 2021) for all types of work in all waters, including wetlands.

Select Environmental Commitments:

Note, the mitigation, commitments, and minimization efforts as set forth in the FONSI Environmental Commitments remain in effect with no changes. In addition to ongoing agency coordination and targeted outreach—including a yearly summary report from Amtrak on PA commitments—the following are select project environmental commitments:

- **Historic & Cultural Resources**—MHT/MD SHPO Section 106 coordination; Phase 1B Archaeological Investigation; HABS/HAERS Documentation; Construction Protection Plan; Identify Salvageable Bridge Materials; NPS coordination on historic trails; *Secretary of the Interior's Standards for the Treatment of Historic Properties* adherence.
- **Natural Resources**—Forest Conservation Plan; Forest Delineation Plan; Federal Compensatory Mitigation Rule; Critical Area Coordination; Floodplain Mitigation Measures; NOAA Fisheries coordination on aquatic resources; RTE coordination with DNR, NOAA Fisheries, & USFWS.
- **Parks**—NPS coordination on Captain John Smith Chesapeake National Historic Trail, Star-Spangled Banner National Historic Trail, and the Washington-Rochambeau Revolutionary Route

National Historic Trail; Coordination with City of Havre de Grace for Heritage Park (former Jean S. Roberts Park) and David Craig Park, and Town of Perryville for Lower Ferry Park and Pier.

- **Construction**—Construction Health and Safety Plan; Construction Access Plan; Grading Plan; Erosion and Sediment Control Plan; Dust Control Plan; Unanticipated Discoveries Plan.
- **Hazardous Materials**—MDE Oil Control Program; Solid Waste Program; Waste Diversion Utilization Program; Brownfields Site Assessment and Voluntary Cleanup Program.

8.00 Summary of Environmental Considerations

Based on the Design Refinements set forth in the Re-evaluation, any post-EA and -FONSI environmental considerations are subject to the project permitting requirements and Environmental Commitments, as specified in the 2017 FONSI. These include any additional required mitigation for natural and cultural resources as determined through review and coordination with signatories and consulting parties, as well as modification to the existing PA as needed. Therefore, this Re-evaluation will serve as a supplement to the original EA and its May 2017 FONSI decision. The following subsections provide documentation of changes in impacts for resources affected by design refinements as part of the Re-evaluation. Effect determinations, environmental commitments, and mitigation for the remaining resources are as disclosed in the 2017 FONSI.

A. Transportation and Traffic

The Otsego Street reconfiguration was disclosed in the 2017 EA which included a detour to reconstruct the Otsego Street-Union Street alignment. The 2017 EA gave no timetable for this reconfiguration. As a part of the updated design, temporary roadway closures would be necessary for specific construction activities, such as during partial demolition of the existing abutment, pier construction, and beam erection. During these activities, traffic would be restricted to temporary lanes or otherwise detoured around the work area. Construction sequencing would continue to be developed to determine the length of closure and any potential effects on traffic and the community.

Closure to Otsego Street would constitute an adverse effect on the community. However, a 2022 study found that the proposed detour route would not have significant effects on traffic when compared to the baseline (non-detoured) conditions. The study will be submitted to MDOT for review and approval with any additional engineering controls, as well as Highway Access Permit submittal.

B. Cultural, Historic & Archaeological Resources

As described above in Section 6, there have been several DCRs that have the potential to affect cultural, historic, and archaeological resources. As detailed in Section 6.01, the Section 106 process is ongoing and project refinements are being addressed according to the stipulations of the PA. The annual report was submitted in December 2022 and coordination with the PA consulting parties is ongoing.

1. North Freedom Lane Undergrade Bridge Closure

The 2017 EA included analysis for an extension of the undergrade bridge. Design refinements determined that the underpass would be required as part of the project to facilitate staging and construction. The constructability requirements of the new ROW alignment would render the Freedom Lane tunnel obsolete and unrecognizable to its current form. The 2017 EA disclosed no anticipated adverse effects from the extension of the undergrade bridge. However, with design refinements, the tunnel would be permanently sealed—albeit, with recommendation from the City of Havre de Grace—thus constituting an additional adverse effect under Section 106. Additional review and coordination, including appropriate mitigation measures, will be undertaken with the signatories and consulting parties listed in the PA. Amtrak will refine an APE, conduct an architectural survey to identify NR-listed or -eligible historic properties, and prepare and submit one or more technical documents for FRA approval. Upon FRA's approval, Amtrak will carry out the approach and treatment measures.

