

Western Rail Yard Infrastructure Project Scoping Summary Report

September 2020

Prepared by:



Prepared for:



Scoping Summary Report

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1. INTRODUCTION

This document summarizes the Scoping process that was undertaken in accordance with the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA (23 CFR Part 771 and 23 USC 139), for the Western Rail Yard Infrastructure Project (the “Proposed Action,” also referred to here as the “Project”). This report includes a compilation of the comments received during the Scoping period and the Federal Railroad Administration’s (FRA) responses to those comments, as well as relevant documentation supporting the development and execution of the Scoping process.

2. PROJECT DESCRIPTION

This section provides a brief overview of the Proposed Action (a more detailed project description, including reference figures, is provided in the Scoping Document, see **Attachment A**). The Proposed Action for this project consists of the following elements:

- A new approximately 9.8-acre Platform spanning the Western Rail Yard, including deep footings and a concrete slab to cover the active rail yard below, and reinforced building foundations for Overbuild development. Platform construction would also include the modernization of LIRR support services including: emergency electrical equipment and new critical life safety and mechanical, electrical and plumbing support services for the yard. In addition to the modernization efforts, construction of the Platform would necessitate the construction of approximately 20,000 square feet of new railroad staff facilities and rail car cleaning services.
- A Tunnel Encasement in the southern portion of the Project (see **Attachment A, Figures 1 and 2**) site running from Eleventh Avenue to West 30th Street to preserve a passenger railroad right-of-way for a future trans-Hudson connection into New York Penn Station.

3. NEPA AND THE SCOPING PROCESS

NEPA is a procedural law that mandates an interdisciplinary environmental review and documentation process for all federally funded projects. The NEPA documentation process ensures that the following goals have been met before a project is implemented:

- All applicable laws, regulations, policies, and guidance have been adhered to;
- Federal, state, and local agencies, the public, and other project stakeholders have been involved in the decision-making process;
- A reasonable range of alternatives have been examined; and
- Impacts to environmental resources have been considered.

An Environmental Impact Statement (EIS) is being prepared in accordance with NEPA for the Project; FRA is the lead Federal agency under NEPA. The EIS will document compliance with

other applicable Federal, state, and local environmental laws and regulations, including but not limited to: Section 106 of the National Historic Preservation Act; the Clean Water Act; Section 4(f) of the U.S. Department of Transportation Act of 1966; the Endangered Species Act; Executive Order (EO) 11988 and USDOT Order 5650.2 on Floodplain Management; EO 11990 on Protection of Wetlands; the Magnuson-Stevens Act, related to Essential Fish Habitat; the Coastal Zone Management Act; and EO 12898 on Environmental Justice.

The purpose of the Scoping process is to determine and clarify issues that are relevant to the scope of the study. Scoping is an initial step under NEPA to gather input from the public and agencies on the scope of the EIS, including the Project's purpose and need, potential alternatives to be studied in the EIS, environmental issues of concern, and the methodologies proposed for the environmental analysis. During the Scoping process, open lines of communication are established between the lead agency and other stakeholders. The Scoping process for the Project included the following major elements:

- Federal Register Notice of Intent (NOI);
- Scoping Initiation Letters;
- Scoping Agency Coordination Meeting;
- Virtual Scoping Process and Presentation;
- Scoping Comment Period; and
- Project Scoping Report.

3.1. VIRTUAL SCOPING PROCESS

On June 15, 2020, FRA announced its intent to prepare an EIS for the Project by publishing a Notice of Intent (NOI) in the *Federal Register*. Publication of the NOI (included as **Attachment B**) initiated the Scoping period for the Project on July 1, 2020. Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA conducted a virtual public Scoping process for the Project. The Scoping period for the Project was held from July 1 through July 31, 2020. During this time, FRA solicited comments on the Project's purpose and need, alternatives to be considered, and analyses to be conducted for the Project's EIS from agencies, stakeholders, and the public. FRA also facilitated a virtual Scoping meeting for local, State and Federal agencies. FRA conducted associated outreach (see Section 3.2) and a provided a Scoping presentation (see Section 3.3), described immediately below.

3.2. SCOPING DOCUMENT DEVELOPMENT AND DISTRIBUTION

FRA provided a Scoping Document for the Project, which has been available on the Project website (www.westernrailyardinfrastructure.com) since July 1, 2020, and posted to the Project's docket on the Federal Docket Management System (FDMS) at regulations.gov. FRA updated the Scoping Document (see **Attachment A**) since its posting on July 1, 2020 to reflect changes resulting from Scoping comments, and new information. Changes are clearly shown in the attached document.

In an effort to overcome challenges of public outreach during the COVID-19 public health emergency, FRA created an outreach program for the Scoping process that incorporated traditional means of reaching stakeholders, in combination with supplemental means of public notification. As part of this outreach effort, FRA provided notices to stakeholders, participating agencies, and the public to inform them of the Scoping process and associated comment period. FRA's notifications were sent to the Project mailing list, posted on the Project website, and placed in

local Project Document Repositories¹ in the Project area, listed in **Table 1**. Table 1 also shows the organization and addresses of the local Project Document Repositories where the Scoping Document was distributed. Advertisements for the public Scoping Notice were published in local newspapers and online media outlets serving the Project area, including English language newspapers/online media and Spanish language newspapers² (with Spanish language advertisements). **Table 2** lists the newspapers and publication dates of the Project Scoping Notices. The advertisements that were published in newspapers and online media outlets, and their corresponding Affidavits of Publication are included as **Attachment C**. In addition to these traditional means of outreach and notification, FRA engaged with alternative media sources and locally based organizations to assist with publicizing the public Scoping process and associated comment period, and distributing the bi-lingual public Scoping Notice, including the Hudson Yards Corporation, Hudson Yards Hell's Kitchen Alliance, and Midtown South Community Council.

Table 1
Project Document Repositories

Organization	Address	City, State
Jack Brause Library	11 West 42nd Street, #510	New York, NY
Manhattan Community Board 4	330 West 42nd Street, 26th Floor	New York, NY
Manhattan Community Board 5	450 Fashion Avenue, #2109	New York, NY
Mid-Manhattan Library*	455 Fifth Avenue	New York, NY
NYPL Columbus Branch Library*	742 Tenth Avenue	New York, NY
*Note: The Mid-Manhattan Library and NYPL Columbus Branch Library were not fully open during the Scoping period as a result of the COVID-19 public health emergency.		

Table 2
Public Scoping Notice Publications

Newspaper / Online Media	Publication Date
<i>AMNY / Metro (merged with The Villager)</i>	6/22/2020—Monday e-newsletter
	6/23/2020—Tuesday e-newsletter
	6/25/2020—Thursday Print Edition
	6/26/2020—Friday e-newsletter
<i>Chelsea / Clinton News</i>	6/24/2020—Wednesday e-blast
	6/25/2020—Thursday Print Edition
<i>Midtown Patch</i>	6/22/2020 through 6/28/2020—Online
<i>El Diario Nueva York – Spanish language paper</i>	6/25/2020—Thursday Print Edition
<i>El Especialista NYC – Spanish language paper</i>	6/26/2020—Friday Print Edition

3.3. SCOPING PRESENTATION

As part of the virtual public Scoping process developed in response to the COVID-19 public health emergency, FRA developed and posted a narrated Scoping presentation for the Project, in both

¹ A local Project Document Repository is a physical location in the vicinity of the project site, generally well known to the public, where Project documents can be reviewed in person by members of the public.

² Spanish is the second most widely spoken language in the Project area, after English.

English and Spanish. These Scoping presentations were available on the Project website on July 1, 2020, and will remain on the Project website for the duration of the Project. The presentation provides information about the NEPA environmental review process, the Scoping process, the Project study area, Project Purpose, Need, and Goals, environmental considerations, opportunities for public input, the associated Section 106 consultation process, how to provide Scoping comments, and how to request becoming a Section 106 Consulting Party. Website materials and the Scoping presentation were prepared to be compliant with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d), as amended by the Workforce Investment Act of 1998 (P.L. 105-220) (Section 508). The Scoping presentation and voice-over narratives for the presentation videos were prepared in both English and Spanish (included in **Attachment D**); and the narratives were included on the videos as closed captioning.

The analysis of website metrics, covering the period from the publication of the NOI on June 15, 2020 (when the website was activated) through the end of the public Scoping period (on July 31, 2020), includes 1,077 unique website page views, 126 and 18 viewings of the Scoping presentation video for English and Spanish, respectively.

4. LIST OF COMMENTERS

This section identifies the organizations and individuals who provided substantive comments on the Project and its scope, to be considered in the Project's EIS. Copies of all comments submitted are provided in **Attachment E**.

4.1. AGENCIES / GOVERNMENT ORGANIZATIONS

1. Mark Austin, Team Leader, Environmental Review Team, United States Environmental Protection Agency (EPA), letter dated June 29, 2020, [Docket ID FRA-2020-0039-0007]. (*Austin-EPA*)
2. David Cuff, AICP, Director of Environmental Review, New York City Department of Parks (NYC Parks), letter dated July 31, 2020, [Docket ID FRA-2020-0039-0017]. (*Cuff-NYCParks*)
3. Lawrence Lennon, PE, AICP, Director, Special Project Development and Planning, MTA-Construction & Development, letter dated July 31, 2020, [Docket ID FRA-2020-0039-0018]. (*Lennon-MTA*)
4. Manhattan Community Board 4 (MCB4) Clinton/Hell's Kitchen Land Use Committee, letter dated July 29, 2020, [Docket ID FRA-2020-0039-0014]. (*MCB4*)

4.2. ELECTED OFFICIALS

5. Brad Hoylman, Senator, New York State Senate, District 27, and Richard Gottfried, Assembly Member, New York State Assembly, District 75, letter dated July 30, 2020, [Docket ID FRA-2020-0039-0016]. (*Hoylman-Gottfried*)

4.3. ORGANIZATIONS

6. Robert Hammond, Co-Founder and Executive Director, Friends of the High Line, letter dated July 29, 2020, [Docket ID FRA-2020-0039-0005]. (*Hammond-FOHL*)

4.4. GENERAL PUBLIC

7. Victoria Arbitrio, web form received July 8, 2020, [Docket ID FRA-2020-0039-0002]. (*Arbitrio*)

5. RESPONSES TO COMMENTS

This section provides a summary of the comments received and responses to those comments. The comments shown below are sometimes taken verbatim from the comments submitted, in some cases, the comments were summarized to convey the substance of the comments made, but are not direct quotes of the comments submitted. Each comment submission was broken into multiple comments, as appropriate. A total of ten distinct comments were received from seven entities. FRA has grouped similar comments to allow for providing one cohesive response to comments with a common theme.

Comment 1: The Western Rail Yard is owned by the Metropolitan Transportation Authority (MTA) and operated by Long Island Rail Road (LIRR) as a commuter railroad storage yard and maintenance facility. The Western Rail Yard is the subject of a ground lease and corresponding construction agreement which permits WRY Tenant LLC, at its sole cost and expense and while at all times permitting uninterrupted LIRR operations, to develop, design and construct certain improvements within and over the Western Rail Yard including without limitation, the foundation, platform deck and below-platform improvements and utilities (e.g., critical life safety and ventilation systems). MTA consent will be required for the portions of Amtrak's Tunnel Encasement which are to be constructed on MTA fee-owned property. The MTA Parties have extensive rights of approval over the afore-referenced matters (among others) and, accordingly, significant legal and operational interest in the Proposed Actions. (*Lennon-MTA*)

Response: FRA acknowledges MTA's approval authority for construction of the tunnel encasement. FRA understands MTA's engineering and design reviews will be ongoing for construction of the Platform structure and its associated components, as well as the Amtrak Tunnel Encasement, on the Project site. FRA also invited, and MTA has indicated it will serve as a Participating agency for the EIS for the Project and will have opportunities for review and input throughout the EIS process.

Comment 2: Any state or city environmental documents prepared for this project and/or the new development should be incorporated by reference in the EIS and should be available for view on the Western Rail Yard Infrastructure project website. (*Austin-EPA*).

Response: The EIS for the Project will incorporate information and analysis results from past environmental documentation conducted for other actions proposed at this Project site, as appropriate. The documentation is available on the Project website (www.westernrailyardinfrastructure.com), and on the FDMS (Docket No. FRA-2020-0039) at regulations.gov. Specifically, FRA will incorporate by reference in the EIS the following environmental review documents:

- New York City Planning Commission (CPC) and MTA. October 2009. *Final Environmental Impact Statement for Western Rail Yard*, New York, New York. (2009 SEQR/CEQR FEIS)

Western Rail Yard Infrastructure Project

- Amtrak and FRA. May 2013. *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards*, New York, New York, and corresponding Finding of No Significant Impact (FONSI). (2013 NEPA EA/FONSI)
- Amtrak and FRA. November 2014. *Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards*, New York, New York, and corresponding FONSI. (2014 NEPA SEA/FONSI)

Comment 3: A Construction Permit from NYC Parks will be required for any invasive or destructive testing, installation of monitoring equipment, or surveys requiring vehicular access to the High Line or any other NYC Parks facility in the study area during the scoping and design phase of the project. A Construction Permit will also be required for any impacts to NYC Parks' facilities during the construction phase of the project, including but not limited to staging, storage of material, restriction of access to NYC Parks personnel or the general public (such as closing a Park entrance), or any temporary or permanent alteration to the structure of the High Line or any other NYC Park property. Work within 50' of a City Tree (defined as trees on NYCDOT right-of-way and in NYC Parks) requires review and permitting by NYC Parks, and any tree removals are subject to NYC Parks' policy regarding tree restitution. NYC Parks will require access to the High Line structure, especially the underside, for inspection, maintenance, painting and repair will be required both during construction (platform and tunnel encasement) and after completion (platform). (*Cuff-NYCParks*)

Response: WRY Tenants LLC is responsible for submitting applications for the applicable permits to NYC Parks prior to the construction phase of the Project, including Construction Permits and Tree Work Permits. The NEPA EIS that FRA is preparing will not change the permit process or requirements documented in the 2009 SEQRA/CEQR FEIS, and established in the corresponding *Restrictive Declaration for the Western Rail Yard*, dated April 10, 2014. Additionally, WRY Tenants LLC will adhere to the stipulations set forth in the 2009 Letter of Resolution (LOR) among MTA, CPC, OPRHP, and the Developer. The Developer is required to submit the relevant portions of the preliminary and pre-final design plans that affect the High Line to OPRHP for review and comment.

Comment 4: Given the proximity of the proposed Project to the High Line, analysis should include the impacts of the Project on the High Line pursuant to NEPA and Section 4(f). The EIS should analyze the construction means and methods that would be used, including (but not limited to) the manner in which the underpinning of the High Line would be undertaken, whether access to any portion of the High Line would be temporarily or permanently closed, and whether any portion of the High Line would be permanently altered. (*Hammond-FOHL*)

Response: FRA will conduct the technical analyses for the Western Rail Yard Infrastructure Project's EIS consistent with the requirements and procedures of NEPA and Section 4(f) guidance, and will include a description and assessment of the issues

raised in the comment, with respect to potential impacts to the High Line or any other identified Section 4(f) resources.

Comment 5: The Aesthetics and Visual Quality Chapter of the EIS should consider the potential for visual impacts to the High Line due to the platform structure; assessing the change in view corridors, both to and from the High Line, as well as the architectural compatibility of the platform structure with the High Line. The EIS should assess the potential for construction-related impacts to directly and indirectly affect High Line access and use by the public, as well as other open space resources in the project study area. This assessment should include an assessment of construction-related impacts to the High Line structure due to vibration from pile driving and other means. Following the guidance of the *CEQR Technical Manual*, the EIS should assess the potential for direct and indirect open space impacts as a result of the proposed Western Rail Yard Infrastructure Project. The 4(f) Evaluation included in the EIS should assess the potential for any temporary or indirect effects to 4(f) resources. (*Cuff-NYCParks*)

Response: FRA will conduct the technical analyses for the Western Rail Yard Infrastructure Project's EIS consistent with the requirements and procedures of NEPA, and will include a description and assessment of the issues raised in the comment, with respect to potential impacts to the High Line or any other identified Section 4(f) resources. FRA will comply with other applicable environmental laws and regulations, including Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. § 306108); Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f) 49 U.S.C. § 303), as well as other related statutes and regulations. FRA will use the *CEQR Technical Manual* methodologies to guide development of the technical analyses, where appropriate for potential direct and indirect impacts.

Comment 6: The project is in the New York-Northern New Jersey-Long Island, NY-NJ-CT non-attainment area, which is in serious non-attainment for ozone, and will require a General Conformity Applicability Analysis. Please note the applicable de minimus threshold for nitrogen oxides (NO_x), an ozone precursor, is 50 tons per year. (*Austin-EPA*)

Response: FRA will comply with applicable environmental laws and regulations, including the Clean Air Act (42 U.S.C. § 7401 et seq.). FRA will conduct a General Conformity Applicability Analysis for the Western Rail Yard Infrastructure Project, and will apply the most recently implemented thresholds for NO_x and any other applicable air quality standards.

Comment 7: The WRY Rezoning approved in 2009 must be adhered to by all parties involved in the development, including the developer and New York City. Specifically, the development of the Platform must not impact site lines or access to and use of the High Line Park in any way, as previously agreed by all parties. (*Hoylman-Gottfried; MCB4*)

Western Rail Yard Infrastructure Project

Response: The Platform and Overbuild were the subject of a Final Environmental Impact Statement (FEIS) prepared under the New York State Environmental Quality Review Act (SEQRA) and New York City Environmental Quality Review (CEQR), which was published on October 9, 2009 (*2009 SEQRA/CEQR FEIS*). The Overbuild development is an as-of-right development that will be built in accordance with the New York City Zoning Resolution's existing zoning controls. The Zoning Resolution will regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio. All of the commitments made at the time the zoning change was approved by MTA and the New York City Planning Commission (as stated in the *2009 SEQRA/CEQR FEIS*), including those relating to site lines, access to, and use of the High Line are still in effect and would be adhered to. FRA will consider the effects on Aesthetics and Visual Quality and on Historic Resources and Section 4(f) resources from the implementation of the Proposed Action in the corresponding sections of the EIS. With regard to the Overbuild development, FRA will consider potential effects on Aesthetics and Visual Quality and on Historic Resources and Section 4(f) resources as part of the Indirect and Cumulative assessment of the EIS.

Comment 8: Please note that, as comment to footnote 2 on page 1 of the WRY Scoping Document, the City of New York does not have interest in the air rights over the WRY and they have not been sold. (*Lennon-MTA*)

Response: Footnote 2 on Page 1 of the Scoping Document has been revised accordingly (see **Attachment A**), and FRA will include this correction in the EIS.

Comment 9: A new tunnel (Gateway) should be built to connect the northeast to the rest of the country via rail. (*Arbitrio*)

Response: The Proposed Action does not include a new passenger railroad tunnel. The Proposed Action under review in this EIS includes the construction of a Platform and passenger railroad right-of-way (ROW) preservation Tunnel Encasement. The Tunnel Encasement component of the Proposed Action is a component of a larger ROW preservation project for the future construction of a new tunnel and connection to the Northeast Corridor passenger rail system (as part of the overall Gateway Program).

Comment 10: The new development should include public services, like fire stations, schools, and libraries, as well as affordable housing and grocery stores. With these key elements, it might become a real neighborhood within our great city. (*Arbitrio*)

Response: This is a comment concerning the private Overbuild development, which is not a component of the Proposed Action. FRA does not have any discretion over the uses included in the private as-of-right Overbuild development. As mentioned above in response to Comment #2 and Comment #8, the Overbuild is an as-of-right development that will be built in accordance with the New York City Zoning Resolution's existing zoning controls. The Zoning Resolution will regulate type

of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio. The commitments made at the time the Overbuild development zoning change was approved by MTA and the New York City Planning Commission (as stated in the 2009 *SEQRA/CEQR FEIS*), and established in the corresponding *Restrictive Declaration for the Western Rail Yard*, dated April 10, 2014, are still in effect and would be adhered to, including the commitment to construct a new school. FRA will consider the effects of the Overbuild development as part of the Indirect and Cumulative assessment of the EIS.

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**Western Rail Yard Infrastructure Project
Scoping Summary Report**

**Attachment A:
Scoping Document**

**Western Rail Yard Infrastructure Project
Environmental Impact Statement
Revised Final Scoping Document**

August 2020

A. INTRODUCTION

WRY Tenant LLC (an affiliate of The Related Companies, LP)¹ and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is a loan program administered by the Build America Bureau (Bureau) of the U.S. Department of Transportation (USDOT). The Federal Railroad Administration (FRA) is conducting the environmental analysis to ensure compliance with the National Environmental Policy Act of 1969 (NEPA), (42 USC 4321 et seq.) and other applicable environmental laws.

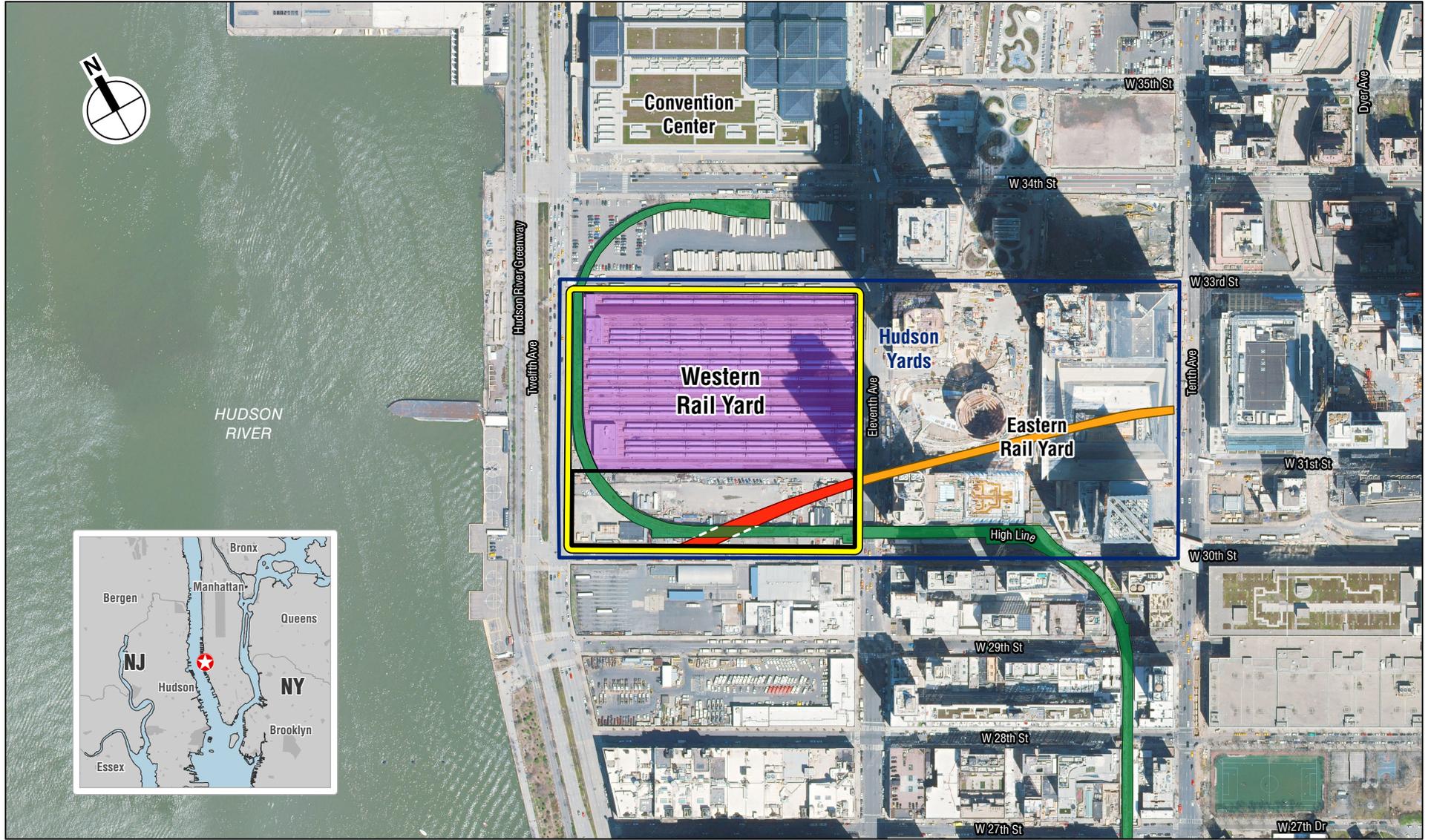
The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau. Financial assistance would fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site, located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**).² The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) to allow for privately-funded mixed-use development and public open space above the Platform (the “Proposed Action,” also referred to here as the “Project”). The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan (see **Figure 2**).³ The Tunnel Encasement would preserve the right-of-way for new rail infrastructure to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

The 9.8-acre structural steel and concrete Platform would be constructed above the MTA’s existing rail yard, which is used and operated by LIRR as a commuter railroad storage yard and maintenance facility. The yard contains storage tracks for 12-car trains, a car cleaning platform, and other maintenance facilities for LIRR’s commuter rail service into Penn Station. The Platform would include building foundations

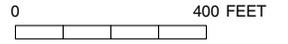
¹ The Related Companies, LP (Related) was the successful bidder of a competitive bid issued by the Metropolitan Transportation Authority (MTA) for the long-term ground leases with option to purchase severed fee parcels (for the development air rights over the Hudson Yards from MTA). Related is a privately-owned, American real estate firm headquartered in New York City, with offices and major developments in Boston, Chicago, Los Angeles, Las Vegas, Miami, San Francisco, Abu Dhabi, London, São Paulo and Shanghai. Related has more than 3,000 employees and is the largest landlord in New York City with over 8,000 residential rental units under ownership.