2. 138kV Transmission Line Reroute

The 138kV transmission line reroute was not analyzed in the 2017 EA and is being analyzed as part of the Re-evaluation in which transmission power cables would be installed in the ballast retainer on the side of the bridge in lieu of overhead wires on the existing bridge. As part of the power line reroute, a cable termination structure is planned to be constructed on a parcel adjacent to the Amtrak ROW within the Havre de Grace Historic District. The introduction of a new, 36-foot-tall visual element, combined with the removal of adjacent vegetation, will be evaluated for effects in compliance with Section VII of the PA.

However, since it has been previously determined that the project in general would have an adverse effect on this resource, stipulations to mitigate the impacts have been set forth in the PA. Additional required mitigation tasks would be determined through consultation in accordance with Stipulation VII of the PA.

3. Overhead Bridge Demolitions: O.H. 58.34 & O.H. 57.85

Since the 2017 FONSI, the two overhead bridges (OH 57.85 and OH 58.34) spanning the ROW have been abandoned and reached the end of their useful life. Post EA design refinements call for the demolition of these bridges, which was not disclosed in the 2017 EA. The Re-evaluation analyzes the demolition and removal of these bridges to accommodate expanded track ROW and train clearance. Neither bridge is NR-listed or eligible for NR listing as disclosed in the 2017 EA. Demolition of the bridges may require temporary easements and potential property acquisitions for staging and construction vehicle access to the ROW. Easements may include access roads on the perimeter of agricultural lands that are within the Woodlands Farm Historic District. However, it is anticipated the project would have no adverse effect on this resource. The project effect would be coordinated with FRA,
MHT and the Section 106 consulting parties as stipulated in the PA.

C. Section 4(f) Evaluation

1. Lower Ferry Park & Pier

The 2017 EA disclosed that the project would not adversely affect Lower Ferry Park & Pier. The 2017 EA analyzed installation of the finger pier for the construction of the rail bridge. Design refinements include installation of a temporary finger pier approximately 40 feet east of Lower Ferry Pier. The proximity of the temporary finger pier to this Section 4(f) resource would likely present safety concerns, as the temporary pier would be utilized for demolition and construction activities. Therefore, project engineers recommend the temporary closure of the six slips on the southern (bridge-side) slips of the pier.

During construction, the public would continue to have access to the rest of the pier, including the six boat slips on the northern side of the pier. The Project would not result in changes in landownership or adverse changes to the activities, features, or attributes of the boat slips. Amtrak conducted a Section 4(f) analysis (see attachment) and received written concurrence from the Town of Perryville of the *de minimis* impact determination.

2. Woodlands Farm Historic District

The 2017 EA disclosed that the project would not adversely affect Woodland Farm Historic District. As described above under Section 9.B.3, a construction easement would be required for temporary access to the Amtrak ROW for demolitions of O.H. 58.34 & O.H. 57.85. Upon completion, the site would be restored to its original condition. Section 4(f) evaluation for this resource is ongoing and will be completed

upon determination of effects under Stipulation VII of the existing Section 106 PA and will be assessed in a future re-evaluation.

D. Section 6(f) Evaluation

The 2017 EA disclosed that the project would not adversely affect Lower Ferry Park & Pier, a Section 6(f) resource due to funding from the Maryland POS funds. As described above in Section 9.C.1, the 2017 EA analyzed installation of the finger pier for the construction of the rail bridge. The Re-evaluation includes analysis of design refinements including a temporary finger pier approximately 40 feet east of Lower Ferry Pier. These design refinements would not result in the acquisition or conversion of this Section 6(f) resource to a non-recreational use; therefore no Section 6(f) analysis is required.