² The Western Rail Yard is owned by the Metropolitan Transportation Authority (MTA) and operated by Long Island Rail Road (LIRR) as a commuter railroad storage yard and maintenance facility. The Western Rail Yard is the subject of a ground lease and corresponding construction agreement which permits WRY Tenant LLC, at its sole cost and expense and while at all times permitting uninterrupted LIRR operations, to develop, design and construct certain improvements within and over the Western Rail Yard including without limitation, the foundation, platform deck and below-platform improvements and utilities (e.g., critical life safety and ventilation systems). MTA consent will be required for the portions of Amtrak’s Tunnel Encasement which are to be constructed on MTA fee-owned property. MTA and the City of New York have sold the air space above the Western Rail Yard.

³ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

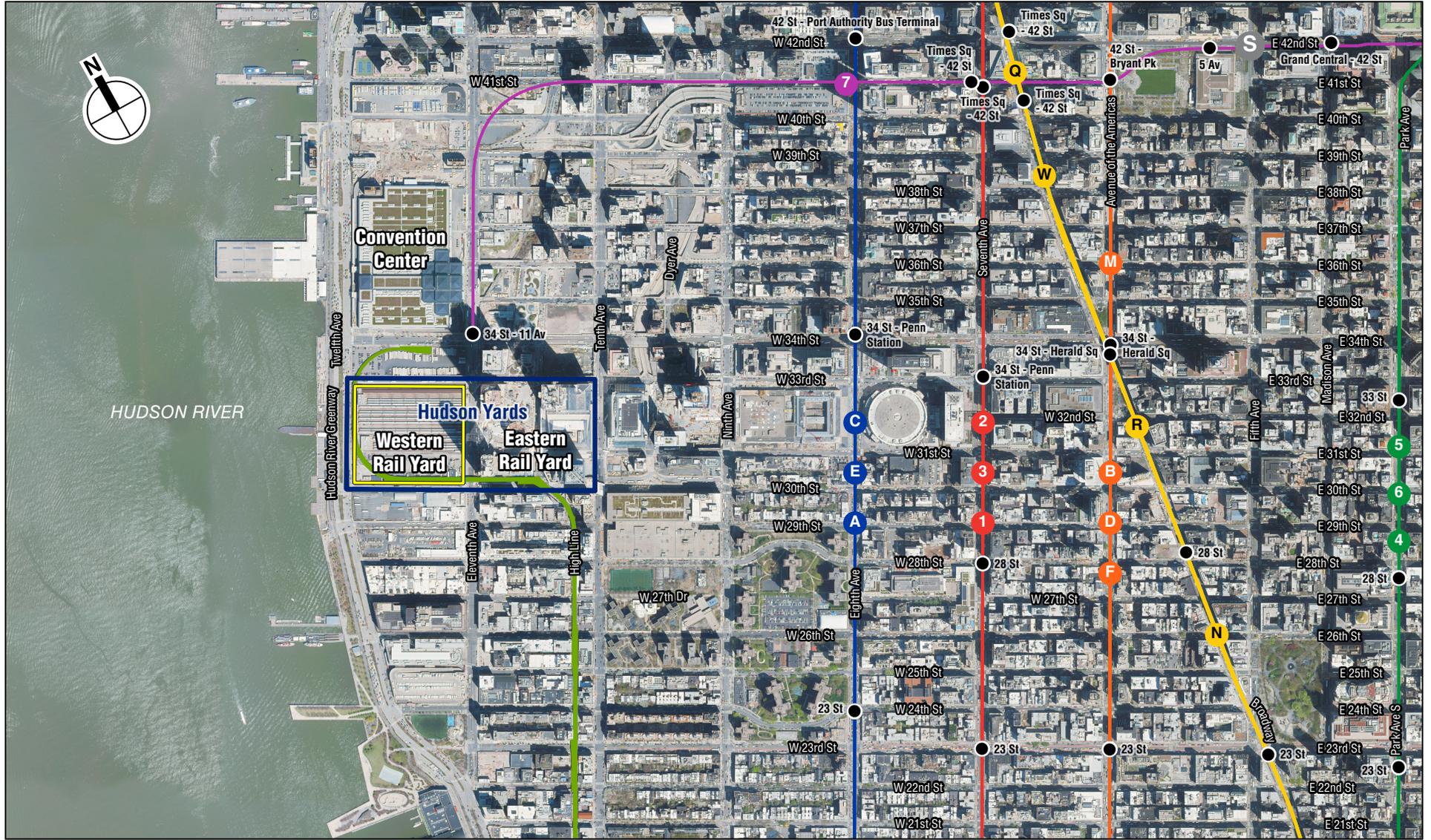


- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



Project Site (Western Rail Yard)

Hudson Yards

Subway Station

Subway Line

1-2-3

4-5-6

7

A-C-E

B-D-F-M

N-Q-R-W

S

0 1,000 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Site
Figure 2

which would keep interruptions of yard operations to a minimum. The construction of the Platform would require the reconstruction and upgrades to approximately 20,000 square feet of railroad staff facilities and other LIRR support services including existing emergency electrical equipment, and rail car cleaning services. The Platform would house other infrastructure, including critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. Once complete, the entire rail yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the rail yard.

The Tunnel Encasement in Western Rail Yard would extend from Eleventh Avenue to 30th Street. Amtrak estimates the concrete casing extension would be 605 feet long, between 50 and 65 feet wide and between 27 and 38 feet high under the Western Rail Yard. The Tunnel Encasement in Western Rail Yard would extend from the recently completed encasement under Eleventh Avenue and the Eastern Rail Yard. Together, the encasement below both rail yards (Western Rail Yard and Eastern Rail Yard) would preserve a total right-of-way (ROW) of approximately 1,400 feet. No permanent operational components, such as tracks, lighting, ventilation, or electrical system, would be constructed within the Tunnel Encasement as part of the Proposed Action. This construction supports Amtrak's efforts to improve resiliency in response to future disasters in Amtrak's Northeast Corridor, and is critical to the new Hudson River rail tunnels that would allow for the repair of the existing tunnels.

B. ENVIRONMENTAL REVIEW PROCESS

FRA, as the lead federal agency, is responsible for the preparation of an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality NEPA regulations (40 CFR parts 1500–1508), 23 CFR part 771, and 23 U.S.C. 139). FRA will evaluate direct, indirect and cumulative changes to the human and natural environment resulting from the operation and construction of the Platform and Tunnel Encasement. This includes the evaluation of the Overbuild as an indirect impact resulting from construction of the Platform. FRA will comply with other applicable environmental laws and regulations, including Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. § 306108); the Clean Air Act (42 U.S.C. § 7401 et seq.); the Endangered Species Act (16 U.S.C. § 1531); Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f) 49 U.S.C. § 303) and FRA's implementing regulations at 23 CFR part 774; U.S. DOT Order 5650.2 on Floodplain Management; the Coastal Zone Management Act; and Executive Order 12898 on Environmental Justice; as well as other related statutes and regulations (collectively "environmental reviews").

Since the Project is being undertaken in New York City, FRA will also conduct the EIS analyses in consideration of the New York City Environmental Quality Review (*CEQR*) *Technical Manual*, to the extent practicable. As appropriate, the EIS analysis will provide the environmental documentation needed by any state or local agencies from which permits or approvals for the construction of the Platform and/or Tunnel Encasement would be sought, if any. These may include the New York State Department of Environmental Conservation (NYSDEC), and the New York City agencies that will review aspects of the environmental documentation with respect to particular resource areas under their jurisdiction, in particular with respect to the implementation of proposed mitigation measures that may be needed during construction of the Project (e.g., NYC Department of Transportation, for potential construction period traffic mitigation).

The steps in the EIS process are as follows:

- **Notice of Intent (NOI).** Publication of the NOI in the *Federal Register* formally announces the FRA's intent to prepare an EIS for the Proposed Action and initiates the environmental review process. An NOI was published in the *Federal Register* (see: www.federalregister.gov/d/2020-12851) on June 15, 2020.

- **Scoping.** Scoping generally occurs after publication of the NOI and is an initial step in the NEPA process where the public and agencies are provided an opportunity to review and comment on the scope of the EIS including the Proposed Action’s purpose and need, the No Action and Build Alternatives to be studied in the EIS, environmental issues of concern, and the methodologies for the environmental analysis.
- **Draft EIS.** Following scoping, FRA will analyze potential environmental impacts of the No Action and Build Alternative(s) and identify appropriate measures to avoid, minimize, or mitigate those impacts consistent with the requirements of NEPA and other applicable regulations and requirements.
- **Public Review of the Draft EIS.** Upon completion of the Draft EIS, the U.S. Environmental Protection Agency (USEPA) will publish a Notice of Availability in the *Federal Register* initiating a public comment period for the Draft EIS. FRA will provide the Draft EIS to interested parties for review and comment. The comment period for the Draft EIS will be 45 days. FRA will conduct a public hearing during the public comment period.
- **Final EIS and Record of Decision (ROD).** After the close of the public comment period on the Draft EIS, FRA intends to prepare a joint Final EIS and ROD. The Final EIS will include a summary of the comments made on the Draft EIS along with responses to those comments. The Final EIS will include necessary revisions to address comments made on the Draft EIS. The ROD will document FRA’s decision on the Proposed Action along with any required mitigation or other commitments.

C. THE PURPOSE OF THIS SCOPING DOCUMENT

As described above, an early step in the environmental review process is “scoping,” which helps FRA determine the topics that should be covered in the development of the Draft EIS. FRA is holding a scoping period, from July 1 to July 31, 2020. During the scoping period, FRA requests comments from the public and agencies related to purpose and need, alternatives to be considered, the potential for environmental impacts, and the methodologies to be used in the effects analyses.

This Scoping Document is intended to provide interested parties with information about the Project, the environmental review process, analyses to be included in the EIS, and how the public and interested agencies can be involved in the EIS process; therefore, this Scoping Document contains the following:

- Project Background (Section D)
- Purpose and need for the Proposed Action (Section E);
- Proposed Action and feasible alternatives to be considered in the EIS (Section F);
- The analyses to be included in the EIS (Section G); and
- A description of the plan for public and agency involvement (Section H).

As noted in Section H of this document (“Public Outreach and Agency Coordination”), FRA will be coordinating with participating agencies during development of the Draft EIS pursuant to 23 USC 139. FRA is coordinating compliance with Section 106 of the NHPA with the NEPA process pursuant to 36 CFR 800.8(a) and will consult with the New York State Historic Preservation Officer, Federally recognized Native American tribes, and other consulting parties⁴ pursuant to Section 106 of the NHPA.

⁴ Consulting parties may include local governments, Federally recognized Indian tribes, and individuals and organizations with a demonstrated interest in the project due to the nature of their legal or economic relation to the project or affected historic properties, or their concern with the project’s effects on historic properties.

D. PROJECT BACKGROUND

The MTA Hudson Yards (aka “John D. Caemmerer Hudson Yards”) is an electrified train yard that stores 35 LIRR commuter trains daily, with a capacity of 386 train cars on 30 tracks. The train yard is divided into two sections, the Eastern Rail Yard located on Block 702 and the Western Rail Yard located on Block 676.

The Platform and Overbuild were the subject of a Final Environmental Impact Statement (FEIS) prepared under the New York State Environmental Quality Review Act (SEQRA) and New York City Environmental Quality Review (CEQR), which was published on October 9, 2009 (2009 SEQRA/CEQR FEIS). The New York City Planning Commission (CPC) and the MTA acted as co-lead agencies for this environmental review and issued environmental findings under CEQR and SEQRA. Subsequent zoning actions associated with the Overbuild development were approved by the CPC and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution’s existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size).

FRA conducted an environmental assessment (EA) under NEPA for the construction of a concrete casing in the Hudson Yards, and issued Findings of No Significant Impact (FONSI) in 2013 for the concrete casing project’s EA⁵, and in 2014 for the concrete casing project’s Supplemental EA (SEA)⁶. The purpose of the concrete casing project was to preserve underground right-of-way in Hudson Yards to maintain opportunities to expand rail services, meet future demand, and improve intercity and commuter rail system safety and reliability. The preservation of the right-of-way is necessary to ensure the Platform and Overbuild construction would not eliminate the possibility of future rail development and expansion through Hudson Yards and into New York Penn Station.

Since FRA’s issuance of the 2013 and 2014 FONSI, the portion of concrete casing extending beneath the Eastern Rail Yard and Eleventh Avenue, from Tenth Avenue to the western edge of Eleventh Avenue, has been built. The final section is the Tunnel Encasement that would be constructed as a part of this Project, and extends on a diagonal alignment from the western edge of Eleventh Avenue to the northern edge of 30th Street in the Western Rail Yard (see **Figure 1**). The construction of this section of Tunnel Encasement is a component of the Proposed Action, as described in more detail below. For more information about FRA’s past environmental review of the concrete casing and Tunnel Encasement, please see <https://www.fra.dot.gov/Page/P0666>.

The EIS for the Proposed Action will rely on the analysis contained in the prior project-related efforts, including the 2009 SEQRA/CEQR FEIS, 2013 FRA EA/FONSI, and the 2014 SEA/FONSI, to the maximum extent practicable.

E. PURPOSE AND NEED

The purpose of the Proposed Action is to (1) cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the joint venture can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive Platform ventilation system; and (2)

⁵ Amtrak and FRA. May 2013. Finding of No Significant Impact, *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*.

⁶ Amtrak and FRA. November 2014. Finding of No Significant Impact, *Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*.

preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

The Platform is needed to support the provision of developable land area that would generate revenue for the MTA and its subsidiary agencies and modernize state-of-the-art life safety systems for the entire Western Rail Yard⁷. MTA has sought to maximize the revenue generation potential of its real estate assets, and when Hudson Yards was redeveloped in 1986, the tracks and other facilities were laid out to accommodate the columns that would be required for future development. Currently, there is no capacity for development over the Western Rail Yard without construction of the Platform. The 2005 Hudson Yards rezoning included the extension of the No. 7 IRT Flushing Line subway to 34th Street and Eleventh Avenue, providing new and closer access to the subway system in this area, which made private development considerably more attractive and viable in this part of Manhattan. The 2005 Hudson Yards rezoning also provided for the development of a mix of uses and densities, including a provision for open space.

The Tunnel Encasement is needed to maintain the ability to preserve passenger rail service in and out of New York Penn Station⁸. New rail infrastructure is part of the effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued.

Consistent with the purpose and need for the Proposed Action, the objectives of the Western Rail Yard Infrastructure Project include:

- Maintain safe, continuous, and uninterrupted LIRR operations, construct critical life safety and ventilation systems, and modernize operational facilities within Western Rail Yard;
- Support the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard;
- Provide support for the economic, social, and recreational life of the Hudson Yards area and the City; and
- Preserve opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

F. PROPOSED ACTION AND ALTERNATIVES

The development of the Proposed Action has been a thoughtful, multi-year collaborative process between the primary stakeholders, LIRR, MTA, Amtrak, Related, and FRA to ensure the safe and continual operation of LIRR facilities during construction and operation. In order to support the Overbuild, the Platform would require deep footings and a concrete slab to transfer the building loads to the bedrock below. Approximately 400 caissons (i.e., watertight columns) would be needed to support the Platform, which would need to be drilled into bedrock deep below the surface. The Tunnel Encasement would need to withstand any possible changes in load of the above ground structures to be operational for the life of the infrastructure (100 plus years). Additional design and coordination would be necessary during the

⁷ MTA's subsidiary agencies include LIRR, Metro-North Railroad, New York City Transit (NYCT), Capital Construction Company, Staten Island Railway, Regional Bus Operations, and Bridges and Tunnels.

⁸ *Hudson Tunnel Project, Draft Environmental Impact Statement and Draft Section 4(f) Evaluation*, June 2017, includes a Preferred Alternative consisting of the construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the Northeast Corridor and into New York Penn Station.

installation of the Project to ensure safe and continual rail operations at Western Rail Yard and to meet the Project objectives.

As a result of the scoping process, FRA will finalize the purpose and need for the Proposed Action and identify any feasible and constructible alternatives that meet the objectives set forth by the purpose and need. Reasonable alternatives would need to consider the feasibility and complexity of the construction, while maintaining the active rail yard in operation. The EIS will evaluate a No Action Alternative and reasonable Build Alternative(s) that meet the purpose and need. FRA will document the alternatives development process in the Draft EIS.

To the extent appropriate, FRA will consider and incorporate information from previous studies. The descriptions provided below for the Platform, and Tunnel Encasement are based on the latest available information and the most current design documentation provided by the Project Sponsor.

The Proposed Action consists of:

- A new approximately 9.8-acre Platform spanning the Western Rail Yard, including deep footings and a concrete slab to cover the active rail yard below, and reinforced building foundations for Overbuild development (**Figure 3**). Platform construction would also include the modernization of LIRR support services including: emergency electrical equipment and new critical life safety and mechanical, electrical and plumbing support services for the yard. In addition to the modernization efforts, construction of the Platform would necessitate the construction of approximately 20,000 square feet of new railroad staff facilities and rail car cleaning services.
- A Tunnel Encasement in the southern portion of the site running from Eleventh Avenue to West 30th Street to preserve right-of-way for a new trans-Hudson connection into New York Penn Station (**Figure 4**).

In addition to the Proposed Action, FRA will describe and evaluate the following types of construction activities in the Draft EIS:

- Construction staging areas at the Western Rail Yard site, for the construction of all of the aforementioned project components and construction activities,
- Traffic and transportation interruptions including potential localized sidewalk and traffic lane closures.

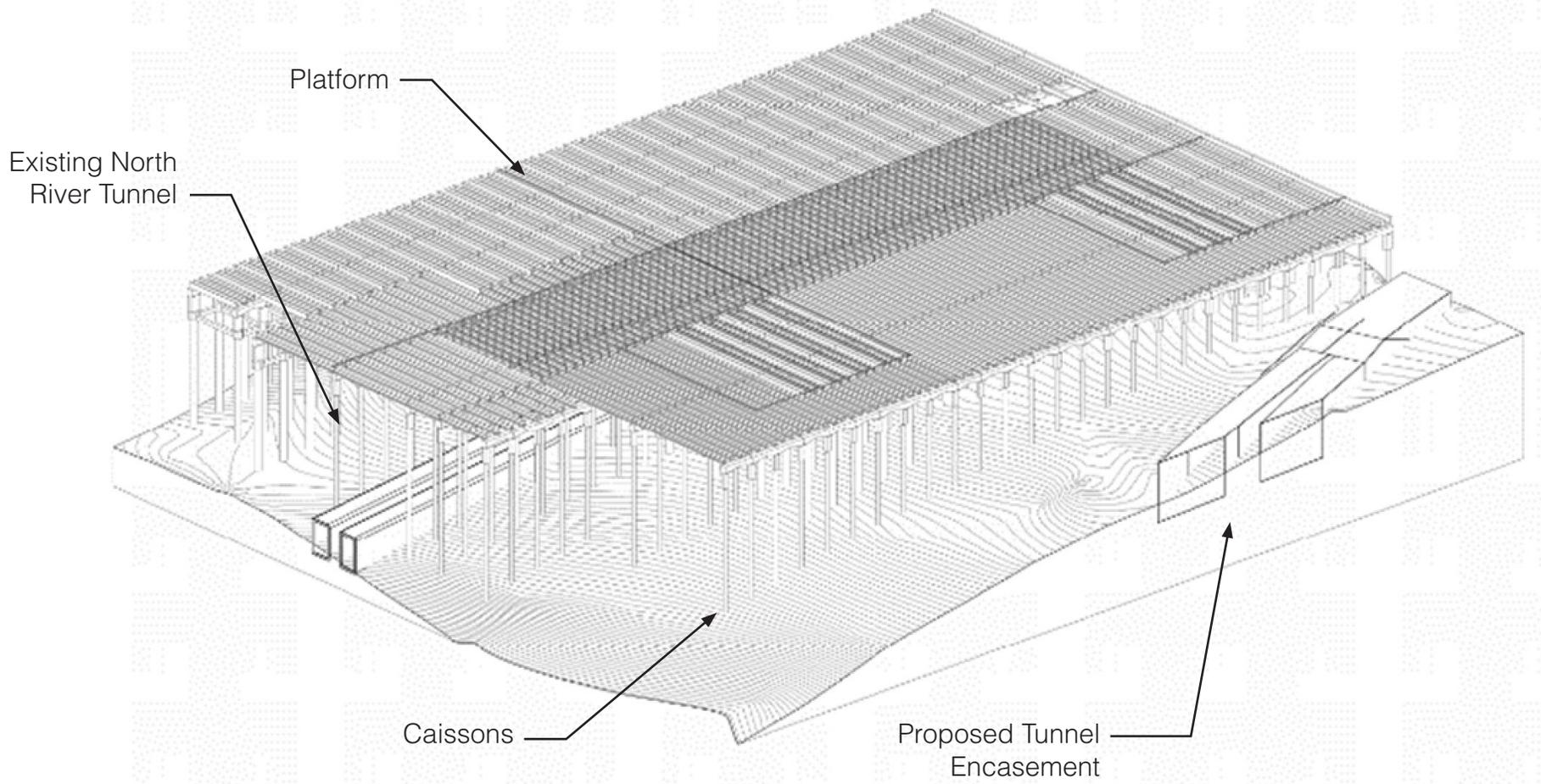
FRA anticipates presenting the agency's Preferred Alternative in the Draft EIS consistent with 40 CFR 1502.14(e). The descriptions provided below for the Platform and Tunnel Encasement are based on the latest available information and the most current design documentation provided by the Project Sponsor.

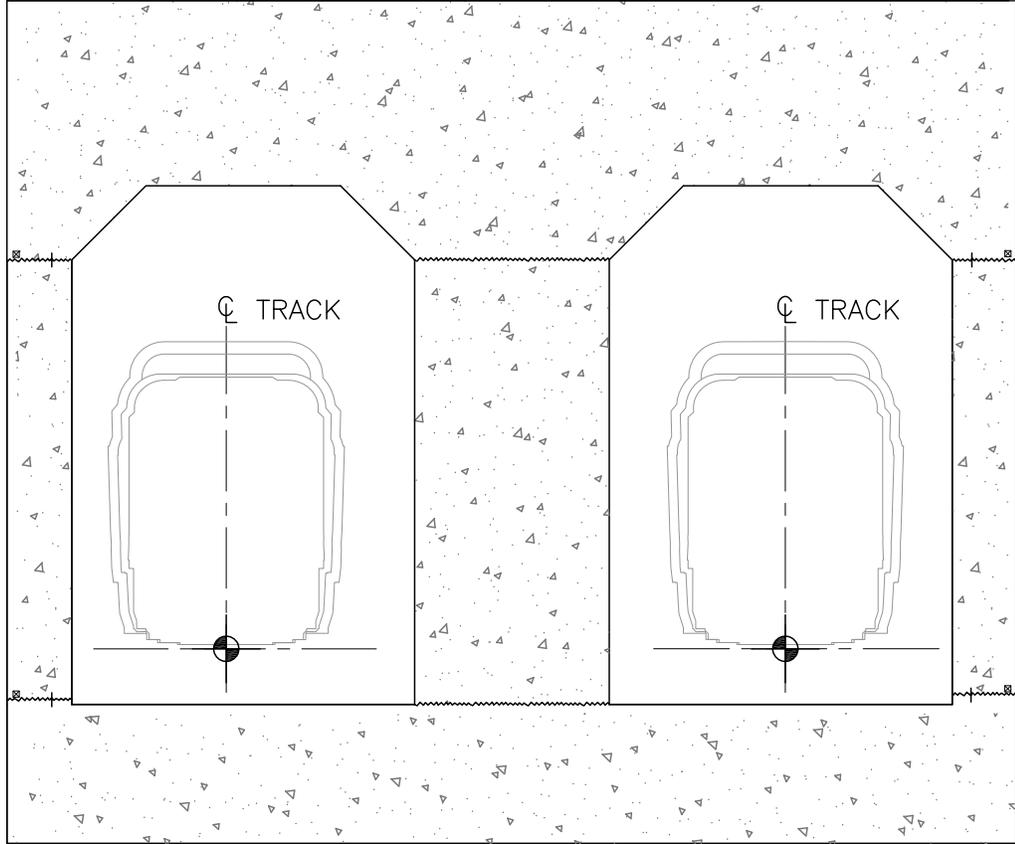
PLATFORM

In order to support the Overbuild, the Platform would require deep footings and a concrete slab to transfer the building loads to the bedrock below. Hundreds of caissons (i.e., watertight columns) would be drilled into bedrock through the water table and soil and to the rock that is up to 120 feet below the surface in certain locations.

The Platform's support columns would be threaded between the existing railroad tracks and associated infrastructure in Western Rail Yard. When Hudson Yards was redeveloped in 1986 the tracks and other facilities were reconfigured, and laid out to accommodate the columns that future development would require. As a result, no existing storage tracks would be displaced and train service would be maintained during the construction of the Platform.

The approximately 9.8-acre structural Platform would cover the railroad storage tracks and maintenance facilities in MTA's rail yard, which are used and operated by the LIRR. The construction of the Platform would require the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning





Source: Amtrak

services. The proposed Platform would house critical life safety and mechanical, electrical, and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard.

TUNNEL ENCASEMENT

The Tunnel Encasement in the Western Rail Yard would start at the western edge of Eleventh Avenue, and extend across the project site to the northern edge of 30th Street. The tunnel box would be between 50 and 65 feet wide and between 27 and 38 feet high. Together, the Tunnel Encasement below both rail yards (Eastern and Western Rail Yards) would preserve a total ROW of approximately 1,400 feet. It would extend underneath a portion of the High Line, and require the underpinning of the historic elevated structure during construction. No permanent operational components, such as tracks, lighting, ventilation, or electrical systems, would be constructed within the Tunnel Encasement as part of the Proposed Action. Minor, temporary systems, such as sump pumps, lighting, and ventilation would be installed in the Tunnel Encasement to enable its construction.

NO ACTION ALTERNATIVE

The Council on Environmental Quality (CEQ) regulations for implementing NEPA require consideration of a No Action Alternative, which is an alternative that represents the conditions that would exist in the planning year if a Proposed Action (in this case, the Project) is not implemented. The No Action Alternative does not meet the Purpose and Need of the Proposed Action, because it does not protect or enhance MTA's assets, and it would not preserve the right-of-way for a future trans-Hudson passenger rail connection into New York Penn Station, and would not advance New York City's land use objectives for Hudson Yards. The No Action Alternative serves as a baseline for comparison against the potential impacts of the Action Alternative (Project). Under the No Action Alternative, the Western Rail Yard Platform and Tunnel Encasement would not be built. The existing use of the rail yard and associated LIRR facilities, as well as their maintenance regimen would continue. Therefore, the No Action Alternative includes only those projects that are necessary to keep Western Rail Yard and the associated LIRR facilities in service and provide continued maintenance.

As part of the analysis of the No Action Alternative, the EIS will also consider other, independent transportation and infrastructure projects that will be implemented, or are being planned by others and appear likely to be implemented within the same timeframe as the Proposed Action.

The transportation and infrastructure projects that are expected to be complete within the same time horizon as the Proposed Action are listed in **Table 1** and shown on **Figure 5**. The transportation and infrastructure projects included in the No Action condition are:

- **Hudson Tunnel Project:** The Hudson Tunnel Project consists of a new two-track passenger rail tunnel on the NEC between New Jersey and New York, referred to as the Hudson River Tunnel, and rehabilitation of the existing North River Tunnel. Upon completion of the project, the NEC will have four tracks (two in the new Hudson River Tunnel and two in the North River Tunnel) between New Jersey and New York under the Hudson River, which would provide operational flexibility and redundancy for Amtrak and NJ TRANSIT rail operations. The new Hudson River Tunnel would be parallel to, and south of, the existing NEC between Secaucus, New Jersey and New York Penn Station. The western terminus of the new tunnel and related tracks and infrastructure would be at approximately County Road in Secaucus, New Jersey, and the eastern terminus would be at approximately Ninth Avenue in Manhattan, New York. FRA is advancing the NEPA EIS of this project with NJ TRANSIT and Port Authority of New York and New Jersey. The DEIS was published for public review in June 2017, and is presently under federal review.



Project Site (Western Rail Yard)
 Study Area (1/2-mile perimeter)
 A No Build Project (Infrastructure)

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Table 1
Ongoing Projects Included in the No Action Alternative

Map ID No. ²	Address/Name	Block	Lot	Program	Build Year ¹
A	High Line—Tenth Avenue Spur	N/A	N/A	Completion of repurposed High Line with open space amenities	2027
B	Hudson River Park	N/A	N/A	Park improvements, 29th-34th Streets	2027
C	West Side Yard Perimeter Protection	676 & 702	5 125, 150, 175, 180	Resiliency project to construct protection for the West Side Yard	2027
D	New York Penn Station Infrastructure Renewal Project	781	1	Accelerated maintenance and repairs to existing tracks and systems to strengthen and improve operations and reliability at New York Penn Station	2027
E	Penn Station Access	N/A	N/A	Rerouting certain Metro-North Railroad New Haven Line commuter trains to Penn Station	2027
F	Empire Station Complex	780	All	Multiple transit improvements to Penn Station	2032/2042
G	East Side Access Project			Provide for LIRR trains to travel to Grand Central Terminal in addition to New York Penn Station	
H	Hudson Tunnel	N/A	N/A	New rail tunnel, and associated ventilation infrastructure	2026
I	Moynihan Station – Train Hall & Platform Access	755	40	297,809 gross square feet (gsf) transportation infrastructure improvements, including platform access, and new Train Hall,	2021
J	North River Tunnel (NRT) Interim Reliability Improvements	N/A	N/A	Various reliability improvements for the North River Tunnel in advance of planned complete rehabilitation connected with the Hudson Tunnel Project.	TBD
K	Amtrak Sawtooth Bridges Replacement Project	N/A	N/A	The Sawtooth Bridges Project would include replacing existing railroad bridges with three new rail-carrying bridges and result in a new four-track segment of the NEC with higher design speeds.	2026
L	Amtrak Pelham Bay Bridge Replacement	N/a	N/a	The Pelham Bay Bridge Project would include replacing an existing railroad bridge with a new two-track bridge spanning the Hutchinson River.	TBD

Notes: * See Figure 5.
¹ Projects for which an expected date of completion is not available are assumed to be complete by 2027.
²**Sources:** New York City Department of City Planning; AKRF research; Amtrak; media coverage.

- West Side Yard/Hudson Yards Perimeter Protection:** During Superstorm Sandy, flood waters entered West Side Yard/Hudson Yards from the Hudson River, damaging critical infrastructure including trackbeds, switches, and signals, and entering the North River Tunnel's two tubes from their Manhattan portal at Tenth Avenue and their ventilation shaft at Eleventh Avenue. To protect this infrastructure from future flooding, the LIRR is planning a flood protection project that will include perimeter protection and drainage improvements around West Side Yard/Hudson Yards, which also encompasses the North River Tunnel's vent shaft and portal. For perimeter protection, a new, permanent wall is proposed, with additional deployable barriers to be implemented across driveways and access points in advance of storm events. This project will protect not only the West Side Yard/Hudson Yards, but also the other existing railroad infrastructure connected to the yard, including the portal and ventilation shaft for the North River Tunnel, the smaller rail storage yards east of Tenth Avenue, and the tracks and platforms at New York Penn Station. The new perimeter wall will also protect the new portal for the Hudson River Tunnel and the Tenth Avenue fan plant. Installation of the perimeter protection is planned to be constructed in phases beginning in 2022 with estimated completion in 2026.
- East River Tunnels Rehabilitation:** Two of the four tubes of the East River Tunnels were flooded during Superstorm Sandy, with water reaching the tunnel roofs (i.e., crowns) at mid-river. This caused extensive damage within the tunnels. While the tunnels were repaired and brought back to service quickly after the storm, like the North River Tunnel, these tunnels require complete rehabilitation. Amtrak is planning this rehabilitation, which may begin as early as 2020. The rehabilitation will occur one tube at a time to minimize disruption to rail service, but closure of one tube will nonetheless require services changes for Amtrak, LIRR, and NJ TRANSIT. Amtrak is not

planning to rehabilitate the East River Tunnels at the same time as rehabilitation of the North River Tunnel.

- **Moynihan Station Project:** The Moynihan Station Project will create a new passenger rail station within the historic James A. Farley Post Office Building (Farley Building), which is across Eighth Avenue from New York Penn Station and was designed by the same architecture firm as the original Penn Station building. Like the existing Penn Station facilities, the Farley Building is above the tracks and platforms of New York Penn Station. The project will create a new grand train hall for passengers and improved passenger amenities. The project is advancing in phases, and the first phase is now complete. Phase 1 includes the West End Concourse Expansion to create access to New York Penn Station’s tracks and platforms through the Farley Building, expand and rehabilitate the underground connecting corridor between the new West End Concourse and existing New York Penn Station, and new and reconfigured entrances for the Eighth Avenue subway lines (A/C/E) at New York Penn Station. The next phase, now in construction, will include a new train hall, internal pedestrian circulation space, and commercial development in the Farley Building, including transit-oriented and destination retail as well as other commercial uses. The transportation infrastructure component of the project is planned for completion by 2021, with the private development components of the project anticipated to be completed by 2027.
- **East Side Access Project:** MTA is currently constructing the East Side Access project, which will allow LIRR trains to terminate at Grand Central Terminal in addition to New York Penn Station. The project includes a new lower-level LIRR terminal beneath the existing terminal at Grand Central, a new tunnel from Queens to Grand Central, and many other improvements. The project is planned for completion by the end of 2022. Once complete, LIRR is anticipating a substantial increase in service with trains serving both Manhattan terminals. At New York Penn Station, LIRR plans to run the same number of trains as today, but initially with shorter train lengths.
- **Penn Station Access:** MTA is also proposing a project to allow Metro-North Railroad trains to travel to New York Penn Station in addition to Grand Central Terminal. The project includes three miles of new track on existing right-of-way in the Bronx, and four new stations in the Bronx. Service to New York Penn Station would not begin until after the East Side Access Project is complete. The MTA is completing a multi-year analysis of future rail operations at New York Penn Station to gain a better understanding of operations that can be run at the station.
- **Portal North Bridge (Portal Bridge Replacement):** The existing Portal Bridge is a two-track movable bridge that carries the NEC across the Hackensack River between Newark Penn Station and the Frank R. Lautenberg Secaucus Junction Station. This bridge is more than 100 years old and has reached the end of its useful life; malfunctions in the mechanical components of the bridge can cause extensive delays on the NEC. The bridge will be replaced by a new high-level, fixed-span bridge with two tracks parallel to, and north of, the existing bridge. Final design and permitting for this bridge replacement project, known as Portal North Bridge, are complete.
- **New York Penn Station Infrastructure Renewal Project:** Amtrak is working to renew the infrastructure at New York Penn Station. The work includes accelerated maintenance and repairs to existing track systems to strengthen and improve operations and reliability at New York Penn Station.
- **Amtrak Sawtooth Bridges Replacement Project:** The Sawtooth Bridges Project would include replacing existing bridges with three new rail-carrying bridges and result in a new four-track segment of the NEC with higher design speeds. The purpose of the Proposed Project is to achieve a state of good repair, and to improve the reliability and resiliency of rail service along this critical segment of the NEC. The “Sawtooth Bridges” are critical links and existing bottlenecks on Amtrak’s Northeast Corridor (NEC)—one of the busiest transportation corridors in the world. The Sawtooth Bridges are in the Town of Kearny, Hudson County, NJ, and do not cross any bodies of

water; rather, they span over other rail tracks. FRA and Amtrak prepared an Environmental Assessment (EA) and draft Section 4(f) Evaluation for the Sawtooth Bridges Project which was published for public review on February 27, 2020. The EA indicates that construction of this project could begin in 2022 and be completed by 2029.

- **North River Tunnel (NRT) Interim Reliability Improvements:** Amtrak has recently procured a team to perform a feasibility study and options analyses on different repairs or improvements to the NRT that will improve reliability for the public over the upcoming decade. Concepts that are determined to be feasible while maintaining full service and result in a net decrease in operational risk will be moved into a preliminary engineering phase in fiscal year 2021. These improvements will then be progressed as needed and programmed, but have not been programmed at this time.
- **Pelham Bay Bridge Replacement Project:** Amtrak is proposing the replacement of the existing Pelham Bay railroad swing bridge built in 1907 with a new two-track bridge across the Hutchinson River in the Bronx, NY. The existing bridge has been in service well past the normal life span of a movable bridge, and is prone to operational failures and service delays. There are three bridge replacement alternatives under consideration. Amtrak plans to coordinate this bridge replacement project with the MTA Penn Station Access project, to not preclude any of the bridge replacement alternatives that are under consideration. In April 2020, Amtrak initiated discussions with FRA concerning advancing the environmental review for this project. As the project's environmental review has not yet commenced, a completion year for this bridge replacement project has not been established.
- **New York City Economic Development Corporation (NYCEDC) W. 33rd Street Viaduct:** NYCEDC is leading the effort to regrade West 33rd Street between Eleventh and Twelfth Avenues in order to accommodate construction over Hudson Yards. The street is currently a partial viaduct that connects to the Eleventh Avenue Viaduct and transitions into a street supported by a retaining wall towards Twelfth Avenue. NYCEDC is in the process of procuring a design team for this work, which will be coordinated with the Platform construction and is expected to be completed within the next five years.
- **New York City Department of Environmental Protection (NYCDEP) Infrastructure Upgrade with Hudson Yards Rezoning and Redevelopment Program:** NYCDEP is making improvements to City water mains and sewer infrastructure that are necessary to relieve local constraints in water supply, sewer infrastructure, and stormwater management networks to accommodate the proposed development in Far West Midtown, including the proposed development at the Western Rail Yard site. The City has committed to make these improvements, in the required timeframe to support the proposed Overbuild at Hudson Yards.

G. ENVIRONMENTAL ANALYSIS TO BE INCLUDED IN THE EIS

The EIS will consider the potential direct, indirect, and cumulative effects of the No Action and Build Alternative(s) on the social, economic, and environmental resources in the study area. This analysis will include the identification of study areas; documentation of the affected environment; evaluation of direct and indirect effects of the alternatives; and identification of measures to minimize, avoid, or mitigate adverse impacts. The analysis will include detailed consideration of impacts that could occur from construction of the Build Alternative(s) as well as consideration of the impacts once the construction is complete. FRA may also consider adjacent development projects as part of defining the affected environment to the extent relevant to its environmental analysis. **Attachment A** lists the known development projects, as confirmed by the New York City Department of City Planning (NYCDCP), which will be considered in the future affected environment that will be analyzed in the EIS.

FRA has identified a study area for the project, which is an approximate ½-mile radius from Western Rail Yard, generally bounded by West 42nd Street to the north, Eighth Avenue to the east, West 21st Street to

the south, and the Hudson River to the west (see **Figure 6**). The purpose of this study area is to identify a geographic area large enough to support assessment of potential environmental impacts of the Build Alternative(s) that will be studied in the Draft EIS. However, the study areas for each affected resource will vary, based on the resource, since a project's effect can occur over smaller or larger areas depending on the resource area.

FRA proposes to consider the following resource areas for the No Action and the Build Alternative(s) in the EIS with the environmental reviews in accordance with 23 CFR Part 771 and relevant CEQ guidelines and applicable guidance as noted:

- **Land Use, Land Planning, and Property:** The EIS will describe and evaluate the consistency of the No Action Alternative and Build Alternative(s) with existing and future land use and Land Planning codes and regulations. The EIS will consider land use, compatibility of the Project with existing zoning, and the potential for land use and land planning impacts will also be assessed using the methodologies set forth in the *New York City Environmental Quality Review (CEQR) Technical Manual*. The EIS will identify the need for property acquisitions or displacements for the Build Alternative(s), and will discuss the procedures to be followed for any required acquisition in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act (42 USC 4601) and its implementing regulations (49 CFR part 24).
- **Transportation:** The EIS will consider the long-term effects on transportation related to the No Action Alternative and Build Alternative(s). Analyses will include consideration of operational and construction period effects of the No Action and Build Alternative(s) on study area traffic, parking, public transit modes (including public and private bus service), passenger rail service and operations, and pedestrian conditions, including any potential changes to transportation facilities, street directions, temporary or permanent lane or sidewalk closures, etc.. The potential for transportation impacts of the Build Alternative(s) will be assessed using the methodologies set forth in the *New York City Environmental Quality Review (CEQR) Technical Manual*.
- **Air Quality, Greenhouse Gas Emissions and Resilience:** The EIS will consider air pollutant emissions related to the No Action Alternative and Build Alternative(s). Construction related air emissions will also be evaluated by analyzing activities that would be required for the Platform, and Tunnel Encasement — including the operation of on-site construction equipment and trucks bringing materials to and from the construction site. Air quality analyses will follow EPA's regulations and guidelines on air dispersion modeling, including 40 CFR 51, *Appendix W, Guidelines on Air Quality Models*, in addition to the methodologies found in the New York State Department of Transportation's (NYSDOT's) *The Environmental Manual (TEM)* and the *CEQR Technical Manual*. In accordance with EPA requirements, the EIS will include a General Conformity Analysis to address the Proposed Action's conformity with the Clean Air Act and associated conformity requirements, which examines how the Project's air emissions compare with the National Ambient Air Quality Standards (NAAQS). The EIS will describe sources of greenhouse gas emissions associated with the construction activities that would be required to construct the project components. Measures to reduce project-generated greenhouse gas emissions will be identified. Design features that would make the Build Alternative(s) more resilient to the effects of extreme weather and flooding events will also be described.
- **Noise and Vibration:** The EIS will evaluate the potential operational and construction period noise and vibration impacts related to the No Action Alternative and Build Alternative(s). The EIS analyses will compare noise and vibration produced by the construction and operation of the Proposed Action with the No Action alternative, and applicable standards to determine potential impacts. It will also consider the noise and vibration impacts associated with operation of Amtrak and NJ TRANSIT passenger rail service through the Tunnel Encasement once it is complete and LIRR operations at the Western Rail Yard. The analysis will follow the methodologies presented in the Federal Transit Administration (FTA) guidance manual, *Transit Noise and Vibration Impact*



- Project Site (Western Rail Yard)
- Study Area (1/2-mile perimeter)

0 1,000 FEET

Assessment (FTA-VA-90-1003-06, May 2006), which FRA has adopted for use in environmental impact review of non-high speed rail operations, as well as the *CEQR Technical Manual* impact criteria.

- **Cultural Resources and Section 106 Consultation:** The EIS will analyze potential effects on historic and archaeological resources of the No Action Alternative and Build Alternative(s), in accordance with the requirements of Section 106, which requires that Federal agencies consider the effects of their actions on any properties listed or determined eligible for listing on the National Register of Historic Places. As part of the Section 106 process, FRA will afford the New York State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, Federally recognized Native American tribes, identified consulting parties, and interested members of the public a reasonable opportunity to comment on the Section 106 undertaking (i.e., the Proposed Action) and its potential effects. If any adverse effects are identified, FRA will resolve those effects and identify the appropriate avoidance and mitigation measures in consultation with the SHPO and/or Tribal Historic Preservation Officer (THPO), tribes, and other consulting parties established during the Section 106 process. The analysis of historic and archaeological resources will inform the evaluation of Section 4(f) resources, which is discussed below.
- **Parks and Recreation Areas:** The EIS will identify parks and recreational resources in the study area and evaluate the potential construction-related and operational effects of the No Action Alternative and Build Alternative(s) on those resources. The assessment will include a description of construction-related effects on the High Line, including the effects of underpinning the resource during construction of the Tunnel Encasement, as well as construction noise levels and effect on park users. The EIS will follow the relevant CEQ guidelines related to the assessment of parklands and recreational opportunities, including sites devoted to recreational activities, and will analyze the potential for impacts on non-site-specific activities, such as bicycling, and impacts on non-activity-specific sites such as designated “open space.” The potential for impacts to these resources will also be assessed using the methodologies set forth in the *New York City Environmental Quality Review (CEQR) Technical Manual*. The analysis of parks and recreational resources will inform the evaluation of Section 4(f) resources, which is discussed below.
- **Aesthetic and Visual Quality:** The EIS will evaluate potential effects on visual and aesthetic resources, including staging sites and other construction activities as well as any permanent above-ground features related to the No Action Alternative and Build Alternative(s). This will involve describing the existing visual setting and aesthetic conditions in the area, and performing an analyses comparing the affected environment for these resources against conditions with the Project during construction and operation. The potential for impacts to these resources will be assessed using the relevant CEQ guidelines related to visual assessment, as well as the methodologies set forth in the *New York City Environmental Quality Review (CEQR) Technical Manual*.
- **Contaminated Materials:** Soil and groundwater beneath a site can be contaminated because of past or present uses on that site or adjacent properties. Contaminants commonly found along rail lines include semi-volatile compounds, heavy metals, pesticides, and herbicides. For the portion of the site that is solid ground, where the Tunnel Encasement is proposed, sites in this area of Manhattan commonly have fill and may also have other contaminants present. The EIS will examine previously prepared contaminated materials evaluations and studies for the site, and will evaluate the potential for contamination to be present in the area where construction activities would occur and will describe measures to avoid or minimize potential exposure to the public and construction workers from any contaminants during construction of the Build Alternative(s).
- **Utilities and Energy:** The EIS will include an assessment of the potential construction and operational impacts of the No Action Alternative and Build Alternative(s) on Energy, Water, Wastewater, Stormwater, Solid Waste and Sanitation Services. Existing and proposed utility infrastructure and services locations will be compiled from as-built drawings and other and plotted

on graphics as appropriate. This would also include identifying potential disruptions to service that may occur during construction of the Build Alternative(s), and any temporary or permanent relocation(s) of utility services that may be required as a result of the construction or operation of the Project.