E. Property Acquisitions & Temporary Easements

1. 138kV Transmission Line Reroute

The 2017 EA disclosed a partial taking of the vacant property (0.05 acre). As part of the 138kV Transmission Line Reroute, the full acquisition of the Lafayette parcel, approximately 0.4 acre, is needed for the location of the Havre de Grace termination structure. As disclosed in the 2017 EA, fair compensation and relocation assistance will be provided in accordance with the Uniform Act and all applicable Maryland State laws.

2. Ikea Way Extension

The 2017 EA disclosed that the Amtrak Access Road Undergrade Bridge 59.52 would be permanently closed due to new rail bridge abutment placement and would require a new access road for the Perryville Maintenance Base. As a part of design updates, Amtrak Access Road linkage with realigned Avenue A would not be extended due to truck traffic concerns.

As a part of this Re-evaluation, a new alternative extension to the Amtrak MOW facility, referred to as the IKEA Way Extension, would require a partial property acquisition. The extension would be approximately 2570 feet in length (approximately 1.94 acres) on a sliver of IKEA property adjacent to their distribution center. This would result in impacts to prime agricultural farmland, with crop loss limited to the footprint of the proposed extension ROW. Any loss of prime farmland would follow appropriate mitigation and compensation requirements from the State of Maryland and NRCS.

3. Overhead Bridge Demolitions: O.H. 58.34 & O.H. 57.58

As described above in Section 9.B.3, construction easements would be needed for site access to the OH 57.85 and OH 58.34 bridge demolitions. All easements would be temporary in nature and would include appropriate mitigation and compensation requirements from the State of Maryland.

4. Overhead Bridge Rebuild: O.H. 57.60 (Golf Cart Path)

The 2017 EA stated the project could require changes to this overhead bridge to accommodate new track profile and train clearance; however, no details were disclosed for construction access and any effects from temporary access restrictions to a portion of the Furnace Bay Golf Course. After the 2017 FONSI, HNTB held a meeting with the Furnace Bay Golf Course owners about the project and discuss potential effects. As described above in Section 9.B.3, construction easements would be needed for site access for the

Overhead Bridge (OH 57.60) Rebuild. All easements would be temporary in nature and would include appropriate mitigation and compensation requirements from the State of Maryland.

F. Visual & Aesthetic Conditions

1. Bridge Replacement

The 2017 EA disclosed that the proposed design of the new bridges would result in minimal impacts on visual resources. The 2017 EA included measures to minimize or avoid adverse visual effects. The 2017 PA included stipulations that Amtrak would consider utilizing 220-foot spans in the City of Havre de Grace and provisions to submit design documents explaining how the proposed design conforms to the Standards and submit the documents to concurring parties to the PA and SHPO for review. As part of the PA stipulations, the use of 220-foot spans was studied and found to be infeasible. Design refinements now calls for 170-foot spans in Havre de Grace.

2. 138kV Transmission Line Reroute

As described above in Sections 9.B.2 and 9.E.1, the Transmission Line Reroute would require the removal of the OCS wires on the bridge. The 140-foot-tall OCS wires on the bridge would be replaced and installed within the bridge's ballast retaining wall. This would result in improved visual and aesthetic effects by reducing visual obstructions to the viewshed from the removal of the 140-foot-tall OCS wires.

The installation of Termination Structures as part of the 138kV Transmission Line Reroute represents a new visual element in the Havre de Grace Historic District. Each termination structure would be approximately 26 feet in length by 15-feet-wide by 36-feet high. However, this feature is consistent with other rail infrastructure and replaces similar elevated structures. Therefore, it would not be considered a new adverse effect of the project but rather part of the adverse effect previously disclosed, although additional mitigation may be required.

G. Natural Resources

1. Wetlands

A GPS-located, wetland delineation survey was completed in August 2022, which identified 45 Waters of the U.S. (WOTUS), including wetlands: 21 wetland systems and 24 watercourses within the study area, a slight increase from those disclosed in the 2017 EA. Impacts to the 45 WOTUS would still require authorization from the USACE and MDE. All WOTUS boundaries are not considered final until a Pre-Application meeting has been conducted by the USACE and MDE. A Pre-Application meeting with the agencies is anticipated to occur in January 2023. The JPA will be submitted shortly thereafter, which will be based on the most recent wetlands delineation and the refined design for both temporary and permanent impacts.

2. Forestry

Forest stands and clusters are located adjacent to many of the proposed design refinements. For any forest impacts, Maryland DNR Forestry Division would have to approve an NRI/FSD and Forest Conservation Plan, which will all be prepared for the project. As part of the permitting process, avoidance

and minimization measures will be employed to reduce the loss of forests to the extent feasible, while allowing for a safe and efficient construction process.

3. RTE Species

Since the 2017 FONSI, the RTE process has changed as described in Section 4.B. The USFWS provided a letter indicating that the small amount of tree clearing and the lack of known maternity roosts of NLEB in the area meant that no further coordination was necessary.

Since then, the USFWS has updated the coordination protocol and the species has been up listed to endangered, further modifying how coordination would be conducted in the future. The USFWS has also proposed listing the tricolored bat and little brown bat, which would then be included in the consultation and coordination process moving forward.

9.00 Conclusion

An EA was completed for the Project, March 2017. Following the EA, in May 2017, the FRA released the FONSI and concluded that the project was not likely to result in significant adverse environmental impacts. This NEPA Re-evaluation has been prepared due to more than five years lapsed from FRA's FONSI issuance and during that timeframe, several DCRs have been proposed.

In conclusion, this NEPA Re-evaluation supports a finding that the proposed design progression for the Section 9A Alternative would not result in any new, significant adverse environmental effects. The analysis above did not identify new circumstances or environmental conditions identified that would warrant preparation of a supplemental NEPA document.

Susquehanna River Rail Bridge NEPA Re-evaluation Effects Table

Resource	2017 EA	Additional Effects	Total Effects
Transportation	▪ Regional benefits ▪ Minor street realignments	▪ Otsego Street improvements defined and construction duration determined. ▪ Ikea Way Extension for Amtrak MOW Facility via access agreement with Ikea will provide regional benefit by reducing truck traffic through downtown Perryville.	Increased regional benefits.
Land Use and Community Facilities	▪ Acquires 2.84 acres of property. ▪ Compatible and consistent with current policies.	▪ Acquire an additional 0.35 acres of property. ▪ Compatible and consistent with current policies.	Acquisition of 3.19 acres.
Socioeconomic Conditions and Environmental Justice	▪ Acquisition of one commercial property. ▪ No disproportionately high or adverse impacts to EJ population.	▪ Change at one property from partial to full acquisition (0.35 additional acres). ▪ No disproportionately high or adverse impacts to EJ population.	Two full property acquisitions: one commercial, one vacant lot zoned residential
Parks, Trails, and Recreational	▪ Acquisition of 0.27 acre of Jean S. Roberts Memorial Park. ▪ Acquisition of 1.5 acres of Havre de Grace High School/Middle School property.	▪ No additional parkland acquisitions. ▪ Discussed with Town of Perryville that water access to the Lower Ferry Pier boat slips closest to the rail bridge would likely require closure due to proximity to the temporary work platform in the river.	No change in permanent acquisition. Temporary access restriction to six boat slips at Lower Ferry Pier.