- **Natural Ecological Resources and Section 7 Consultation:** The EIS will examine potential impacts on water quality and terrestrial and aquatic natural resources related to the No Action Alternative and Build Alternative(s). This will include a discussion of relevant regulatory programs, the current condition of natural resources in the study area. Natural resources to be considered for assessment will include wetlands, water and sediment quality, floodplains, and biological resources, including aquatic biota, terrestrial biota, and threatened and endangered species. Because of the site's location, analysis of some of these resources are anticipated to screen out as unnecessary or inapplicable (e.g., wetlands, as there are no wetlands on the site). The EIS will comply with the consultation required under the Endangered Species Act of 1973 (ESA). Section 7 of ESA, called "Interagency Cooperation," is the mechanism by which Federal agencies ensure the actions they take, including those they fund or authorize, do not jeopardize the continued existence of any listed species. All of the water and natural ecological resource analyses undertaken for the EIS will examine if and how the construction or operation of the Project would affect the resources, and will be conducted in coordination with relevant resource and permitting agencies, including the U.S. Fish and Wildlife Service (USFWS), Federal Emergency Management Agency (FEMA), U.S. Environmental Protection Agency (USEPA), and New York State Department of Environmental Conservation (NYSDEC).
- **Soils and Geology:** A soils and geology analysis will be conducted in the EIS to identify existing soil and geologic conditions, as well as the potential for seismic activity in the area, which would need to be accounted for as part of the design of the Build Alternative(s). The analysis of soils and geology will include a review of published information obtained from Federal and New York State government sources about the geologic, hydrogeologic, hydrologic, or topographic characteristics of the study area, including seismic data. An assessment of the soil units located within the study area will also be undertaken, including reviewing the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) and the Soil Survey Geographic Database (SSURGO). The soil and geologic conditions, including acidic or hydric soils, may affect the engineering design for structures requiring additional design considerations to address potential settlement issues. These studies will also describe future No Action conditions and potential impacts of the Build Alternative(s) following construction. Potential impacts will be evaluated with respect to how the Project may affect geologic structure and faults, seismicity, slope stability, and unique geologic features, based on available soils and geologic data.
- **Water Resources and Water Quality:** The EIS will include an assessment of the effects of the No Action Alternative and Build Alternative(s) on water resources and water quality in the Hudson River. As there is no in-water work proposed for this Project, these analyses will examine any potential indirect construction or operational effects on water resources and quality that may result from the Project. As the project site lies within the floodplain, the EIS will also document compliance with Executive Order 11988, "Floodplains" and USDOT Order 5650-2, "Floodplain Management and Protection," April 23, 1979, which impose requirements on projects located in a floodplain. As part of this analysis, any necessary coordination with FEMA will be undertaken to ensure the concerns of that agency with respect to potential flooding of this critical infrastructure are addressed.
- **Coastal Zone Consistency:** The Coastal Zone Management Act (CZMA) of 1972 requires that federal activities within a state's coastal zone be consistent with that state's coastal zone management plan. The New York State Department of State (NYS DOS) administers the Coastal Management Program (CMP) in New York. New York State permits any local government that

has any portion of its jurisdiction contiguous to the state's coastal waters to submit a Local Waterfront Revitalization Program (LWRP) to NYSDOS for approval. The New York City Waterfront Revitalization Program (NYCWRP) is the LWRP for the City, and is its principal coastal zone management tool, codified in the Waterfront Revitalization Program Section (197-a, of the New York City Charter). The New York City Department of City Planning (NYCDCP) administers the NYCWRP. Because the proposed Western Rail Yard Infrastructure Project is located within New York City's Coastal Zone Boundary, it must be reviewed for consistency with the NYCWRP policies. The EIS will evaluate the No Action Alternative and Build Alternative(s) for consistency with the NYCWRP policies, and the New York State CMP policies that apply to each NYCWRP policy will be identified. The Project Alternative(s) will, to the extent practicable, be developed under the guidance of the criteria provided by each of the applicable coastal rules and policies.

- **Socioeconomics:** The EIS will describe the social and economic characteristics of the people who live and work within the study area, including employment, jobs, and housing, and the trade and economic characteristics of businesses located within the study area, and will evaluate potential effects of the No Action Alternative and Build Alternative(s) on these characteristics from the construction or operation of the Project. The analysis will also evaluate potential effects of the No Action Alternative and Build Alternative(s) on the elderly and persons with disabilities, as well as potential effects on community facilities and services. This resource evaluation will use the methodologies set forth in the *CEQR Technical Manual*, the relevant CEQ guidelines.
- **Public Health:** *CEQR Technical Manual* assessment methodologies will be used for the public health impacts assessment of the No Action Alternative and Build Alternative(s). Conclusions regarding public health will be based on the analyses of those resources that may be associated with the following public health effects: Air Quality, Contaminated Materials (concerning hazardous materials), Noise, and Water Quality. Effects analyses for these resources will be reviewed to determine whether the Build Alternative(s) considered in the EIS would result in any unmitigated impacts, requiring a CEQR compliant public health assessment. Additionally, the EIS will follow the relevant CEQ guidelines related to these assessments.
- **Environmental Justice:** The EIS will include an analysis that complies with the requirements of Executive Order 12898, “Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations” and assesses the Proposed Action’s potential for disproportionately high and adverse environmental impacts on minority and/or low-income populations. The analysis will follow the guidance in the CEQ’s “Environmental Justice Guidance under the National Environmental Policy Act” (December 1997), the USDOT’s 2012 Updated Environmental Justice Order 5610.2(a) (*Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*)⁹, and relevant guidance from the State of New York.
- **Public Safety and Security:** This analysis will identify the existing and future safety and security requirements, policies, procedures, protocols, systems, and infrastructure. This evaluation will include analysis of the No Action Alternative and Build Alternative(s) impacts to these existing and future systems as well as evaluate what each alternative proposes for safety and security.
- **Section 4(f) Evaluation:** Agencies within the USDOT, including FRA, are subject to Section 4(f) of the Department of Transportation Act of 1966, which prohibits approval of any program or project that “uses” publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites, unless there is no feasible and prudent alternative to the use of such land and such program or project includes all possible planning to minimize harm to the property. If it is

⁹ This Order updates USDOT’s original Environmental Justice Order, which was published April 15, 1997.

determined that the Build Alternative(s) would require use of a Section 4(f) resource, the EIS will include a Section 4(f) Evaluation documenting the use, an analysis of feasible and prudent alternatives to avoid that use (if any), and measures to minimize harm.

- **Indirect and Cumulative Effects:** The CEQ's regulations implementing NEPA require Federal agencies to consider the environmental consequences of their actions, including not only direct, but also indirect and cumulative effects. Indirect or secondary effects are those that occur later in time or farther removed in distance, and cumulative impacts are those that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions, regardless of which agency or person undertakes such actions. The EIS will include an analysis that meets the requirements of the CEQ regulations.

H. PUBLIC OUTREACH AND AGENCY COORDINATION

Public involvement is an integral part of the transportation planning process. NEPA, along with Executive Order 12898 on Environmental Justice, require Federal agencies to work to ensure greater public participation in the decision-making process. Title 23 United States Code Section 139 (23 USC 139) also includes requirements for public and agency involvement in the NEPA process. Accordingly, the FRA will develop an Agency and Public Coordination Plan (Coordination Plan) summarizing how the public and agencies will be engaged in the EIS process. The Coordination Plan will be posted to the project website (www.westernrailyardinfrastructure.com). As required by 23 USC 139, the Coordination Plan will be completed within 90 days after publication of the Notice of Intent to Prepare an Environmental Impact Statement and will include an anticipated schedule for the Western Rail Yard Infrastructure EIS. FRA will lead all outreach activities, beginning with the scoping process.

PUBLIC INVOLVEMENT

The goals for public involvement during the Western Rail Yard Infrastructure EIS process are as follows:

- To provide an opportunity for public participants to engage early in the development of the EIS and give relevant input to the Proposed Action.
- To focus public input in a structured manner that ensures any decisions are made with the benefits of robust public involvement.
- To ensure that elected officials, agencies, stakeholders, and the general public are adequately informed about the Proposed Action and its implications for their communities and to identify potential issues so that they can be addressed and resolved before the completion of the EIS process.

The public involvement aspect of the Coordination Plan will include a number of different outreach tools and activities to involve the public. These will include the following:

- **Project mailing list:** FRA will develop a mailing list of elected officials, public agency contacts, stakeholders and community groups, and members of the public with an interest in the Proposed Action. The mailing list will be used to distribute meeting announcements and information about the project. Where email addresses are available, announcements will be distributed electronically.
- **Project website:** FRA has established a project website (www.westernrailyardinfrastructure.com) to provide information on the project. FRA will keep the website up to date with information on the project alternatives, environmental review, and current and previous project documentation, and will provide a link to allow people to sign up for the mailing list and submit comments electronically. Information about the project is also available Regulations.gov, Docket No. FRA-2020-0039.
- **Local government and stakeholder briefings:** The FRA will brief the appropriate local government entities and stakeholders to provide information, answer questions, and receive feedback, as needed.

- **Scoping comment period:** FRA will hold a virtual scoping period during the dates indicated below, to provide information on the project and gather input. FRA is soliciting comments during the scoping period.
- **Public hearing on Draft EIS and comment period:** FRA will hold a public hearing on the Draft EIS and solicit comments during a public comment period. Agencies and the public will have an opportunity to provide comments orally or in writing at an in-person public hearing, or if the DEIS hearing period is held virtually, then the public and interested agencies will have the opportunity to submit comments in writing, via the project website, email to FRA, or US Mail.

AGENCY COORDINATION

The Proposed Action's location and implementation requires coordination with a number of Federal, State, and local agencies with jurisdiction over historic resources, parklands, and municipal services and facilities. As described above, FRA will implement a Coordination Plan during the environmental review process in accordance with the requirements of 23 USC 139 that will keep permitting and resource agencies informed and involved in the environmental review to ensure that their concerns are addressed.

FRA is the lead agency for the preparation of the EIS for the Proposed Action. The responsibility of the lead agency is to ensure compliance with applicable environmental review processes. Other agencies can be involved as cooperating or participating agencies, depending on their anticipated role. A "cooperating agency," according to CEQ regulations (40 CFR § 1508.5), means any Federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. A state or local agency of similar qualifications or when the Proposed Action may have effects on lands of tribal interests, a tribal government may, by agreement with the lead agencies, also become a cooperating agency. "Participating agencies" are those Federal, state, or local agencies or Federally recognized tribal governmental organizations with an interest in the project. The standard for participating agency status is broader than the standard for cooperating agency status. Therefore, all cooperating agencies are, by definition, participating agencies, but not all participating agencies are cooperating agencies. Cooperating and participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding a project's potential environmental impacts that could substantially delay or prevent an agency from granting a permit or other approval.

FRA has developed a preliminary list of agencies which FRA intends to invite to act as participating agencies in the NEPA process for the Western Rail Yard Infrastructure Project (see **Table 2**). While no cooperating agencies have been identified, public agencies are requested to advise FRA if they anticipate taking a major action in connection with the Proposed Action and if they wish to cooperate in the preparation of the EIS in accordance with 40 CFR 1501.16. CEQ regulations also state (40 CFR § 1501.6) that an agency may request the lead agency to designate it a cooperating agency.

FRA will be coordinating with participating agencies during development of the Draft EIS pursuant to 23 USC 139. Regular coordination with the participating agencies will occur through periodic meetings. FRA will also coordinate with Federally recognized tribes and consulting parties established pursuant to Section 106 of NHPA (Section 106).

FRA will invite all Federal and non-Federal agencies and Native American tribes that may have an interest in the Proposed Action to become participating agencies for the EIS and Consulting Parties in the Section 106 process. If an agency or tribe is not invited and would like to participate, please contact FRA at the contact information listed below.

Table 2
Preliminary List of Lead and Participating Agencies

Agency	Role	Responsibilities
Lead Agency		
Federal Railroad Administration (FRA)	Federal Lead Agency	Manage environmental review process; prepare EIS and decision document; provide opportunity for public and agency involvement; arbitrate and resolve issues
Federal Agencies		
Federal Transit Administration	Participating Agency	Consultation related to NEPA
U.S. Department of Interior	Participating Agency	Consultation related to Section 4(f) of the U.S. Department of Transportation Act
U.S. Environmental Protection Agency	Participating Agency	Consultation related to NEPA; Section 309, Clean Air Act
Federal Emergency Management Agency, Federal Region II	Participating Agency	Consultation related to resilience and floodplain issues
U.S. Department of Homeland Security	Participating Agency	Consultation related to security
Advisory Council on Historic Preservation	Possible Section 106 Consulting Party	Possible participation in Section 106 process
State Agencies		
New York State Department of Environmental Conservation (NYSDEC), Region 2	Participating Agency	Various permits and reviews
New York State Department of State	Participating Agency	Coastal zone consistency review
New York State Historic Preservation Office	Participating Agency;	Concurrence under Section 106
New York State Department of Transportation, Region 11	Participating Agency	Consultation
Metropolitan Transportation Authority (MTA)	Participating Agency	Review and approval of Platform and Tunnel Encasement design and construction documents; access agreements; and terms of property lease.
MTA Long Island Rail Road	Participating Agency	Review and approval of Platform and Tunnel Encasement design and construction documents; access and force account agreements.
Local Agencies		
New York City Department of Environmental Protection	Participating Agency	Consultation
New York City Department of Transportation	Participating Agency	Consultation
New York City Landmarks Preservation Commission	Participating Agency	Consultation
New York City Department of City Planning	Participating Agency	Consultation
New York City Department of Parks and Recreation	Participating Agency	Consultation

SCHEDULE FOR AGENCY COORDINATION AND PUBLIC OUTREACH

The anticipated schedule for key milestones during the NEPA process is shown in **Table 3** below.

Table 3
Potential Schedule of Key Milestones for NEPA Review

NEPA Activity	Anticipated Schedule
Scoping Comment Period	July 1, 2020 – July 31, 2020
Draft EIS Complete	Spring 2021
Comment Period on Draft EIS	Spring 2021
Final EIS and Record of Decision	Fall 2021

ENVIRONMENTAL JUSTICE COORDINATION

Executive Order 12898 requires Federal agencies to involve the public on project issues related to human health and the environment. The U.S. Department of Transportation's Environmental Justice Order 5610.2(a) indicates the need to create public involvement opportunities to solicit input from affected minority and low-income populations in considering project alternatives. Specific efforts to reach

environmental justice communities that may be affected by the Proposed Action include: providing notices and meeting materials in both English and Spanish, since Spanish is the second most common language in the study area; making informational material available through a variety of outlets; and contacting community leaders and groups to increase public participation of constituent communities.

SECTION 106 COORDINATION

Section 106 requires Federal agencies to take into account the effects of their undertakings on historic properties, which are listed in or meet the eligibility criteria for listing in the National Register of Historic Places. The Section 106 process has a specific public involvement component. In particular, the Section 106 implementing regulations require that FRA, in consultation with SHPO and THPO, as applicable, identify appropriate points for seeking public input and for notifying the public of the Proposed Action. The regulations also require that FRA seek and consider the views of the THPO, SHPO, and the public in a manner that reflects the nature and complexity of the project and its effects on historic properties. Public outreach for purposes of NEPA can be used to satisfy the public involvement requirements under Section 106, as long as the NEPA document contains adequate information about the project's effects on historic properties. FRA is inviting the public to provide comments and information about historic properties on the Section 106 process during the scoping period and will give the public an opportunity to provide comments on the Section 106 process during the public comment period on the Draft EIS.

Furthermore, Section 106 requires that agency officials work with SHPO to identify parties to participate in the Section 106 process ("consulting parties"). Consulting parties may include local governments, Federally recognized Indian tribes, and individuals and organizations with a demonstrated interest in the project due to the nature of their legal or economic relation to the project or affected historic properties, or their concern with the project's effects on historic properties. FRA will invite appropriate entities to participate in the Section 106 review as consulting parties, in addition to the SHPO and the Advisory Council on Historic Preservation (ACHP), and will hold consulting party meetings as appropriate throughout the environmental review process. As part of the scoping process, FRA will seek to identify entities that may wish to participate in the Section 106 as consulting parties.

PROJECT SCOPING PERIOD AND OPPORTUNITY FOR PUBLIC COMMENT ON THE SCOPE OF THE EIS

FRA is seeking input and comments related to the scope of the Western Rail Yard Infrastructure EIS, including the:

- Proposed Action's purpose and need;
- Proposed Action and feasible alternatives to be considered in the EIS;
- Potential environmental impacts of concern, analyses to be included in the EIS, and the study area and methodologies to be used to assess those impacts;
- Approach for public and agency involvement; and
- Any particular concerns related to the anticipated impacts of the Proposed Action.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Party meetings, and encourages submission of scoping comments for the project and other documents electronically.

FRA will hold a virtual scoping period between July 1, 2020 and July 31, 2020.

A presentation providing information about the NEPA environmental review process, the Scoping process, and the Proposed Action, the project study area, Project Purpose and Need, environmental considerations, opportunities for public input, the associated Section 106 consultation process, and how to provide

comments will be provided on the project website at westernrailyardinfrastructure.com. During the virtual scoping process, the public can review information about the project and formally submit comments to the FRA. The presentation and project information will be accessible to persons with disabilities and available in Spanish. If you need further accommodations, please contact the project team not less than five days prior to the close of the scoping period via email at info@westernrailyardinfrastructure.com.

Persons interested in providing written comments on the scope of the EIS must do so by July 31, 2020. FRA will give equal consideration to all written comments, irrespective of whether they are submitted electronically (via the project website, at [Regulations.gov](https://www.regulations.gov), or email) or in writing by mail. The public and other interested parties are encouraged to comment by:

- going online to www.regulations.gov, and using Docket Number FRA-2020-0039;
- filling out a comment on the project's website at www.westernrailyardinfrastructure.com;
- via email at: info@westernrailyardinfrastructure.com; or
- sending written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103.

PROJECT CONTACT

For further information contact:

Ms. Andrea Poole
Environmental Protection Specialist
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
info@westernrailyardinfrastructure.com

ATTACHMENT A:**DEVELOPMENT PROJECTS CONSIDERED IN THE EIS AFFECTED ENVIRONMENT**

Table A lists the known development projects that will be included in the future affected environment in which the No Action Alternative would occur.

As confirmed by the New York City Department of City Planning (NYCDCP), there are 37 projects representing a total of up to approximately 25.3 million gross square feet (gsf) of new development, including: up to 14.2 million gsf of new office space, up to 719,057 gsf of new retail space, up to 409,787 gsf of new community facility space, 5,153 new residential units, and 2,584 new hotel rooms. The amount of development surrounding Western Rail Yard reflects the zoning and public policy initiatives to accommodate and attract new development to the Far West Side, which included the opening of the 34th Street-Hudson Yards Station (at Eleventh Avenue) on the No. 7 Line Extension in 2015.

- **Eastern Rail Yard:** As shown in **Table A** and on **Figure A-1**, the Eastern Rail Yard project was anticipated to include 6.8 million sf of office space, 1 million sf of retail space, 295 hotel rooms, 1,904 residential units, 200,000 sf of community facility space, 950 parking spaces, and approximately seven acres of publicly accessible open space, of which approximately two acres would be enclosed, and much of which has already been developed. At present, West 33rd Street, adjacent to the Eastern Rail Yard between Tenth and Eleventh Avenues, slopes downward from the avenues to a low point located at the midblock. Due to the vertical clearance requirements of the platform over the Eastern Rail Yard, and the grades and elevations of Hudson Park and Boulevard and the 34th Street Station entrance for the No. 7 subway line extension, West 33rd Street has been raised as much as 12 feet above existing grade at this midblock location to connect with the existing grade at the street's intersections with the avenues. The remaining development under construction at the Eastern Rail Yard is 415 Tenth Avenue, anticipated to introduce up to 2,581,748 gsf of office space.
- **Special Hudson Yards District:** The *Hudson Yards FGEIS* identified 45 projected development sites and 52 potential development sites. The analysis focused primarily on the "projected" development sites, which were considered most likely to be developed, although the *Hudson Yards FGEIS* also acknowledged that some potential sites could be developed instead of comparable projected sites. Economic analysis estimated that the total development resulting from the rezoning of the Special Hudson Yards District would be approximately 45 million sf and that all of the development would likely be completed by 2035. Understanding that the total development, as a worst case, could be achieved earlier, the *Hudson Yards FGEIS* took 2025 as its full-build analysis year. As shown in **Table A** and on **Figure A-1**, approximately 19 developments are expected to be completed by 2027 in the Special Hudson Yards District. As part of a new open space network, Hudson Park and Boulevard, a broad open space and boulevard system in the midblocks between Tenth and Eleventh Avenues, will extend from West 33rd Street to West 39th Street. This system, which runs at an angle between Tenth and Eleventh Avenues, includes a total of approximately four acres of open space. The first segment of this linear park runs from West 33rd to West 36th Streets and was completed in 2015. The remaining segment between West 36th and West 39th Streets and a pedestrian bridge connecting the northern terminus at West 39th Street with West 42nd Street is currently under design with no estimated date of completion.
- **West Chelsea:** The *Special West Chelsea District Rezoning and High Line Open Space FEIS* was approved in 2005. The West Chelsea area is bounded generally by Tenth and Eleventh Avenues from West 30th Street to West 16th Street. This rezoning created the Special West Chelsea District to provide opportunities for new residential and commercial development, facilitate the reuse of the High Line elevated rail line as a unique linear open space, and enhance the neighborhood's thriving art gallery district. The *Special West Chelsea District Rezoning and High Line Open Space*

FEIS identified 25 projected development sites likely to be developed by 2013, which would result in 4,809 dwelling units, 574,128 sf of retail space, 160,000 sf of office space, 76,425 sf of accessory parking for off-site government use, and 227,564 sf of community facility space. In addition to the 25 projected development sites, the FEIS identified 28 potential development sites. As shown in **Table A** and **Figure A-1**, there are approximately 12 projects within the ½ mile radius of Western Rail Yard in the Special West Chelsea District that will be built by 2027.