Susquehanna River Rail Bridge NEPA Re-evaluation Effects Table			
Resource	**2017 EA**	**Additional Effects**	**Total Effects**
Visual	▪ Altered views of cultural and other resources. ▪ Measures in Programmatic Agreement (PA) to avoid/ minimize/ mitigate.	▪ 138kV Transmission Line Reroute will require 36-foot-high tower to be erected on a vacant lot within the Havre de Grace Historic District. Additional review and coordination will be conducted per Stipulation VII of the PA.	Altered views of cultural and other resources remain. While a new visual element has been added to the Havre de Grace Historic District, the overhead transmission towers will be removed.
Cultural	▪ Adverse effect on: Susquehanna River Rail Bridge and undergrade bridges; Havre de Grace Historic District; Rodgers Tavern; and Perryville Railroad Station. ▪ Measures in PA to avoid/minimize/mitigate.	▪ Additional review and coordination are required per Stipulation VII of the PA for the closure of the North Freedom Lane Undergrade Bridge and the 138kV tower within the Havre de Grace Historic District. ▪ Temporary easement through the Woodlands Farm Historic District will require review under the PA.	Effects to be determined by FRA, in conjunction with MHT and other consulting Section 106 parties, as per the PA. Changes in Section 106 impacts must be assessed, followed by analyzation of associated Section 4(f) impacts.
Section 4(f)	▪ No feasible and prudent alternatives that would avoid use of all Section 4(f) properties. ▪ Use of three Section 4(f) Properties: Susquehanna River Rail Bridge, Perryville Railroad Station/Perry Interlocking Tower, Havre de Grace Historic District. ▪ *De minimis* use of Jean S. Roberts Memorial Park and Havre de Grace Middle School/High School.	▪ Temporary water access restrictions to several slips on the Lower Ferry Pier and a temporary construction easement within Woodlands Farm Historic District is proposed.	
Section 6(f)	▪ Acquires a portion of Havre de Grace Middle School/ High School Athletic Fields. ▪ Identifies replacement, continues agency coordination, implement measures to minimize and mitigate.	▪ No change.	

Susquehanna River Rail Bridge NEPA Re-evaluation Effects Table			
Resource	**2017 EA**	**Additional Effects**	**Total Effects**
Natural Resources:[1]			
Tidal Wetlands	▪ 0.06 acre	▪ (0.01) acre	▪ 0.05 acre
Non-Tidal Wetlands	▪ 0.83 acre	▪ 0.85 acre	▪ 1.68 acre
Floodplains	▪ 2.72 acres	▪ 7.48 acres	▪ 10.2 acres
Forestry	▪ 2.92 acres	▪ 7.48 acres	▪ 10.4 acres
Aquatic Biota	▪ 0.37 acre	▪ 1.51 acres	▪ 1.88 acres
Submerged Aquatic Vegetation (SAV)	▪ 0.61 acre	▪ 0.97 acres	▪ 1.58 acres
Chesapeake Bay Critical Area	▪ 6.4 acres	▪ N/A	▪ 6.4 acres[2]
Air Quality	▪ Regional emissions below de minimis levels. ▪ Localized increases in exceedance of the National Ambient Air Quality Standard (NAAQS) for 1-hour average NO_2 concentration. ▪ Long-term benefits to air quality in the region. ▪ Best practices during construction.	▪ Ikea Way Extension would result in a reduction of truck-related air pollution emissions within downtown Perryville.	Additional benefit to community due to truck rerouting.
Energy, Greenhouse Gas Emissions, and Climate Change	▪ Enhances energy efficiency and reduce pollutant emissions. ▪ Accommodates reasonably foreseeable future changes in climate and sea levels.	▪ No change.	

Susquehanna River Rail Bridge NEPA Re-evaluation Effects Table			
Resource	**2017 EA**	**Additional Effects**	**Total Effects**
Noise and Vibration	▪ Moderate noise impacts close to the bridge, comparable to existing levels, acceptable for residential or open spaces use. ▪ Vibration levels below impact criteria. ▪ Ground-borne noise levels at one location would exceed impact criteria; increase considered barely perceptible. ▪ Vibration monitoring and protection plan during construction.	▪ Ikea Way Extension would result in a decrease in roadside noise levels along locations in downtown Perryville due to truck rerouting.	Increased benefit for community.
Contaminated and Hazardous Materials	▪ Disturbance of existing structures and excavation, relocation, and offsite disposal of soil. ▪ Includes health and safety and investigative/remediation measures.	▪ No change.	
Public Health and Safety	▪ Improves reliability and safety along NEC. ▪ Improves structural and operational reliability; eliminate bridge malfunctions associated with movable span.	▪ No change.	
Indirect and Cumulative Effects	▪ Transportation, energy, and air quality benefits cumulative with other planned projects along the corridor.	▪ Ikea Way Extension would see reduction in truck traffic through downtown Perryville.	Air quality benefit to community.

Notes:

1. Except for an estimated increase in SAV impacts of 0.20 acres due to the 12-foot widening of the temporary work platforms all other additional impacts shown in the Table for the 2023 Re-evaluation effects are not a result of project changes. Rather these increases are a result of: (1) updated jurisdictional-level fields survey in support of the USACE/MDE Section 404/401 permit applications and MDE DNR Forest Stand Delineation; (2) more conservative assumptions regarding shading effects based on discussions with MDE as part of the joint permit application process, and; (3) further engineering design and constructability requirements particularly as it relates to temporary impacts due to staging and access of specific project elements.

2. The exact determination of any change in the Critical Area will be based on vegetation removal, ground disturbance, and new impervious surfaces as part of the MDE/USACE permit review and development of the Forest Conservation Plan as discussed in the 2017 EA.

10.00 Supporting Documents

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HNTB, prepared for Amtrak. Susquehanna River Rail Bridge Project: Amtrak 138kV Transmission Routing Alternatives Analysis Report. October 2018.

City of Havre de Grace. Susquehanna River Rail Bridge Project Advisory Board of the Mayor and City Council, Advisory Bulletin #5 Street and Lane Underpasses. November 3, 2014.

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HNTB, prepared for Amtrak. Susquehanna River Rail Bridge Project; selected pages from 30% Final Submission for Perryville Interlocking Tower. April 14, 2017.

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Federal Railroad Administration. Finding of No Significant Impact, Appendix C, Programmatic Agreement. May 2017.

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HNTB to Amtrak: River Bridge South End Span Length Memo. February 4, 2022.

HNTB, prepared for Amtrak. Susquehanna River Rail Bridge Project: Prop Ancillary Wiring Layout and Profiles. June 30, 2022.

HNTB, prepared for Amtrak. Susquehanna River Rail Bridge Project: BG&E Tower Replacement Concept. February 7, 2022.

HNTB, prepared for Amtrak for submittal to State of Maryland Department of Transportation, State Highway Administration: Highway Design Division. Relocation of Avenue A as Part of Amtrak Susquehanna River Rail Bridge Replacement Project. June 2018.

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HNTB, prepared for Amtrak. Susquehanna River Rail Bridge Project. Amtrak Access Road Project, Perryville, MD. September 14, 2018.

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https://havredegracemd.gov/planning-commission-meeting-may-9-2022/, Accessed July 15, 2022.

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https://www.nab.usace.army.mil/Portals/63/PN-20-69.pdf, Accessed July 15, 2022.

https://dnr.maryland.gov/ccs/Documents/EnvironmentalAssessment-WaterStreet-BoatingAccessFacility.pdf, Accessed July 15, 2022.

https://www.perryvillemd.org/sites/g/files/vyhlif1066/f/uploads/1-5-2020-revisedfinal-sustainablecommunitiesrenewalapplication.pdf, Accessed July 15, 2022.

https://www.perryvillemd.org/sites/g/files/vyhlif1066/f/minutes/staff_reports_for_june_7_2022_town_meeting.pdf, Accessed July 15, 2022.

https://www.greatwolf.com/resort-maryland, Accessed July 15, 2022.

SUPPORTING DOCUMENT ATTACHMENT

Section 4(f) Memo regarding Lower Ferry Park Pier
(Signed by Perryville Mayor)

AMTRAK
400 W 31st St, New York, NY 10001

July 7, 2023

GEORGE PATCHELL, ADMINISTRATOR
TOWN OF PERRYVILLE
515 BROAD STREET, P.O. BOX 773
PERRYVILLE, MARYLAND 21903-0773

Dear Mr. Patchell:

Thank you for attending the June 12, 2023 meeting regarding the Susquehanna Rail River Bridge Project. As you know, the National Railroad Passenger Corporation (Amtrak) is planning to replace the Susquehanna River Rail Bridge and is currently advancing the necessary design, coordination and outreach with project stakeholders. The Federal Railroad Administration (FRA) and Amtrak prepared an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA) to evaluate the potential environmental impacts in March 2017. Following the EA, in May 2017, the FRA released a Finding of No Significant Impact (FONSI) and concluded that the Project was not likely to result in significant adverse environmental impacts.