Table A
Ongoing Development Projects Included in the No Action Alternative

Map ID No. ¹	Address/Name	Block	Lot	Program	Build Year ¹
1	220 Eleventh Avenue	697	1	170,311 gsf office	2021
2	400 Eleventh Avenue	706	1	520,740 gsf office	2021
3	509 West 34th Street	706	17	2.55 million gsf office	2022
4	432 West 31st Street	728	55	220 hotel rooms	2027
5	188 Eleventh Avenue	695	3	11 DU, 10,411 gsf retail	2027
6	431 West 33rd Street	731	22	24 DU, 6,280 gsf retail	2027
7	542 West 22nd Street	693	56	36,783 gsf office	2027
8	545 West 37th Street	709	14	131 DU, 258 hotel rooms, 82 parking spaces	2027
9	500 West 22nd Street	693	37	10 DU, 4,278 gsf retail, 25,307 gsf community facility	2027
10	430 West 37th Street	734	16	304 DU, 14,580 gsf retail	2027
11	517 West 29th Street	701	24	60 DU, 10 parking spaces	2027
12	495 Eleventh Avenue	685	38	275 DU, 16,879 gsf retail, 755 hotel rooms, 49,748 gsf community facility, 25,168 gsf office, 55 parking spaces	2024
13	Hudson Yards Site 7	707	20,26,45,41,31 and 39	255 DU, 22,011 gsf retail, 1.66 million gsf office	2025
14	99 Hudson Boulevard	708	1, 62	1,495,000 gsf office	2027
15	162 Eleventh Avenue	694	1	13 DU, 242 gsf retail	2027
16	319 West 35th Street	759	29	166 DU, 3,909 gsf retail	2027
17	550 West 41st Street	1069	1	499 DU, 72,552 gsf retail	2027
18	Moynihan Station Development Project ²	755	40	297,809 gsf transportation, up to 261,531 gsf retail, up to 143,750 gsf hotel, up to 262,478 gsf community facility, up to 773,403 gsf office	2027
19	351 West 38th Street	762	6	490 hotel rooms	2025
20	338 West 39th Street	762	61	177 hotel rooms	2027
21	355 West 39th Street	763	7501	25 DU, 1,843 gsf retail, 723 gsf community facility	2027
22	460 West 41st Street	1050	1	60 DU, 62,607 gsf community facility	2027
23	555 West 38th Street	710	1	591 DU, 1,886 gsf retail	2027
24	450 11th Avenue	708	65	379 hotel rooms	2027
25	441 West 37th Street	735	12	9 DU, 345 gsf community facility	2027
26	Hudson Yards Site 24	735	25,27,30,31,35	448 DU, 8,579 gsf community facility, 170 parking spaces	2027
27	415 Tenth Avenue	705	39	2,581,748 gsf office	2027
28	610 West 30th Street	675	39	277 DU, 160,906 gsf retail, 61 parking spaces	2027
29	601 West 29th Street	675	12	931 DU, 10,920 gsf retail, 186 parking spaces	2027
30	442 West 33rd Street	729	61	164 hotel rooms	2027
31	401 West 31st Street	729	51	790 DU, 4,053,312 gsf office	2027
32	393 Eighth Avenue	753	40	9 DU, 2,643 gsf retail	2027
33	300 West 30th Street	753	42	80 DU, 5,750 gsf retail	2027
34	534 West 29th Street	700	53	6 DU	2027
35	555 West 22nd Street	694	5	145 DU, 49,160 gsf retail	2027
36	540 West 21st Street	692	53	34 DU, 50,041 gsf retail	2027
37	260 Eleventh Avenue	698	1,6	23,236 gsf retail, 314,606 gsf office	2027

Notes: Some program data was updated in July 2020, based on updated project information from NYCDCP.
DU= Dwelling Units
UC = Under Construction
* See **Figure A-1**.

¹ Projects for which an expected date of completion is not available are assumed to be complete by 2027.
² Based on March 2017 NEPA Re-Evaluation. Square footages based on Total square footage for any combination of program uses would remain at 1,373,719 (i.e., if the square footage in one use increases, there would be a corresponding decrease in another use).
³ Gross square footage (gsf) was calculated off of the zoning square footage by using a factor of 1.15.

Sources: New York City Department of City Planning, Department of Buildings; AKRF research; media coverage.

*



Project Site (Western Rail Yard)

 Study Area (1/2-mile perimeter)

1 *Development Project*

 0 1,000 FEET

Special Clinton District
 Special Garment Center District
 Special Hudson River Park District
 Special Hudson Yards District
 Special West Chelsea District

Development Projects Considered in the EIS Affected Environment

**Western Rail Yard Infrastructure Project
Scoping Summary Report**

**Attachment B:
Notice of Intent**



4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2020-0039]

**Environmental Impact Statement for the Western Rail Yard Infrastructure Project
in New York County, New York**

**AGENCY: Federal Railroad Administration (FRA), Department of Transportation
(DOT).**

**ACTION: Notice of Intent (NOI) to prepare an Environmental Impact Statement
(EIS).**

SUMMARY: Through this NOI, FRA announces its intent to prepare an EIS for the Western Rail Yard Infrastructure Project (Project) under the National Environmental Policy Act (NEPA). WRY Tenant LLC (an affiliate of The Related Companies, LP) and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the Build America Bureau (Bureau). FRA is conducting the environmental analysis to ensure compliance with the National Environmental Policy Act (NEPA) of 1969 and other applicable environmental laws. FRA invites the public and all interested parties to provide comments on the scope of the EIS, including the proposed purpose and need, the Proposed Action and alternatives, methodologies to be used to assess potential environmental impacts, and the approach for public and agency involvement. Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease

Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Party meetings, and encourages submission of scoping comments for the project and other documents electronically.

DATES: Persons interested in providing written comments on the scope of the EIS must do so by July 31, 2020. All comments will also be placed on the file at Regulations.gov. The Docket No. for this project is FRA-2020-0039. Please submit comments via email, mail, or by filling out a comment form on the Project website, using the contact information provided below in the "**ADDRESSES**" section. The public can review information about the Proposed Action and formally submit comments to the FRA. Project materials will also be available in Spanish. If you need special accommodations, please contact Andrea Poole prior to the close of the scoping period.

ADDRESSES: The public and other interested parties are encouraged to comment by filling out a comment form accessible via the Project's website at: www.westernrailyardinfrastructure.com and using the comment link provided, or at Regulations.gov, Docket Number: FRA-2020-0039. You can also send written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. All comments will also be placed on file at Regulations.gov.

FOR FURTHER INFORMATION CONTACT: Andrea Poole, Environmental Protection Specialist, Office of Railroad Policy and Development, U.S. DOT Federal Railroad Administration, via email at info@westernrailyardinfrastructure.com.

SUPPLEMENTARY INFORMATION: WRY Tenant, LLC and Amtrak (Project Sponsors) are seeking financial assistance to fund the construction of a Platform and Tunnel Encasement (the Proposed Action) at the 13-acre Western Rail Yard site (Block 676, Lot 3) between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan, New York County, New York. The 9.8-acre structural steel and concrete Platform will serve as the roof above the Metropolitan Transportation Authority's (MTA) Western Rail Yard, which is used and operated by the Long Island Rail Road (LIRR) as a commuter railroad storage yard and maintenance facility. The Platform would also house other infrastructure, including critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers, and an extensive platform ventilation system. The Tunnel Encasement would be constructed of concrete below street level in Western Rail Yard. The Tunnel Encasement would be between 50 and 65 feet wide and between 27 and 38 feet high beneath Western Rail Yard. The Tunnel Encasement in Western Rail Yard would start at the western edge of Eleventh Avenue, and extend below the project site to the northern edge of 30th Street. Together, the Tunnel Encasement below both rail yards (Eastern and Western Rail Yards) would preserve a total ROW approximately 1,400 feet long. No permanent operational components, such as tracks, lighting, ventilation, or electrical system, would be constructed within the Tunnel Encasement as part of the Proposed Action. The Platform would also support the privately-funded Mixed-Use Development (Overbuild) approved by the New York City Planning Commission (CPC), and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution,

for redevelopment of the Western Rail Yard site. This construction also supports MTA's overall business plan to generate revenue to support their operations.

FRA will prepare the EIS in compliance with NEPA, 23 U.S.C. 139, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), and 23 CFR part 771. After release and circulation of a Draft EIS for public comment, FRA intends to issue a single document that consists of the Final EIS and Record of Decision, unless it determines statutory criteria or practicability considerations preclude issuing a combined document.

The EIS will also document FRA's compliance with other applicable environmental laws and regulations, including Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. 306108); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Endangered Species Act (16 U.S.C. 1531); Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f) 49 U.S.C. 303) and FRA's implementing regulations at 23 CFR part 774; U.S. DOT Order 5650.2 on Floodplain Management; the Coastal Zone Management Act; and Executive Order 12898 on Environmental Justice. The EIS will provide FRA, participating agencies, and the public with information about alternatives that meet the Proposed Action's purpose and need, including their environmental impacts and appropriate measures to avoid, minimize, and mitigate those impacts.

The Proposed Action may affect historic properties and will be subject to the requirements of Section 106 of the NHPA. Consistent with regulations issued by the Advisory Council on Historic Preservation (36 CFR part 800), FRA intends to coordinate compliance with Section 106 of the NHPA with the preparation of the EIS. In response

to this NOI, the public and interested parties may also provide input relevant to FRA's Section 106 review process, including providing information that FRA may use in identifying and assessing effects of the Proposed Action on historic properties, including archaeological resources. In addition, interested parties may also request to participate in the Section 106 process as a consulting party under 36 CFR part 800.2(c).

Project Background

The MTA Hudson Yards (aka "John D. Caemmerer Hudson Yards") is an electrified yard that stores 35 LIRR commuter trains daily, with a capacity of 386 train cars on 30 tracks. The train yard is divided into two sections, the Eastern Rail Yard located on Block 702 and the Western Rail Yard located on Block 676.

In 2007, MTA reached agreement with The Related Companies, LP¹ (parent company to WRY Tenant LLC) for the development of plans for the Western Rail Yard. MTA and the New York City Planning Commission (CPC) served as co-lead agencies for an environmental review pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR). The 2009 SEQRA/CEQR FEIS was published in October 9, 2009. Based on the findings of the 2009 SEQRA/CEQR Final EIS, zoning text and map amendments for

¹ The Related Companies, LP (Related) was the successful bidder of a competitive bid issued by MTA for the long-term ground leases with option to purchase severed fee parcels (for the development air rights over the Hudson Yards from MTA). Related is a privately-owned, American real estate firm headquartered in New York City, with offices and major developments in Boston, Chicago, Los Angeles, Las Vegas, Miami, San Francisco, Abu Dhabi, London, São Paulo and Shanghai. Related has more than 3,000 employees and is the largest landlord in New York City with over 8,000 residential rental units under ownership.

the Western Rail Yard development were adopted into the New York City Zoning Resolution. The Platform and Overbuild are now as-of-right development and would be built in accordance with the City Zoning Resolution's existing zoning controls.

The FRA conducted an environmental assessment for the construction of a concrete casing beneath Hudson Yards, and issued Findings of No Significant Impact (FONSI) in 2013² and 2014³. The purpose of the concrete casing project was to preserve underground right-of-way in Hudson Yards to maintain opportunities to expand rail services, meet future demand, and improve intercity and commuter rail system safety and reliability. The preservation of the right-of-way is necessary to ensure the Platform and Overbuild construction would not eliminate the possibility of future rail development and expansion through Hudson Yards and into New York Penn Station. For more information about FRA's past environmental reviews of the concrete casing through Hudson Yards, please see <https://www.fra.dot.gov/Page/P0666>. Since FRA's issuance of the 2013 and 2014 FONSI, two of the three sections of encasement have been built. The third section is the Tunnel Encasement that would be constructed as part of this project, and extends on a diagonal alignment from Eleventh Avenue to 30th Street in the Western Rail Yard.

² Amtrak and FRA. May 2013. Finding of No Significant Impact, *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*.

³ Amtrak and FRA. November 2014. Finding of No Significant Impact, *Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*.

Purpose and Need

The purpose of the Proposed Action is to (1) cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the joint venture can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the Yard, including new lighting, sprinklers, and an extensive Platform ventilation system; and (2) preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. The Platform is needed to support the provision of developable land area that would generate revenue for the MTA and its subsidiary agencies and modernize state-of-the-art life safety systems for the entire Western Rail Yard.⁴ MTA has sought to maximize the revenue generation potential of its real estate assets; and, when Hudson Yards was redeveloped in 1986, the tracks and other facilities were specifically laid out to accommodate support columns that would be required for future development.

Currently, there is no capacity for development over the Western Rail Yard without construction of the Platform. The 2005 Hudson Yards rezoning included the extension of the No. 7 IRT Flushing Line subway to 34th Street and Eleventh Avenue, providing new and closer access to the subway system in this area which made private development considerably more attractive and viable in this part of Manhattan. The 2005 Hudson Yards rezoning also provided for the development of a mix of uses and densities,

⁴ MTA's subsidiary agencies include LIRR, Metro-North Railroad, New York City Transit (NYCT), Capital Construction Company, Staten Island Railway, Regional Bus Operations, and Bridges and Tunnels.

including a provision for open space. The Tunnel Encasement is needed to preserve right of way for new rail infrastructure to support passenger rail service in and out of New York Penn Station.⁵ New rail infrastructure is part of the effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued.

Consistent with the purpose and need for the Proposed Action, the objectives of the Western Rail Yard Infrastructure Project include:

- Maintain safe, continuous, and uninterrupted LIRR operations in the Western Rail Yard through the addition of critical life safety and ventilation systems and the modernization of operational facilities within Western Rail Yard;
- Support the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard;
- Provide the support for the economic, social, and recreational life of the Hudson Yards area and the City; and,
- Preserve opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

⁵ *Hudson Tunnel Project, Draft Environmental Impact Statement and Draft Section 4(f) Evaluation*, June 2017, includes a Preferred Alternative consisting of the construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the Northeast Corridor and into New York Penn Station.

Proposed Action and Alternatives

The Proposed Action consists of:

- A new approximately 9.8-acre Platform spanning the Western Rail Yard, including deep footings and a concrete slab to cover the active rail yard below, and reinforced building foundations for Overbuild development. Platform construction would also include the modernization of LIRR support services including: emergency electrical equipment and new critical life safety and mechanical, electrical and plumbing support services, and an extensive ventilation system for the yard. In addition to the modernization efforts, construction of the Platform would necessitate the construction of approximately 20,000 square feet of new railroad staff facilities and rail car cleaning services.
- A Tunnel Encasement in the southern portion of the site running from Eleventh Avenue to West 30th Street to preserve right-of-way for a new trans-Hudson connection into New York Penn Station.

In addition to the Proposed Action, FRA will describe and evaluate the following types of construction activities in the Draft EIS:

- Construction staging areas at the Western Rail Yard site for the construction of all of the aforementioned project components and construction activities,
- Traffic and transportation interruptions including potential localized sidewalk and traffic lane closures.

FRA will refine the purpose of and need for the Proposed Action and identify alternatives that meet the purpose and need considering information obtained through the scoping process. The EIS will evaluate a No Action Alternative and reasonable and

feasible Build Alternatives for the Proposed Action. FRA anticipates presenting the Preferred Alternative in the Draft EIS.

Possible Effects

The EIS will consider the potential effects of the project alternatives on the social, economic, and environmental resources in the study area. The analysis will include identification of study areas; documentation of the affected environment; evaluation of direct and indirect effects of the alternatives (including permanent [operational] and temporary [construction period] effects); and identification of measures to avoid and/or mitigate adverse impacts. FRA will evaluate the following resource areas:

- Land use, Land planning, and Property (acquisitions and displacements);
- Transportation (traffic, parking, transit, and pedestrian conditions);
- Air quality, Greenhouse gas emissions and Resilience
- Noise and vibration;
- Cultural Resources (including historic and archaeological resources);
- Parks and recreation areas;
- Aesthetic and visual quality;
- Contaminated materials;
- Utilities and Energy;
- Natural ecological systems (including threatened and endangered species)
- Soils and geology;
- Water resources and water quality (including floodplains);
- Coastal zone consistency;

- Socioeconomics;
- Public health;
- Environmental justice;
- Public safety and security; and
- Indirect and Cumulative effects.

Agencies within the U.S. DOT, including FRA, are subject to Section 4(f), which prohibits approval of any program or project that “uses” publicly-owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites, unless there is no feasible and prudent alternative to the use of such land and such program or project includes all possible planning to minimize harm to the property. FRA will include in the Draft EIS a draft Section 4(f) evaluation in accordance with 23 CFR 774, if it is determined that the Proposed Action has the potential to result in the use of a Section 4(f) resource.

Scoping, Public Involvement, and Agency Coordination

This NOI initiates the scoping process under NEPA, which helps guide the development of the Draft EIS. FRA invites all interested individuals, organizations, and federal, state, and local agencies to comment on the scope of the EIS. Comments are encouraged on the Proposed Action’s purpose and need and alternatives to be considered in the EIS; the analyses to include in the EIS, including identification of appropriate study areas and the effects-assessment methodologies to be used; the approach for public and agency involvement; and any concerns about the anticipated impacts of the Proposed Action.

Public agencies with jurisdiction are requested to advise FRA of the applicable permit and environmental review requirements of each agency, and the scope and content

of the environmental information germane to the agency's statutory responsibilities in connection with the Proposed Action. Public agencies are requested to advise FRA if they anticipate taking a major action in connection with the Proposed Action and if they wish to cooperate in the preparation of the EIS under 40 CFR 1501.16.

FRA will coordinate with participating agencies during development of the Draft EIS consistent with 23 U.S.C. 139. FRA will also consult with Federally recognized Native American tribes and Consulting Parties identified under Section 106 of the NHPA.

The FRA will invite all Federal and non-Federal agencies and Native American tribes that may have an interest in the Proposed Action to become participating agencies for the EIS and Consulting Parties in the Section 106 process. If an agency or tribe is not invited and would like to participate, it should contact Ms. Andrea Poole at the contact information listed above (“**FOR FURTHER INFORMATION**”). The FRA will develop an Agency and Public Coordination Plan summarizing how it will engage the public, agencies, and tribes in the process. The Coordination Plan will be posted to the project website at www.westernrailyardinfrastructure.com and Regulations.gov, Docket No. FRA-2020-0039. FRA will lead the outreach activities during the public scoping process, beginning with a scoping presentation made available on the project website and a scoping comment period identified under “**DATES**” above. FRA encourages submission of scoping comments for the project and other documents electronically. Other public involvement initiatives will be held throughout the course of the EIS. Public outreach activities will be announced on the project website at

www.westernrailyardinfrastructure.com and through mailings, public notices, and advertisements.

Issued in Washington, DC.

Jamie P. Rennert,

Director, Program Delivery.

[FR Doc. 2020-12851 Filed: 6/12/2020 8:45 am; Publication Date: 6/15/2020]

**Western Rail Yard Infrastructure Project
Scoping Summary Report**

**Attachment C:
Public Scoping Notice Advertisements**



1 MetroTech Center North 3rd Floor Brooklyn, NY 11201 • Tel: 718-260-8307 • Fax: 718-260-2549 • legal@schnepsmedia.com

STATE OF NEW YORK
COUNTY OF KINGS, ss.:

I, Cliff Luster, the publisher of
am Metro New York incorporating amNewYork and Metro,
a newspaper, do hereby certify that the legal
notice (a copy of which is annexed hereto)
was published in the full circulation of the
am Metro New York newspaper, and has appeared
on the following dates:

To Wit: June 25, 2020

Cliff Luster

Sworn before me this 30th day of June, 2020

Yevgeniya Pechenaya
Notary Public, State of New York
No. 01PE6393208
Qualified in Kings County
Commission Expires June 10, 2023

Yevgeniya Pechenaya
Notary Public, State of NY
No. 01PE6393208
Qualified in Kings County
My commission expires on June 10, 2023



1 MetroTech Center North 3rd Floor Brooklyn, NY 11201 • Tel: 718-260-8307 • Fax: 718-260-2549 • legal@schnepsmedia.com

STATE OF NEW YORK
COUNTY OF KINGS, ss.:

I, Cliff Luster, the publisher of
am Metro New York incorporating amNewYork and Metro,
a newspaper, do hereby certify that the legal
notice (a copy of which is annexed hereto)
was published in the full online newsletter of the
am Metro New York newspaper, and has appeared
on the following dates:

To Wit: June 22, 23 and 26, 2020

Cliff Luster

Sworn before me this 30th day of June, 2020

Yevgeniya Pechenaya
Notary Public, State of New York
No. 01PE6393208
Qualified in Kings County
Commission Expires June 10, 2023

Yevgeniya Pechenaya
Notary Public, State of NY
No. 01PE6393208
Qualified in Kings County
My commission expires on June 10, 2023

ammy

Monday, June 22, 2020

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Weather: Partly cloudy, 71°,
high of 88°, winds up to 8 MPH



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IMAGE: YLANITE KOPPENS ON PEXELS

[A cut above: Here's what businesses will open Monday
in Phase 2 of NYC reopening](#)



Approximately two weeks after rolling into Phase 1 of reopening during the COVID-19 pandemic, New York City shifts into second gear Monday, June 22, for the start of Phase 2.

Please join us for
Virtual Public Scoping

for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities that house critical railroad infrastructure; to preserve a right-of-way to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

Starting July 1, the public will be able to visit the project website at www.westernrailyardinfrastructure.com to view a presentation describing the project and to submit comments through **July 31, 2020**.

Click [here](#) to learn more and get involved!



ammy

Tuesday, June 23, 2020

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Weather: Partly cloudy, 73°,
high of 86°, winds up to 9 MPH



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IMAGE: YLANITE KOPPENS ON PEXELS

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Click [here](#) to learn more and get involved!



Western Rail Yard
INFRASTRUCTURE PROJECT



U.S. Department of Transportation
Federal Railroad Administration

[NYPD to issue more officers in neighborhoods in response to recent shootings](#)



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Virtual Public Scoping
for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement (EIS) for the Western Rail Yard Infrastructure project in compliance with the National Environmental Policy Act (NEPA) of 1969 and other applicable environmental laws. WRY Tenant LLC and Amtrak are partnering to apply for Federal financial assistance for the construction of a Platform and Tunnel Encasement at the Western Rail Yard site, located between West 30th and West 33rd Streets and Eleventh and Twelfth Avenues in Manhattan. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard that house critical railroad infrastructure; to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development. The proposed project is subject to Section 106 of the National Historic Preservation Act. Individuals and organizations may request to participate as a Consulting Party for this undertaking.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

Starting July 1, the public will be able to visit the project website at www.westernrailyardinfrastructure.com to view a presentation describing the project and to submit comments. FRA invites the public and all interested parties to comment on the scope of the EIS during a 30-day scoping comment period from **July 1 through July 31, 2020**.

You can comment by filling out a comment form accessible via the Project's website and using the comment link provided, or at Regulations.gov, Docket Number: FRA-2020-0039. You can also send written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. All comments will also be placed on file at Regulations.gov.



PHOTO BY TODD MAISEL

Residents now have open streets in the five boroughs, including this one in Park Slope next to Prospect Park. Here, Parkside Avenue is open to pedestrians during Covid-19 crisis for social distance.

City adds *another* 23 miles of Open Streets for summer



BY ALEJANDRA O'CONNELL-DOMENECH
alejandra.oconnell@amny.com

Looking to help New Yorkers beat the heat while remaining socially distant, New York City is shutting down another 23 miles of roads across the city to cars this weekend, Mayor Bill de Blasio announced Wednesday.

In late April, the mayor pledged to close off 100 miles of city streets to vehicular traffic to give New Yorkers space to run, walk or bicycle while adhering to social distancing rules lowering the chances of spreading the novel coronavirus. After Wednesday's announcement, de Blasio will have closed off 66 miles of street space to cars so far.

De Blasio was initially skeptical of opening streets to only foot or bicycle traffic and scrapped a pilot program in late March after only 10 days arguing that the effort overused NYPD personnel. The mayor

changed his tone a few days later when the City Council introduced a bill that would open up 75 miles of street space for recreational use.

During his June 24 press conference, de Blasio referred to the open streets initiative as something "very, very good" that came out of the coronavirus crisis.

"We have to find a way to make it work, it is working and it's now a very big deal," he added.

The Department of Transportation will work with Business Improvement Districts and precincts to open up streets around parks and in the middle of communities and create temporary protected bike lanes. The city plans to connect the open streets with open restaurants with details to be announced over the next few days, de Blasio said.

The city parks that will see parks that will have streets closed off to car traffic include Henry Street near Red Hook Park, N. Elliot Place next to Commodore Barry

Park, 35th Ave close to Crocheron Park, Forest Avenue by Captain Rivera Playground, 236th Street near Riverdale Playground as well as Shore Blvd. and Ditmas Blvd. next to Ralph DeMarch Park.

New protected bike lanes will be created in Central Queens and Central Park along with parts of Broadway, Northern Blvd., 61st St., 62nd St., and 5th Ave. More protected bike lanes will pop up Harlem, Midtown, Lower Manhattan, and SoHo on 5th, 6th, and 7th Aves., Center St. and Lafayette St.