Since more than five years have lapsed from the FRA's issuance of the FONSI, several Design and Constructability Refinements (DCRs) have been proposed, requiring Amtrak to prepare a NEPA Re-evaluation. This Re-evaluation assesses DCRs that were developed post-NEPA to determine whether the original document or decision remains valid, or if a supplemental or new analysis (e.g., supplemental environmental impact statement [EIS] or EA) is needed.

One of the DCRs is the construction of a temporary platform in the Susquehanna River near Lower Ferry Park and Pier in Perryville to provide shallow water access. This temporary construction platform extends from the shoreline similar to what was proposed in the 2017 EA design; however, design progression has revealed that, due to safety concerns, the use of several boat slips located on the nearby public pier would be restricted during the time the platform is in place. Lower Ferry Park and Pier qualifies for protection under Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC §303, referred to herein as "Section 4(f)") and requires coordination with the Town of Perryville.

The Project will not require permanent or temporary occupancy of the park, pier, or easement. Furthermore, during Project construction, there will be no restrictions to access the Lower Ferry Park, its existing easement, or to the land access path connecting to the pier. However, there will be access restrictions to one of two water access points for Lower Ferry Pier. For the six southern (bridge-side) slips, there will be temporary water access restrictions for safety reasons; while the six northern slips will remain open and operational for public use throughout construction, ensuring water access from the northern direction will be maintained.

Amtrak will be responsible for coordinating with the United States Coast Guard (USCG) and will install private Aids to Navigation (PATON) in accordance with USCG requirements to restrict access to closed boat slips and guide mariners safely around designated project work areas. Amtrak does not anticipate the need to physically remove existing boat slips, moorings, or walkways as part of the Susquehanna Rail River Bridge Project. If unforeseen issues arise that require the removal of existing boat slips, Amtrak will notify the Town prior to commencing work. Amtrak will be responsible for the cost of mooring pile removal and restoration.

Section 4(f) and De Minimis Use

In accordance with Section 4(f), FRA may not approve the use of land from a publicly owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that: (i) there is no feasible and prudent alternative to the use of the land from the property; and (ii) the action includes all possible planning to minimize harm to the property resulting from such use, or (iii) the Section 4(f) use is *de minimis*. A *de minimis* Section 4(f) use is one that, after taking into account any measures to minimize harm (such as avoidance, minimization, mitigation or enhancement measures), would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).

To make a finding that a Section 4(f) use is *de minimis*, FRA requires written concurrence from the official(s) with jurisdiction over the resource that—based on the proposed measures to minimize harm—such use would not adversely affect the activities, features, or attributes that qualify the resource for protection under Section 4(f). In addition, public notice and opportunity for public review and comment on the finding is required.

Based on Amtrak's analysis of the proposed temporary access restriction to the six southern boat slips, Amtrak believes that the Section 4(f) use of this Town-owned property would not adversely affect the activities, features, or attributes qualifying this property for protection under Section 4(f). We seek your concurrence that the temporary access restriction to the six southern boat slips at Lower Ferry Pier would not impair the activities, features, and attributes important to the park. Upon your written agreement, Amtrak intends to propose a *de minimis* impact finding to the FRA for the use of the facility. Public comment on the proposed impacts will be sought following your concurrence and prior to the request for a *de minimis* impact finding from FRA.

If you agree with the above statements, please indicate your concurrence on the signature line below and return at your earliest convenience. Should you have any questions or concerns regarding this letter, please contact me via email at *Dexter.Fordyce@amtrak.com*.

Thank you for your consideration and continued support of this important infrastructure project.

Sincerely,

Dexter Fordyce

Dexter Fordyce
Amtrak – Senior Program Director

Cc: Melody Hicks, Amtrak
Craig Caldwell, Amtrak
Pete Mazzeo, HNTB

Mr. George Patchell, Administrator
Town of Perryville
July 7, 2023

Concurrence with MDOT's determination that the Section 4(f) use of the Town-owned portion of Lower Ferry Park and Pier for the Susquehanna River Rail Bridge Project would not adversely affect the activities, features, or attributes qualifying this property for protection under Section 4(f):

Town of Perryville	Printed Name	Date
	MATTHEW ROATH	7/7/23

Section 4(f) de minimis Finding Approval:

Federal Railroad Administration	Printed Name	Date