More open street space for pedestrians will be created in Ozone Park, Far Rockaway, Boerum Hill, Brooklyn Heights, Ridgewood, Stapleton, Jamaica Hills, Sunset Park, Bushwick, Greenpoint, and Bed-Stuy.

De Blasio also announced on Wednesday that the city will open 950 and 250 sprinklers, spray showers, and misting stations to help keep New Yorkers cool this summer.



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Affidavit of Publication

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County of New York }

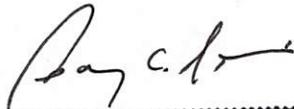
The undersigned is the publisher of Chelsea Clinton News, a weekly newspaper published in New York, New York. A notice regarding "Virtual Public Scoping for the Western Rail Yard Infrastructure Project" was published in said newspapers once for one weeks on, June 25, 2020

Jeanne Straus, Publisher

By:  _____

David Dallon
Authorized Designee

Sworn to before me this
25th day of June, 2020



BARRY A LEWIS
Notary Public - State of New York
No. 01LE6379804
Qualified in Queens County
My Comm. Expires Aug. 20, 2022

PHASE TWO

CONTINUED FROM PAGE 1

York's viral spread). It is true that someone brought the virus here from Europe. But we have no idea if it was a tourist, a returning New Yorker or a business traveler. In any case, we should be so lucky as to have tourism as a challenge. Right now there isn't any.

Shedding these myths will help New Yorkers to see that a "return to a state of normalcy" is largely in their own hands, which they should wash frequently.

No Magic Bullet

Vast amounts are being spent around the world to create a vaccine: A magic bullet, so to speak, to make us safer.

But for now, our safety is based on the exact opposite idea. That there is no magic bullet, but rather, a series of measures that layered one upon the other substantially reduce the risks.

Those measures fall into three categories:

- Box in the coronavirus.
- Protect yourself and the community.
- Improve treatment for COVID-19.

These categories rest on proven science developed by generations of epidemic fighters.

There is still no vaccine for HIV, the virus that causes AIDS, for example. Yet in the developed world, containment, protection and reducing the risk of the disease have transformed AIDS from fatal to chronic. There are also important examples of viruses that were stopped by combining a vaccine with one or more of these older strategies. The eradication of smallpox is probably the best known example.

Box in the Virus

The modern science of epidemic control dates back to the mid-19th century. It turns doctors to detectives to identify how a pathogen spreads and stop it. A pump handle is the symbol of epidemiology, from when a vicious outbreak of cholera in London in the Victorian age was traced to a tainted water pump. The pump handle was removed and the epidemic stopped.

There is no pump handle for

coronavirus. The source of the virus is infected people spreading it to others. The most effective way to stop the spread is to isolate infected people and trace everyone who has come in contact with them and isolate them, too.

In theory, this alone can halt the infection. That is in theory. We are a long way from contact tracing this effective. Other countries are much more efficient in testing for coronavirus and tracing the contacts of those who test positive, said Dr. Theo Vos, Professor of Health Metrics Sciences at the Institute for Health Metrics and Evaluation at the University of Washington.

"We are a far cry away from having that properly implemented. The typical U.S. system is so dispersed — some state government, some counties. Many just flying by the seat of their pants."

Some 3,500 people have been put to work tracing infections in the five boroughs. Yet the first report from Mayor Bill de Blasio last week shows the city has a long way to go. From June 1, when the program started, 5,347 new cases of infection were identified. But only about a third of these people shared who they had been in contact with, according to the Mayor's data.

"We have no idea how/where people are getting infected in vast majority of cases," Mark Levine, chair of the City Council Health Committee, said on Sunday.

City officials have appealed for public cooperation. The more cooperation, the more the virus will be boxed in. Other countries and communities are doing better. At the same time, even this imperfect system is only the first layer of protection. Infectious cases that get past the test, trace and isolate team can still be kept at a safe distance.

New York Smart

We know much more today than we did four months ago about how coronavirus spreads. Principally, through the air from an infected person to others. This is important. When public health officials realized this they started urging everyone to wear a mask. Dr. Vos says his team has reviewed the data and research and concludes that widespread mask wearing reduces

spread of the virus 36%.

A group of researchers in Texas and California have concluded that New York's decision to mandate masks on April 17 reduced infections "by over 66,000," about a third of the 209,000 confirmed cases in the city.

"It is rather unfortunate it has become such a politicized issue as it is one of the more effective policy levers we have," said Dr. Vos. "I'm hoping that even in this environment in the US that with mandates and increasing social pressure, the attitudes will change."

He cites Hong Kong as a good example of high proportion mask use, at 95%. New York City Transit reports 92% mask use in the subways.

Aerial transmission is also why outdoors is safer than indoors (fresh air dilutes the virus) and why better ventilation indoors reduces risk. Wiping surfaces, washing your hands frequently and maintaining a distance all also remain valuable protections.

Better Health

Even with all these layers of tracing, isolating, mask-wearing, cleaning and distancing, some people will still become infected so long as the virus is "in the community," as public health officers phrase it. Coronavirus is a treacherous infection, having almost no effect on some and severely sickening others. More is being learned all the time about treatment. There are now two drugs, an antiviral and a steroid, approved for treating seriously ill COVID patients. These are reducing fatalities and hospital stays.

There is another step that would make a major difference. Researchers have identified a set of chronic medical conditions — high blood pressure, diabetes, asthma, obesity and deficiencies of Vitamin D and K — that increase the danger of COVID-19. All of these can be addressed by improving basic community medical services. If we are going to put our hopes on a "moon shot" effort, this is the place. Not only would a concerted push for better basic public health reduce longstanding inequities in medical care, it would reduce the fatality rate among fellow citizens who become infected despite all our other efforts to stop the virus.

Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project

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Starting July 1, the public will be able to visit the project website at www.westernrailyardinfrastructure.com to view a presentation describing the project and to submit comments. FRA invites the public and all interested parties to comment on the scope of the EIS during a 30-day scoping comment period from **July 1 through July 31, 2020**.

You can comment by filling out a comment form accessible via the Project's website and using the comment link provided, or at Regulations.gov, Docket Number: FRA-2020-0039. You can also send written comments by mail to the following address: Western Rail Yard Infrastructure Project, c/o Fitzgerald & Halliday, Inc., 416 Asylum Street, Hartford, CT 06103. All comments will also be placed on file at Regulations.gov.



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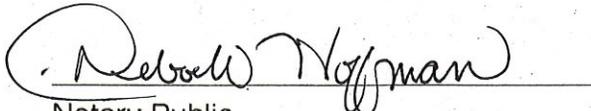
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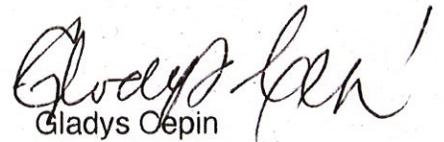
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Queridos y amigos: Saludos cariñosos a todos como siempre. Gracias a todos los que se unieron en oración conmigo el domingo de ramos para pedirle al Arcángel Miguel que intercediera por nosotros ante Dios para la destrucción del corona virus. Les dije que rezaran el salmo 136 al hacer la petición. Continúen haciendo este salmo los domingos a las 10PM con una vela blanca pidiendo la intercesión de Miguel ante Dios por nosotros y el mundo entero. Para escribir a esta columna dirijan sus cartas a Nirvana of New York, 828 9th Avenue, New York, New York 10019. Pueden ordenar lo que necesiten por correo llamando al (212)247-3733 o (212)489-9457. Pueden hacer sus entrevistas conmigo por teléfono llamando a los mismos números. A continuación, las cartas de la semana.

La columna de los consejos, el amor, la suerte y el dinero

De mí Para ti



Por Migene González-Wippler

cuperar mi antigua posición. Por favor ayúdenme a lograrlo. Le estaré eternamente agradecido.
H.F. del Bronx.

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uno y te frotas las manos. Este es un excelente despojo contra la mala suerte. Luego hierva damiana, hisopo, manzanilla, cáscara de mavi y una cucharada de arroz blanco en agua. Cuela el baño y le añades cerveza y miel. Te echas el baño por los hombros y te das una ducha con un jabón del dinero. Date 7 de estos baños. Después de cada baño enciende una vela de la abundancia. El último día inscribe el nombre de tu antiguo jefe en un jabón de los ángeles y lo metes en una fuente con miel, melao de caña, miel rosada, balsamo tranquilo y 7 piedras de dinero. Al frente enciende la vela del arcángel Sadkiel que rige los negocios. Cuando se termine la vela llama a tu jefe, te excusas y te va a dar tu trabajo de nuevo.

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Desesperada de New Jersey.

Querida Madre Desesperada:

El trauma que ha recibido tu hijo ha sido muy grande, sobre todo porque es tan religioso. Pero su misma fe le va a dar la fuerza para sobreponerse a su dolor. Parte un coco por la mitad y lo vacías. Pon una mitad sobre una copa con agua de mar, agua de los ángeles y agua bendita. Debajo pones un papel con el nombre de tu hijo. Adentro del coco pones agua sedativa, agua azahar, agua maravilla, manteca de cacao, alcanfor, alumbre y azúcar. Tápallo con la otra mitad y rodea la copa con un círculo de cascarilla y 9 piedras de la luna. Al frente enciende la vela del arcángel Gabriel que rige la mente y le pides que tranquilice a tu hijo y le de paz y resignación. Cuando se termine la vela amarra el coco con una cinta blanca y lo envuelves en algodón. Ponlo en un lugar alto. Mete las piedras de la luna debajo del colchón de la cama de tu hijo.

Con el cariño de siempre,
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Mantente a una distancia de 6 pies (el largo de 2 brazos) de los demás.

Y usa una cubierta de tela para la cara



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Lávate las manos al menos 20 Segundos!

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Motivado por sus cálidas palabras y sabios consejos me animo a dirigirme a usted con la esperanza de que me ayude a resolver mi problema. Debido a un disgusto que pasé en mi trabajo, me regresé a mi casa muy alterado y es así que hoy me encuentro desempleado. Debido a mi avanzada edad será muy difícil para mí conseguir otro empleo. Mi única esperanza es re-

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Western Rail Yard
INFRASTRUCTURE PROJECT



U.S. Department of Transportation
Federal Railroad Administration

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User	raushaun.mitchell@patch.com
Date range	Jun 22, 2020 - Jun 28, 2020
PQL query statement	where order_id in (2703304014)
Report type	Historical
MRC Accredited Metrics for Total Values for Display, Video, and Rich Media including Mobile Web	Ad server impressions

Report data listed below.

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Creative size	Impressions	Clicks	Click Through Rate
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300 x 600	11,155	5	0.04%
320 x 50	22,092	69	0.31%
970 x 250	10,274	18	0.18%
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Click here to learn more and get involved!

Midtown-Hell's Kitchen Arts & Entertainment

Hollywood, CA | News | 4d
The Best '90s Films To Watch This Father's Day Weekend
Celebrate Father's Day at home by watching classic '90s flicks such as "The Matrix," "Mrs. Doubtfire," "Home Alone" and many more.

Hollywood, CA | News | Jun 12
11 Nostalgic Movies That Will Transport You Back To The '80s
Take a walk down memory lane this weekend by watching classic '80s flicks like "Top Gun," "Back to the Future," "The Goonies" and more.

Hollywood, CA | News | Jun 3
What's New On Netflix: June 2020
The much-anticipated "Eurovision Song Contest: The Story of Fire Saga" and Spike Lee's "Da 5 Bloods" premiere this month on Netflix.

Hollywood, CA | News | May 28
11 Movies To Get You In The Mood For Summer
Transport yourself to the tropics by watching summer flicks including "Mamma Mia!" "50 First Dates," "Blue Crush" and many more.

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Times Square Cinema
Midtown-Hell's Kitchen, NY | 19h
SPECIALS ON SPECIALS!!!! Come see us ;)

Times Square Cinema
Midtown-Hell's Kitchen, NY | 20h
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Rockettes
Midtown-Hell's Kitchen, NY | 1d
Happy Birthday, Bob Fosse! What's your favorite Fosse number?

Times Square Cinema
Midtown-Hell's Kitchen, NY | 1d
NEW MOVIE PREMIER! Reserve your tickets here

The Garden
Midtown-Hell's Kitchen, NY | 17h
Delivering 30 years of legendary moments at The World's Most Famous Arena.

The Garden
Midtown-Hell's Kitchen, NY | 19h
The beginning of something wonderful

The Morgan Library & Museum
Midtown-Hell's Kitchen, NY | 1d
Go vote! Winston Churchill with crowd outside polling place, Borough of Kensington, London.

The Garden
Midtown-Hell's Kitchen, NY | 1d
Queen's music continues to give us the power to love and inspire change

Midtown-Hell's Kitchen | News | May 20
Times Square Art Installation Raises Money For Essential Workers
The Times Square Alliance is selling prints of posters being displayed on the landmark's billboards during quarantine.

Midtown-Hell's Kitchen | News | May 15
New Yorkers Can Design Flags To Be Flown At Rockefeller Center
Rockefeller Center's 192 flagpoles will feature designs by New Yorkers

Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project

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Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project.

Starting July 1, the public will be able to visit the project website at www.westernrailyardinfrastructure.com to view a presentation describing the project and to submit comments through July 31, 2020.



Featured Events

Jun 25 Songs of Hope for Girls
Jun 26 Grand Opening For The Red Grill Mexican Restaurant!!
+ Add your event
See More Events Near You >

Western Rail Yard Infrastructure Project
Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project
The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project.

Featured Classifieds

See this new listing with a spacious yard in Chatham!
The Drinking Face Glove (Limited Edition)
Gorgeous Home in Colts Neck NJ
+ Add your classified

Western Rail Yard Infrastructure Project
Please join us for Virtual Public Scoping for the Western Rail Yard Infrastructure Project
The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project.

Midtown-Hell's Kitchen Community Calendar

Calendar for June 2020 showing dates 1 through 30, with the 24th highlighted.

Latest News Nearby

- 1. Midtown-Hell's Kitchen, NY News: Manhattan Home Sales Prices Drop During Pandemic
2. Washington Heights-Inwood, NY News: State Sen. Robert Jackson Holds Primary Lead
3. New York City, NY News: Rep. Nadler Declares Victory With Votes Uncounted
4. Midtown-Hell's Kitchen, NY News: Fine Dining Staple Aureole To Become Steakhouse
5. Midtown-Hell's Kitchen, NY News: SEE: Commuters Welcomed Back To Grand Central

Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project.

Statues in Rockefeller Center were outfitted with masks to remind New Yorkers to wear the protective equipment as they return to work.

Patch Newsletter Midtown-Hell's Kitchen

Tue, Jun 23 Humid throughout the day. High 82° Low 73°

ADVERTISEMENT

Please join us for
Virtual Public Scoping
for the Western Rail Yard Infrastructure Project

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement for the Western Rail Yard Infrastructure project. The purpose of the project is to cover and protect the active railroad tracks and LIRR support facilities that house critical railroad infrastructure; to preserve a right-of-way to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station; and to provide additional new capacity for real estate development.



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Click [here](#) to learn more and get involved!

AdChoices [icon]

TODAY'S TOP LOCAL NEWS



SEE: Rockefeller Center Statues Don Masks As NYC Enters Phase 2

Statues in Rockefeller Center were outfitted with masks to remind New Yorkers to wear the protective equipment as they return to work.



Consumer Reports Offers Ways To Save Time And Money Food Shopping

[Read more »](#)

[See more local news »](#)

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FEATURED EVENTS

Jun
23

WIBO's Virtual 10 Week Business Building Workshop is Open

[See event »](#)

**Western Rail Yard Infrastructure Project
Scoping Summary Report**

**Attachment D:
Scoping Presentations and Narratives**



Western Rail Yard
INFRASTRUCTURE PROJECT



Scoping Presentation

Scoping Comment Period July 1 through 31, 2020



Introduction

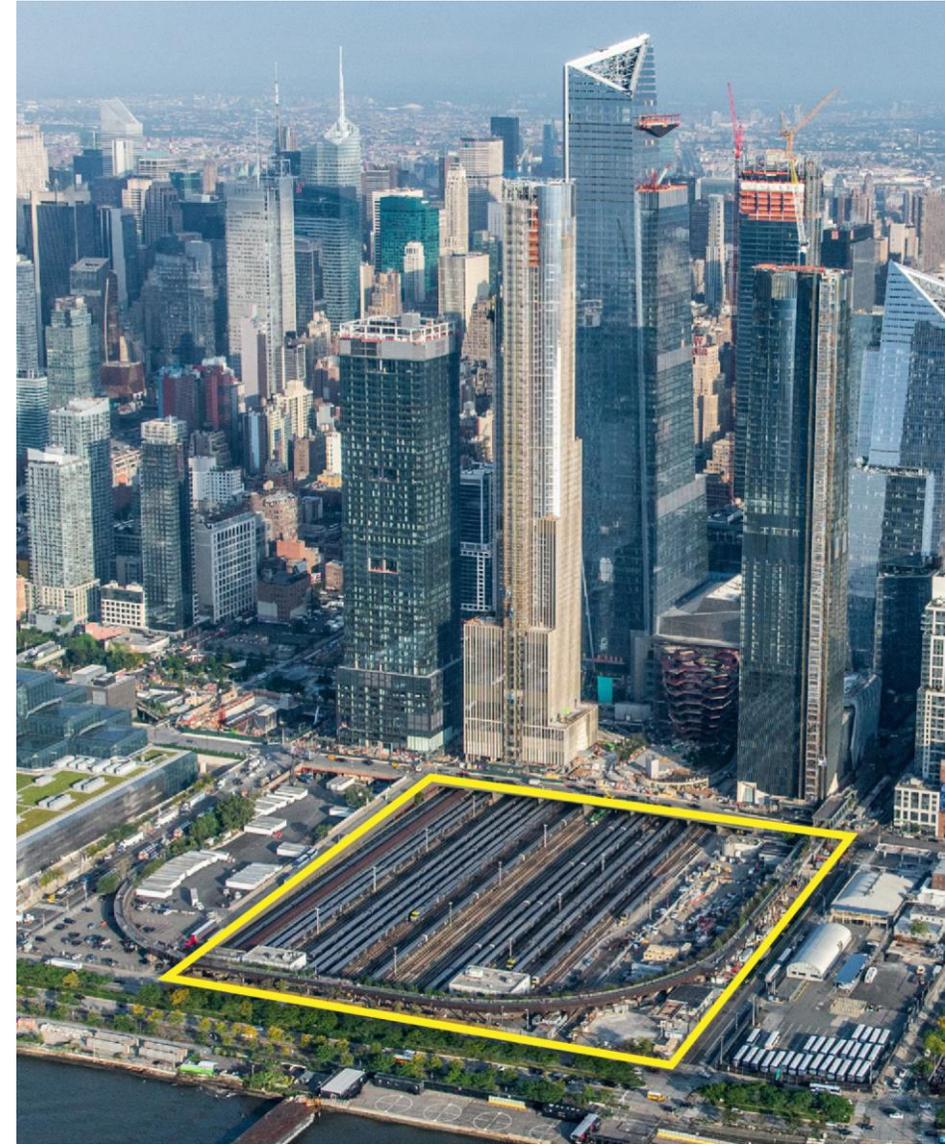
Welcome

from the Federal Railroad Administration (FRA)

U.S. Department of Transportation (USDOT)

An **Environmental Impact Statement (EIS)** for the Western Rail Yard Infrastructure Project is being prepared by the FRA, in compliance with the National Environmental Policy Act (NEPA) of 1969 and other environmental laws.

Due to the ongoing **COVID-19** public health emergency, FRA is conducting a **virtual Public Scoping Process** for this Project.



What are NEPA & Section 106?



Western Rail Yard
INFRASTRUCTURE PROJECT

National Environmental Protection Act (NEPA)

- Environmental review of the Project's impacts on the built and natural environment.
- Notice of Intent to prepare an EIS was published in the *Federal Register* on June 15, 2020.

Section 106

- Solicit public interest concerning potential effects of the Project on historic and cultural resources.
- Analyses conducted pursuant to Section 106 of the National Historic Preservation Act (also known as "**Section 106**").



Photo by AKRF

Purpose of Scoping

During the EIS Process there are two main opportunities for input:

1. Now, during **Scoping**
2. After the Draft EIS is published

We want your input about:

- The Purpose and Need for the Project
- EIS Alternatives to be examined
- Environmental considerations
- EIS Analysis methodologies
- Public involvement and agency coordination process
- Section 106 issues and participation



Project Background



Western Rail Yard
INFRASTRUCTURE PROJECT

- 1986** Western Rail Yard reconstructed
- 2005** Hudson Yards Rezoning FEIS
- 2009** Western Rail Yard FEIS & New York City Zoning Resolution Amendments
- 2015** 34th Street–Hudson Yards Subway Station opened
- Present** Mixed-Use Development over the Eastern Rail Yard is being finished



Purpose of the Project



Western Rail Yard
INFRASTRUCTURE PROJECT

To **cover and protect the active railroad tracks** and LIRR support facilities in the Western Rail Yard and to **provide additional new capacity for real estate development** and house critical life safety and other LIRR services.

To **preserve a right-of-way through the Western Rail Yard** to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

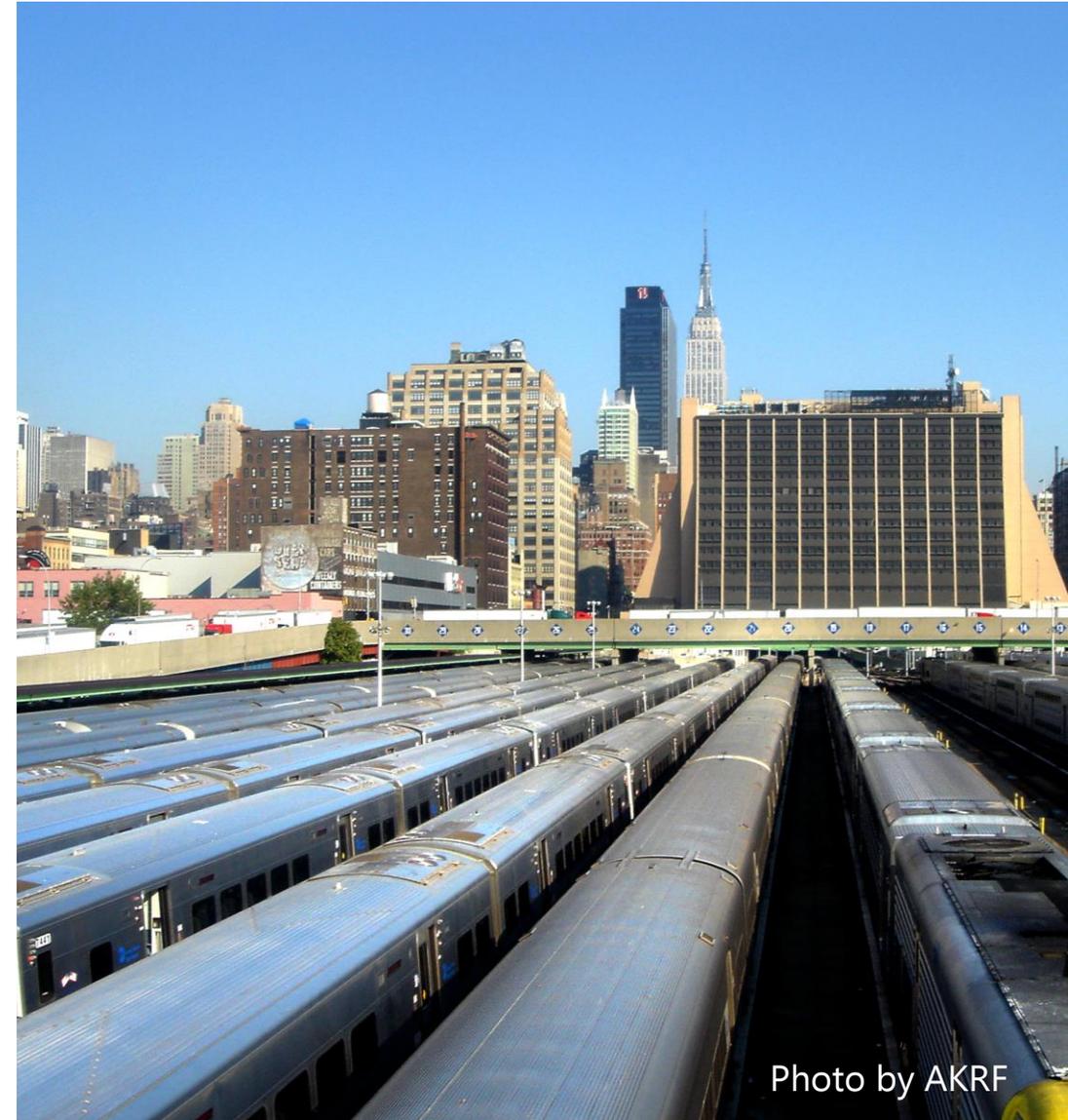


Photo by AKRF

Need for the Project



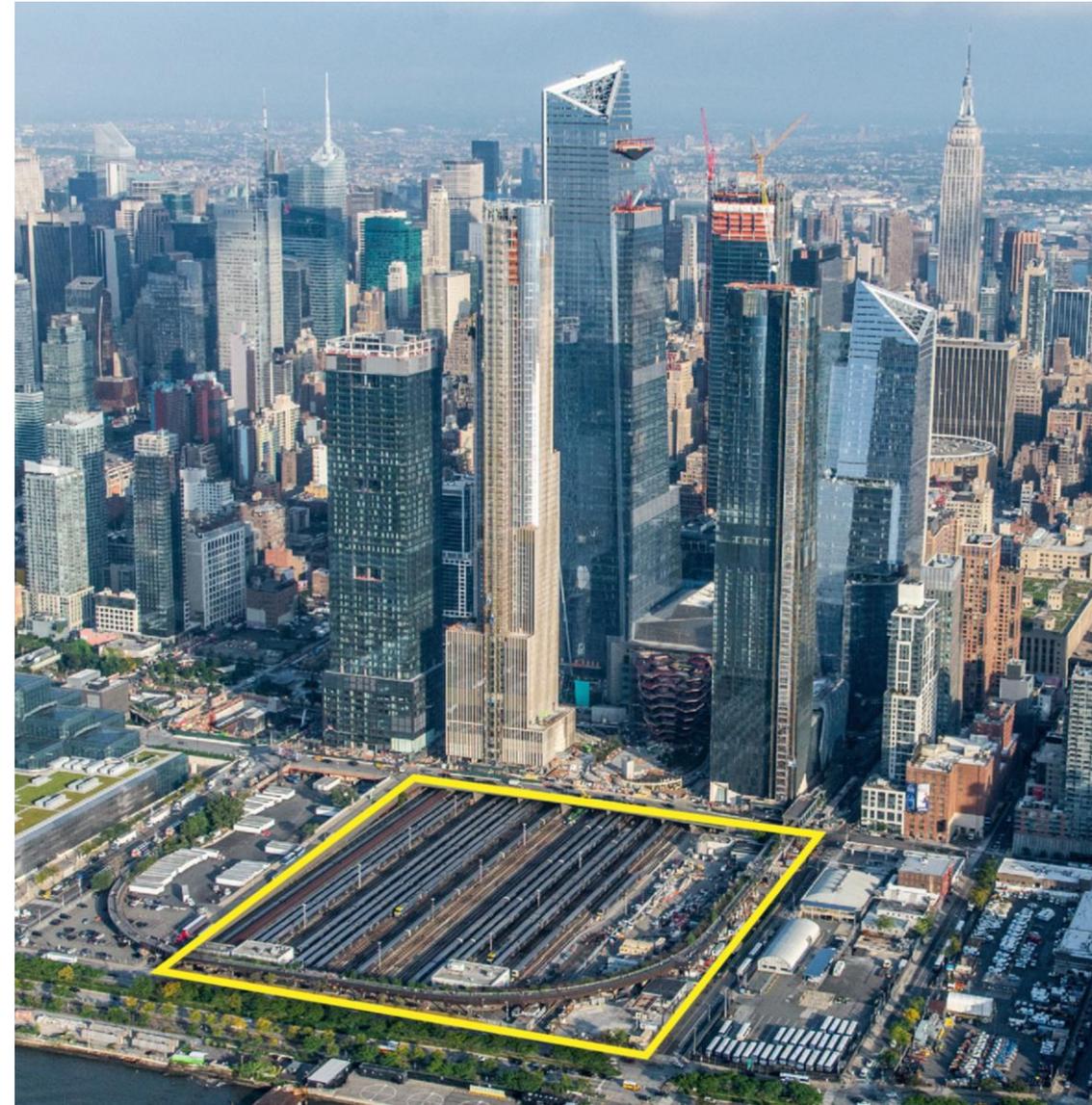
Western Rail Yard
INFRASTRUCTURE PROJECT

Platform

Support the provision of developable land area that would generate revenue for the MTA and its subsidiary agencies and modernize state-of-the-art life safety systems for the entire Western Rail Yard.

Tunnel Encasement

Preserve right-of-way for new rail infrastructure to support passenger rail service in and out of New York Penn Station.



Project Objectives



Western Rail Yard
INFRASTRUCTURE PROJECT

1 Maintain safe, continuous, and uninterrupted LIRR operations, construct critical life safety and ventilation systems, and modernize operational facilities within Western Rail Yard.

2 Preserve opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

3 Support the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard.

4 Provide the support for the economic, social, and recreational life of the Hudson Yards area and the City.

Proposed Project Elements

The Platform

A 9.8-acre structural steel and concrete “**roof**” **over the MTA-LIRR Western Rail Yard** that would house other important LIRR infrastructure, including critical life safety services and an extensive platform ventilation system.

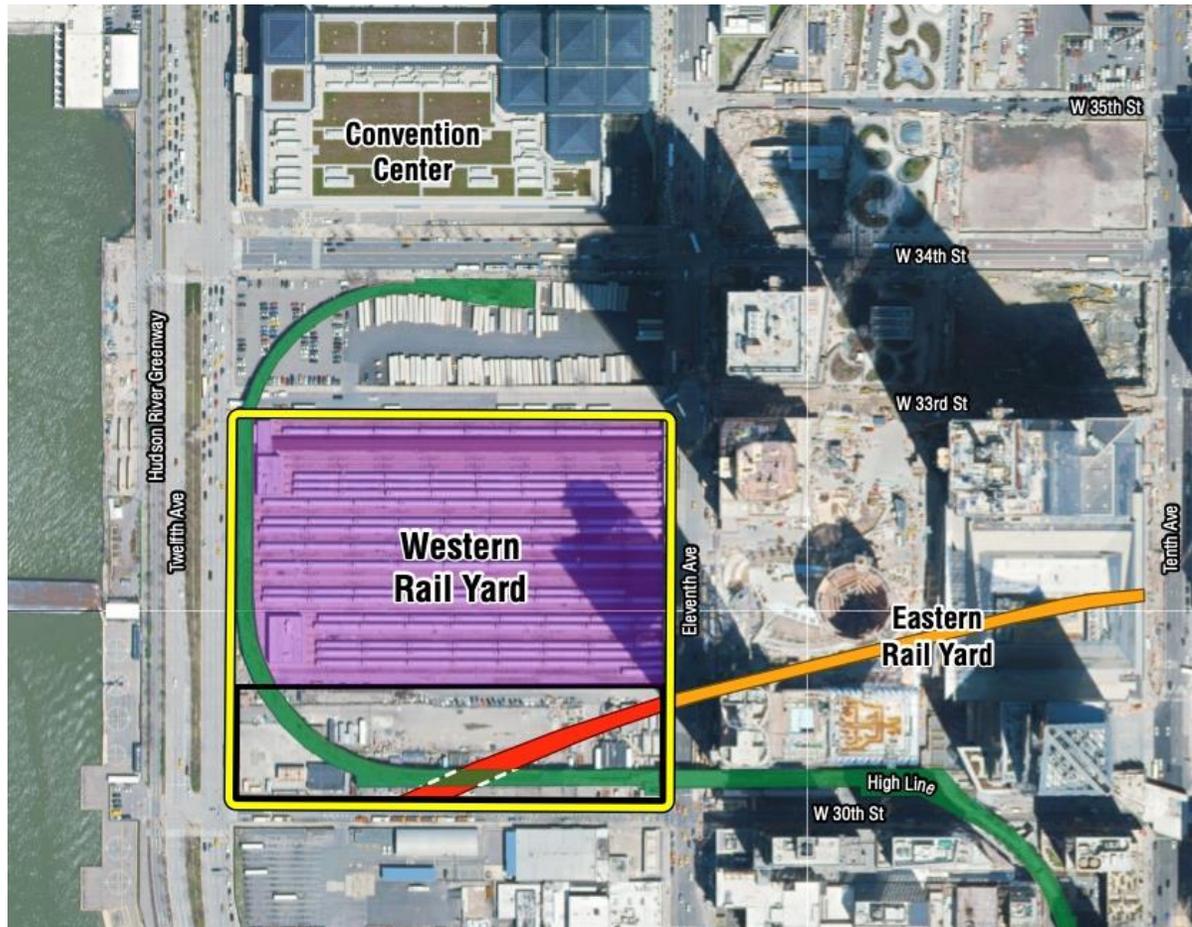
The Tunnel Encasement

A **concrete tunnel running below** a portion of the Western Rail Yard site to preserve railroad right-of-way for future use.



Proposed Project Elements

Platform & Tunnel Encasement



Project Site (Western Rail Yard)



Approximate Terra Firma Area



Proposed Platform



Existing Concrete Encasement



Proposed Tunnel Encasement



Existing High Line (Remains Unaltered)

EIS Process

Key EIS Steps:

1. Notice of Intent in *Federal Register* *June 15, 2020*
2. Scoping Period *Now*
3. Availability of Draft EIS for Public Review
4. Final EIS and Record of Decision



EIS Analyses

Full range of environmental considerations will be examined

Construction impacts, transportation, etc.

Historic & Archaeological Resources

Analysis coordinated with Section 106 review

Section 4(f) Evaluation

Parklands, historic structures/sites & protected wildlife areas



EIS Timeline/Key Milestones



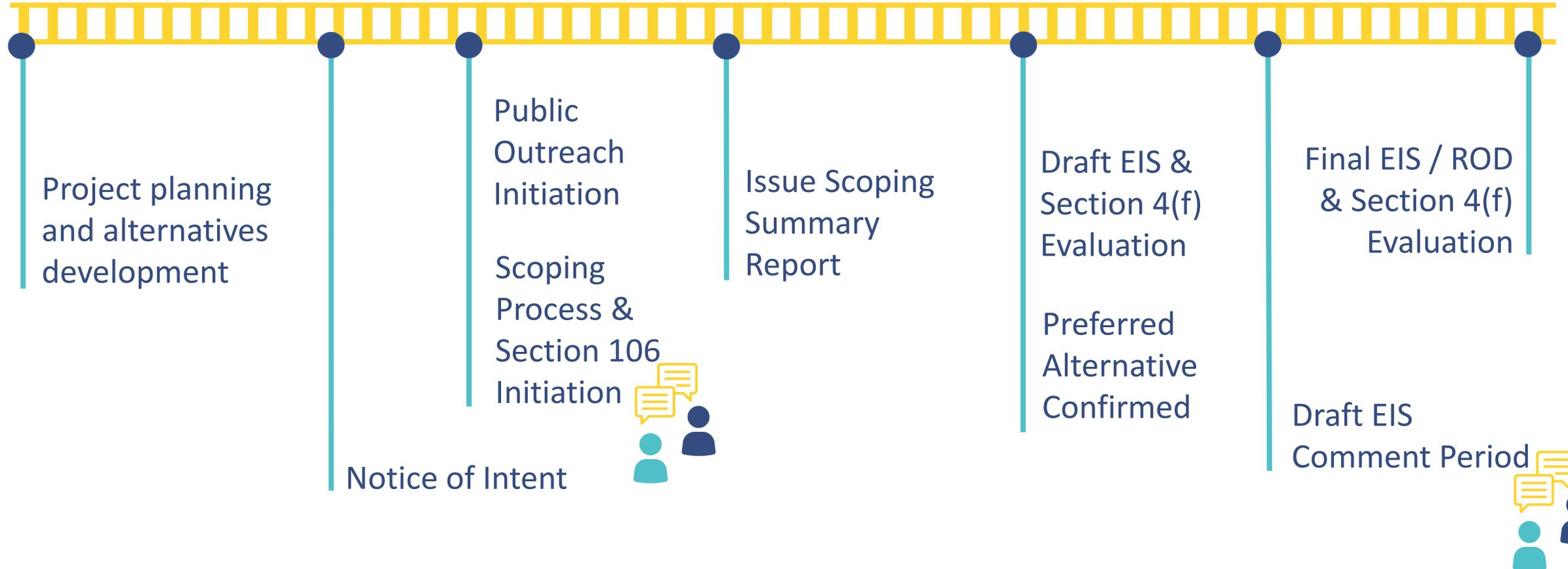
Western Rail Yard
INFRASTRUCTURE PROJECT

Summer
2017

Summer
2020

Spring
2021

Fall 2021



Your Input is Important!



Western Rail Yard
INFRASTRUCTURE PROJECT

Comments may be submitted through **July 31, 2020**



www.westernrailyardinfrastructure.com

Regulations.gov *Docket No. FRA-2020-0039*

comments@westernrailyardinfrastructure.com



Western Rail Yard Infrastructure Project

c/o Fitzgerald & Halliday, Inc.

416 Asylum Street

Hartford, CT 06103



Western Rail Yard INFRASTRUCTURE PROJECT



Thank you

www.westernrailyardinfrastructure.com



SLIDES 1 & 2: COVER & Introduction – FRA

Hello!

On behalf of the Federal Railroad Administration (or FRA), an agency in the United States Department of Transportation (or US DOT), we welcome you to this Public Scoping Presentation for the Western Rail Yard Infrastructure Project. FRA is the federal agency in charge of advancing the environmental review for this project, including preparing the Environmental Impact Statement (also called an EIS). During this presentation, you will learn about the Project (also referred to as the Proposed Action), and the process that FRA will follow to analyze potential environmental impacts.

Due to the ongoing coronavirus disease COVID-19 public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding limiting large events and mass gatherings, FRA is conducting virtual Public Scoping process for this project. This is why FRA has prepared this presentation, and made it available on the Project Website for viewing at your convenience. FRA will be collecting your comments during the Public Scoping period, which runs from July 1st through July 31st, 2020.

On behalf of FRA and the entire project team, we thank you for your interest in learning about this project and watching this Scoping Presentation. We welcome your comments and feedback.

SLIDE 3: FRA or NARRATOR WHAT ARE NEPA & Section 106?

The National Environmental Policy Act, or NEPA for short, is the law that requires federal agencies to undertake an environmental review process that takes a “hard look” at a Project’s or Proposed Action’s potential impacts on the built and natural environment. This has to happen before a decision is made and construction begins. For this project, FRA will be leading the preparation of an Environmental Impact Statement for the project in compliance with NEPA. In addition, FRA will follow the procedures of Section 106 of the National Historic Preservation Act, which also applies to this project.

Section 106 requires federal agencies to consider the effects of their projects on historic properties, including archaeological and cultural resources. As part of that process, Section 106 also requires that FRA seek comments about historic and archaeological issues of concern for the project from a variety of entities, including the New York State Historic Preservation Office, Native American tribes with an interest in the project area, and other organizations and individuals that have a specific interest in historic, archaeological, and cultural resources that could be affected by the project. Section 106 also includes opportunities for public review

So, during Public Scoping, FRA is also seeking comments about historic and archaeological issues of concern for the project, and if you have a particular interest in historic and archaeological resources, you can request to be involved in the Section 106 consultation for the project.

SLIDE 4 – NARRATOR: PUBLIC INPUT AND SCOPING

During the EIS Process, there will be opportunities for the public to provide comments and feedback. These opportunities for comment occur now, during Scoping, and when the Draft EIS has been published for public review. The Project website will be available throughout the EIS process for you to read about the Project and ask questions.

The purpose of the Scoping Process is for FRA to ask for public input related to the Project's purpose and need, alternatives to be examined in the EIS, resources to be examined in the EIS, how FRA proposes to analyze effects on the built and natural environment within the project's study area, and the public involvement and agency coordination process to be followed for the Project's environmental review.

FRA encourages you to submit scoping comments for the project. The options for submitting comments are all summarized at the end of this presentation, and are also available for your reference on the Project Website.

The Public Scoping period runs from July 1st, 2020 through July 31st, 2020, and Scoping Comments can be submitted any time during that period, which will end on July 31st, 2020.

The FRA will consider the comments received during the scoping period and will use them to inform the content of the EIS.

SLIDE 5– Project Background (History of Site & local Planning Processes)

Now we'd like to provide some background about the project site and planning processes that have been undertaken in the area over the past 35 years.

The Western Rail Yard tracks and other facilities were specifically reconstructed by MTA in 1986 to accommodate support columns that would allow for future construction of private development over the yard. As shown on the map on the right, the Western Rail Yard site, outlined in yellow, is part of the larger Hudson Yards, outlined in blue. The area in and around the Western Rail Yard has been the subject of various planning, rezoning, and redevelopment efforts, covering more than 4 dozen blocks of Manhattan's Far West Side. In 2005, the Hudson Yards Rezoning Project instituted a major rezoning of the entire Hudson Yards area, to accommodate a mix of uses and densities throughout the Far West Side, including over 38 million square feet of new development, the provision of new public open space, and an extension of the No. 7 subway line, with a new Number 7 subway station at 34th Street and Eleventh Avenue.

In 2009, an EIS following the New York State and City processes was finished for the development proposed at the Western Rail Yard site, which included a Platform and Overbuild development. Based on that Final EIS, zoning text and map amendments to the New York City Zoning Resolution were adopted by the City Council for the Western Rail Yard development. The Platform and Overbuild development are now considered to be built **As-of-Right**, in accordance with the City Zoning Resolution's existing zoning controls for this site. This is a very important point to keep in mind, in the context of the current NEPA project and its environmental review.

In 2015 the new 34th Street–Hudson Yards Subway Station opened, making development in this area more attractive with access to the subway system. Most recently, the mixed use development over the Eastern Rail Yard across the street from this site is getting close to being finished.

SLIDE 6: PURPOSE OF THE PROJECT

The Proposed Action for this EIS has two main purposes:

The first, is to cover and protect the active Long Island Rail Road tracks and support facilities in the Western Rail Yard, to house critical life safety and mechanical, electrical and plumbing support services for the Yard, including new lighting, sprinklers, and an extensive Platform ventilation system, and provide additional new capacity for real estate development. As mentioned before, when Hudson Yards was redeveloped in 1986, the Long Island Railroad (referred to as the LIRR) tracks and other facilities were specifically laid out to accommodate support columns that would be required for future development to be constructed at this site.

The second, is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

SLIDE 7: NEED For the Project

The Western Rail Yard lies below street level on a site that is open to the sky and is intensively used every day by LIRR for the storage, interior cleaning, and maintenance of their commuter railcars, as well as for other LIRR services and functions. As a result, no development above the rail yard can occur.

The Platform is needed to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard, and modernize state-of-the-art life safety systems for the entire Western Rail Yard, and to provide additional new capacity for real estate development above the active rail yard that would generate revenue for the MTA and its subsidiary agencies. MTA has long sought to maximize the revenue generation potential of its real estate assets. Currently, there is no capacity for development over the Western Rail Yard without construction of the Platform.

The Tunnel Encasement is needed to preserve right of way through the Western Rail Yard to allow the future construction of new rail infrastructure which would support passenger rail service in and out of New York Penn Station. If this right-of-way is not preserved now, before private development occurs on the site, it will not be possible to construct this rail connection to Penn Station in the future. New rail infrastructure is part of the effort to maintain a functional resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, and maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, as well as to support future increases in the capacity of the regional rail system that may be pursued.

SLIDE 8: PROJECT OBJECTIVES

Consistent with the stated Project Purpose and Need of the Western Rail Yard Infrastructure project that were just outlined in the two previous slides, the four principal objectives of the project relate to:

#1. Maintain safe, continuous, and uninterrupted LIRR operations, construct critical life safety and ventilation systems, and modernize operational facilities within Western Rail Yard;

#2. Preserving opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station;

#3. Supporting the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard; (the Platform is essential to enabling the previously approved privately-funded Overbuild development to occur on the site. The sale of these development rights provides revenue to the MTA)

AND

#4. Providing the support for the economic, social, and recreational life of the Hudson Yards area and the City.

SLIDE 9: PROPOSED PROJECT ELEMENTS

The following slides provide more description of the project elements, including their locations of these elements, and some details related to their design.

As we have been explaining, the proposed Project has TWO main elements:
A 9.8-acre structural steel and concrete Platform that would be built over the MTA-LIRR Western Rail Yard,

and

A Tunnel Encasement built of reinforced concrete below a southeastern solid ground portion of the Western Rail Yard site, running diagonally from the northern edge of 30th Street to the western edge of Eleventh Avenue, where it would connect to an existing concrete encasement that has been built under Eleventh Avenue, and which runs eastward under the Eastern Rail Yard to western edge of Tenth Avenue.

SLIDE 10: PROPOSED PROJECT ELEMENTS

The image on this slide shows the location of the proposed Platform, in context with the location of the proposed Tunnel Encasement, shown in red, and the surrounding neighborhood. Also of note on the aerial is the recently constructed concrete encasement to the east of the Project Site, shown in orange, as well as the existing High Line Park, shown in green on the figure for context, which wraps around the project site.

In addition to covering and protecting the LIRR's Western Rail Yard commuter railcar storage, maintenance, and support services and functions, the Platform would house critical life safety and mechanical, electrical, and plumbing support services for the yard, including new lighting, sprinklers, and an extensive platform ventilation system. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard.

The Tunnel Encasement would be between 50 and 65 feet wide, and between 27 and 38 feet high beneath the Western Rail Yard site and would attach to a previously constructed encasement under the Eastern Rail Yard. Together these tunnel encasements would preserve approximately 1,400 feet of railroad right of way. No permanent operational components, like tracks, lighting, ventilation or electrical systems would be constructed in the Tunnel Encasement as part of the Project.

SLIDE 11: EIS PROCESS

Here is a brief overview of the main steps that occur during an EIS process, along with the dates FRA is expecting these steps to occur for this EIS.

A few of these steps have already happened or are occurring right now, and include:

1. The Notice of Intent was published in the Federal Register on June 15, 2020
2. The Scoping Period will go from July 1 to July 31, 2020
3. A Draft EIS will be prepared, and is expected to be available for Public Review in the Spring 2021
5. The Final EIS & Record of Decision are expected to be finished in Fall 2021

All of these steps are explained in more detail in the Scoping Document that is posted on this Project website for your review.

SLIDE 12: EIS ANALYSIS AREAS

The EIS will evaluate impacts on the built environment, such as land use, parks, visual resources, historic and archaeological resources, and noise and vibration. It will also consider effects on transportation systems, including not only rail service but also impacts to vehicular and pedestrian traffic. The EIS will include analyses of a full range of environmental issues, each with a defined study area, and will consider the potential impacts of the project both during construction, and after construction is complete, as well as any foreseeable indirect and cumulative effects.

As mentioned earlier, the analysis of how the project may effect historic and archaeological resources, will be coordinated with the concurrent Section 106 review for the project.

The EIS will also include a Section 4(f) Evaluation, as required under the Department of Transportation Act of 1966. The evaluation examines potential impacts to Section 4(f) resources, such as: parklands; historic structures, sites, or archaeological resources; and protected wildlife areas, from the construction and/or operation of a US DOT project or action, and looks at measures that can be taken to avoid, minimize, or mitigate any identified impacts.

The elements of the EIS and analyses to be undertaken, are all discussed in more detail in the Scoping Document, which is available on the Website for your review and comment.

SLIDE 13: EIS TIMELINE/KEY MILESTONES

Shown here is a Timeline showing the key milestones in the Project's development and EIS process. Considerable time and thought have been spent by the Project Sponsors to plan for the Project and to consider and refine the feasible and constructible design for the Project. This process involved coordination between Project designers and engineers, and intensive review by the MTA and Amtrak over the last several years.

As you can see on the slide, there are two main times during the EIS process that FRA will actively ask for public input. During Scoping, and when the Draft EIS has been published for public review.

We are now in Public Scoping, and FRA is asking for your thoughts and feedback. After scoping, we anticipate preparing a Draft EIS by next spring, with public review in the Spring of 2021 (where again FRA will ask for your feedback and comments). FRA expects the last step in this process to be a Combined Final EIS and Record of Decision, which would be published by the FRA in the Fall of 2021.

SLIDE 14: “YOUR INPUT IS IMPORTANT”

(HOW TO SUBMIT SCOPING COMMENTS)

You may submit comments during the scoping period in a number of different ways.

All online comments will be collected at Regulations.gov. The Docket No. for this project is FRA-2020-0039.

A link to the docket is found on the project’s website:

www.westernrailyardinfrrastructure.com

You may also submit comments by email to

comments@WesternRailYardInfrastructure.com

or

by US mail to the address on your screen, which is also found on the project website.

The FRA will give equal consideration to all written and online and mailed comments.

As a reminder, please submit any comments or requests to become a Section 106 consulting party by July 31, 2020.

SLIDE 15: THANK YOU!

Thank you for your interest in the Western Rail Yard Infrastructure Project, for participating in the public scoping process, and for your time watching this presentation.

The project website: www.westernrailyardinfrastructure.com will be a resource for project updates throughout the EIS process.

Thank you again for your interest in this project. We hope to hear from you.



Western Rail Yard
INFRASTRUCTURE PROJECT



Presentación de Alcance

Período de Comentario de Alcance : 1 de julio al 31 de julio de 2020



Introducción



Western Rail Yard
INFRASTRUCTURE PROJECT

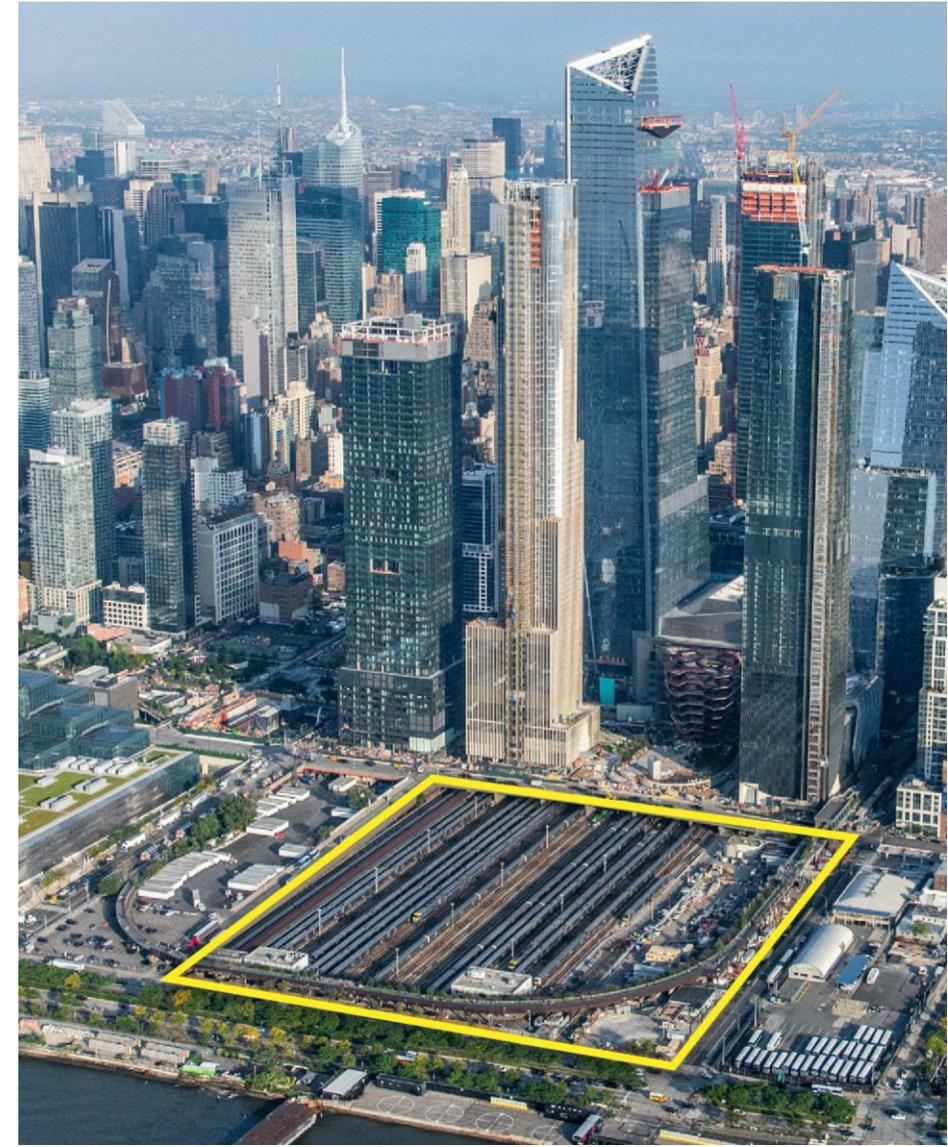
Bienvenido

de la Administración Federal de Ferrocarriles (FRA por sus siglas en inglés)

Departamento de Transporte de los Estados Unidos (USDOT por sus siglas en inglés)

La FRA está preparando una **Declaración de Impacto Ambiental (EIS por sus siglas en inglés)** para el Proyecto de Infraestructura de Western Rail Yard, en conformidad con la Ley Nacional de Política Ambiental (NEPA por sus siglas en inglés) de 1969 y otras leyes ambientales.

Debido a la actual emergencia de salud pública de la enfermedad del **coronavirus (COVID-19)**, FRA llevará a cabo un **Proceso Público Virtual de Alcance** para este Proyecto.



¿Qué son NEPA & Sección 106?



Western Rail Yard
INFRASTRUCTURE PROJECT

Ley Nacional de Política Ambiental (NEPA)

- Revisión ambiental de los impactos del Proyecto en el ambiente construido y natural.
- El Aviso de Intención de preparar un EIS fue publicado en el Registro Federal el 15 de junio de 2020

Sección 106

- Solicitar interés público sobre los posibles efectos del proyecto en los recursos históricos y culturales.
- Análisis realizados de conformidad con el Sección 106 de la Ley Nacional de Preservación Histórica (también conocida como "**Sección 106**").



Photo by AKRF

Propósito de Alcance



Western Rail Yard
INFRASTRUCTURE PROJECT

Durante el proceso EIS hay dos oportunidades principales para la aportación:

1. Ahora, durante **el Alcance**
2. Después de que se publique el Borrador del EIS

Queremos su opinión sobre:

- El propósito y la necesidad del proyecto
- Alternativas de EIS a ser examinadas
- Consideraciones ambientales
- Metodologías de análisis de EIS
- Participación pública y proceso de coordinación de agencias
- Problemas y participación de la Sección 106



Antecedentes del Proyecto



Western Rail Yard
INFRASTRUCTURE PROJECT

- 1986** Western Rail Yard reconstruido
- 2005** Rezonificación EIS final de Hudson Yards
- 2009** Enmiendas a la Resolución de Zonificación del Western Rail Yard EIS final y la ciudad de Nueva York
- 2015** La estación de metro de la calle 34–Hudson Yards abrió
- Present** Se está terminando el desarrollo de uso mixto sobre el Eastern Rail Yard



Propósito del Proyecto



Western Rail Yard
INFRASTRUCTURE PROJECT

Cubrir y proteger las vías ferroviarias activas y las instalaciones de apoyo del LIRR en el Western Rail Yard y para **proporcionar nueva capacidad adicional para el desarrollo de bienes raíces** albergar servicios de seguridad vital crítica y otros servicios del LIRR.

Preservar un derecho de paso a través del Western Rail Yard para apoyar la futura construcción de un cruce de ferrocarril de pasajeros al otro lado del Hudson a Penn Station en Nueva York

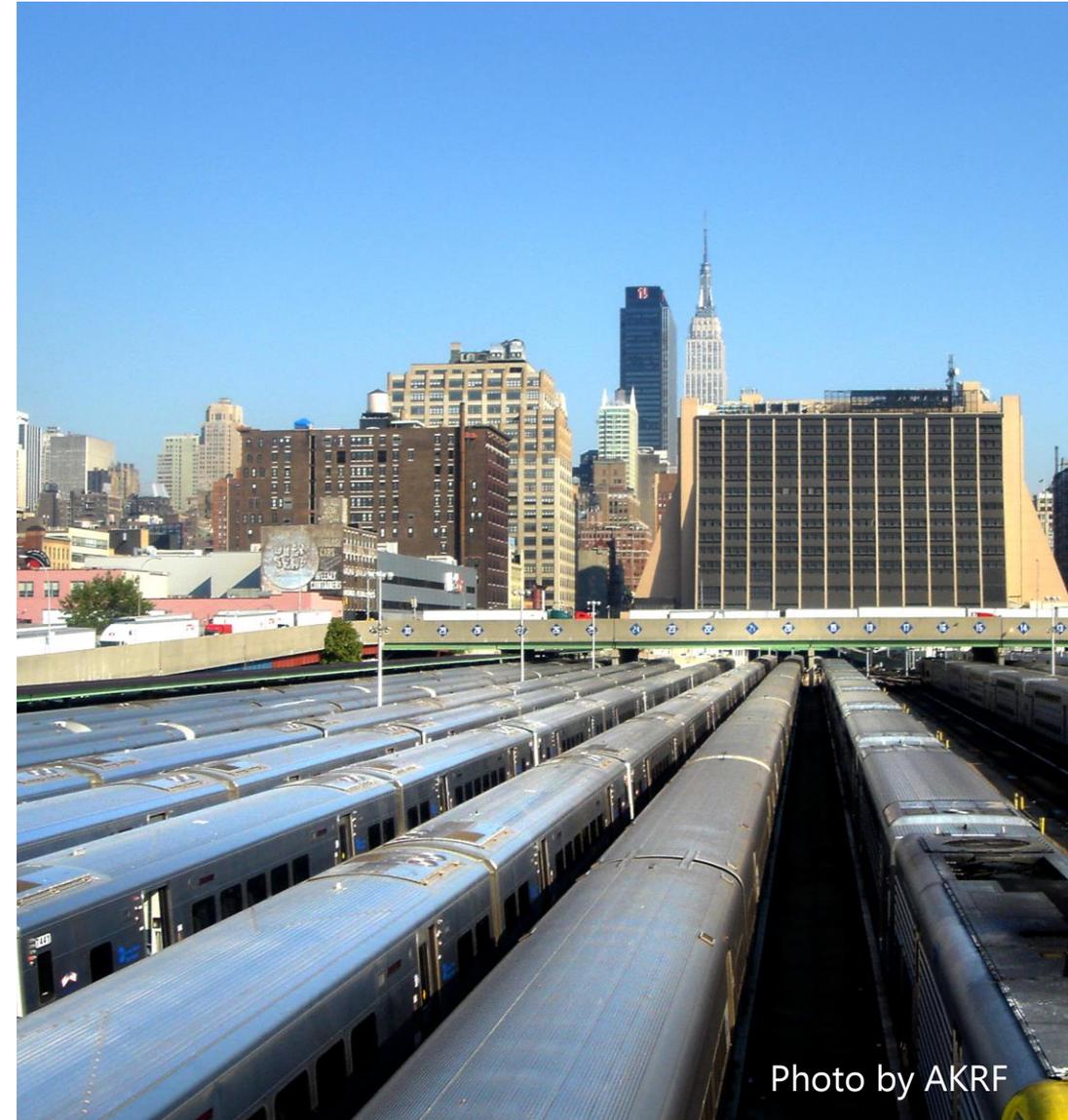


Photo by AKRF

Necesidad del Proyecto



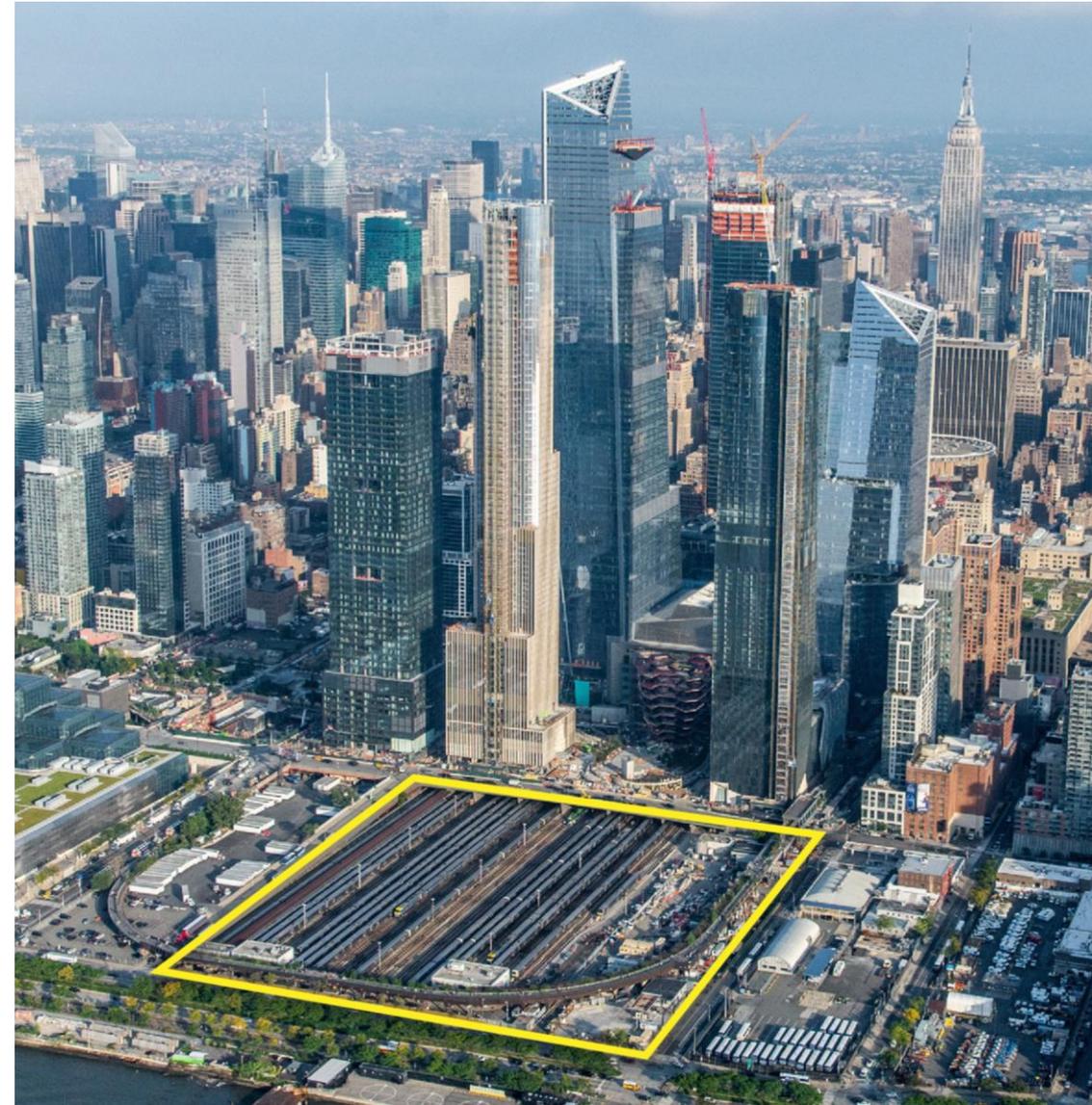
Western Rail Yard
INFRASTRUCTURE PROJECT

Plataforma

Apoyar la provisión de tierras desarrollables que generarían ingresos para el MTA y sus agencias subsidiarias y modernizar los sistemas de seguridad de vida de última generación para todo el Western Rail Yard.

Encasamiento de Túnel

Preservar el derecho de paso para nueva infraestructura ferroviaria para apoyar el servicio ferroviario de pasajeros dentro y fuera de Penn Station de Nueva York.



Objetivos del Proyecto



Western Rail Yard
INFRASTRUCTURE PROJECT

1 Mantener operaciones LIRR seguras, continuas y sin interrupción, construir sistemas vitales de seguridad y ventilación, y modernizar las instalaciones operativas dentro de Western Rail Yard.

2 Preservar oportunidades para permitir el crecimiento futuro del servicio ferroviario de pasajeros y mantener un cruce de ferrocarril de pasajeros trans-Hudson funcional, resistente y mejorado hacia la estación Penn de Nueva York.

3 Apoyar la capacidad de cumplir con los objetivos de generación de ingresos de la MTA, el propietario del Western Rail Yard.

4 Proporcionar el apoyo para la vida económica, social y recreativa del área de Hudson Yards y la ciudad.



La Plataforma

Un **"techo"** estructural de acero y hormigón de 9.8 acres **sobre el MTA-LIRR Western Rail Yard** que albergaría otra infraestructura importante de LIRR, incluyendo los servicios vital de seguridad críticos y un amplio sistema de ventilación de plataforma.

El Encasamiento de Túnel

Un **túnel de hormigón que corre por debajo** de una porción del sitio del Western Rail Yard para preservar el derecho de paso del ferrocarril para uso futuro.

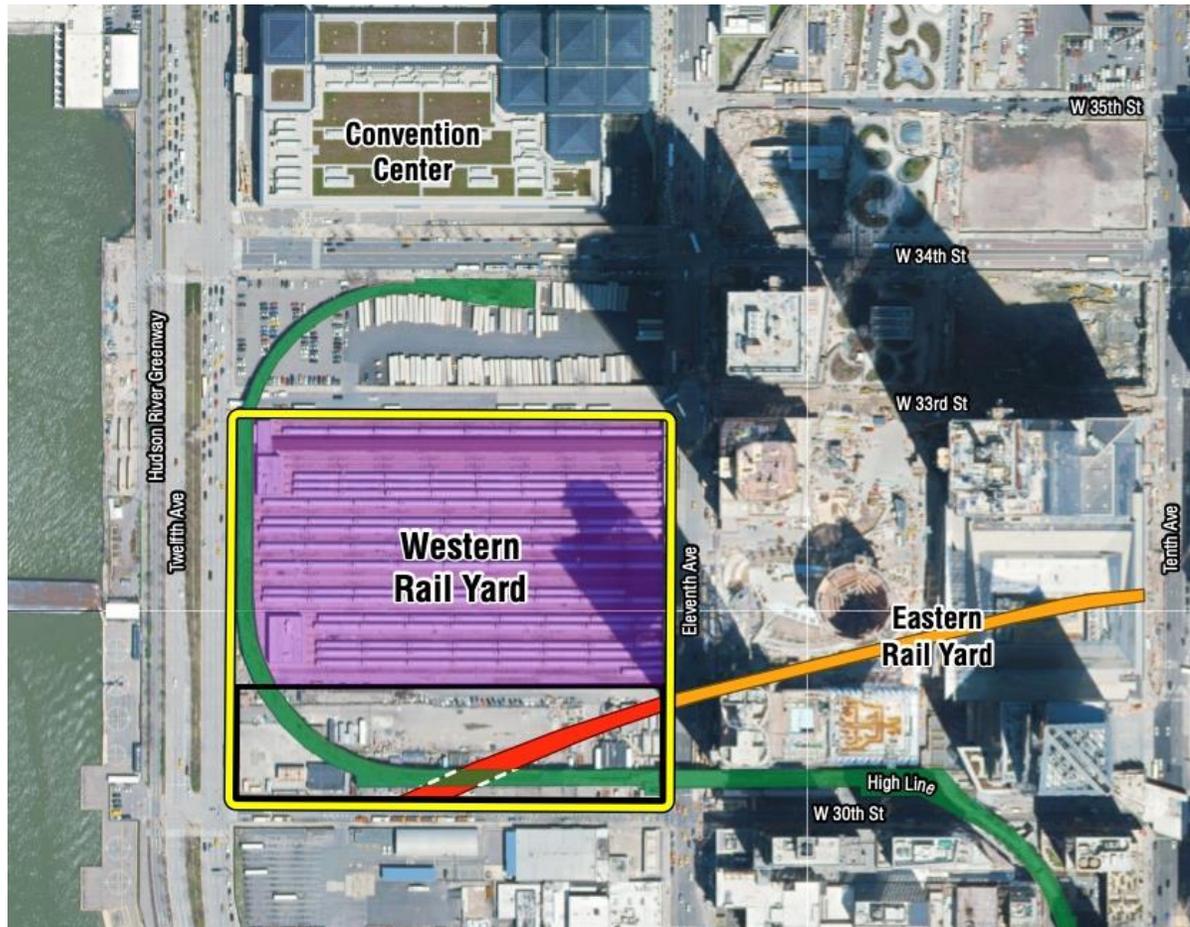


Elementos Propuestos del Proyecto



Western Rail Yard
INFRASTRUCTURE PROJECT

Plataforma & El Encasamiento de Túnel



Sitio del Proyecto (Western Rail Yard)



Área de Terra Firma Aproximada



Plataforma Propuesta



Encasamiento de Hormigón Existente



Encasamiento de Hormigón Propuesto



Existente High Line (Permanece inalterado)

Proceso de EIS

Fases Principales de EIS:

1. El Aviso de Intención publicado en el Registro Federal
de 2020

15 de junio

2. Período de Alcance

Ahora

3. Disponibilidad del Borrador de EIS para Revisión Pública

4. EIS Final y el Registro de Decisiones



Análisis de EIS

Se examinará toda la gama de consideraciones ambientales

Impactos de construcción, transporte, etc.

Recursos históricos y arqueológicos

Análisis coordinado con la revisión de Sección 106

Evaluación de Sección 4(f)

Parques, estructuras/sitios históricos y áreas protegidas de vida silvestre



Cronograma/Hitos importante de EIS



Western Rail Yard
INFRASTRUCTURE PROJECT

Verano
2017

Verano
2020

Primavera
2021

Otoño
2021



¡Su Entrada es Importante!



Western Rail Yard
INFRASTRUCTURE PROJECT

Comentarios pueden ser enviados hasta el **31 de julio de 2020**



www.westernrailyardinfrastructure.com

Regulations.gov *Número de Caso: FRA-2020-0039*



Western Rail Yard Infrastructure Project

c/o Fitzgerald & Halliday, Inc.

416 Asylum Street

Hartford, CT 06103



Western Rail Yard INFRASTRUCTURE PROJECT



Gracias

www.westernrailyardinfrastructure.com



SLIDES 1 & 2: COVER & Introduction – FRA

¡Hola!

En nombre de la Administración Federal de Ferrocarriles (o FRA para abreviar en inglés), una agencia del Departamento de Transporte de los Estados Unidos (o US DOT para abreviar en inglés), le damos la bienvenida a esta presentación de alcance público para el proyecto de Infraestructura de Western Rail Yard. FRA es la agencia federal que esta a cargo del avance de la revisión ambiental de este proyecto, incluyendo la preparación de la Declaración de Impactos Ambientales (EIS por sus siglas en inglés). Durante esta presentación, aprenderá sobre el proyecto (también conocido como la Acción Propuesta), y el proceso que FRA seguirá para analizar los impactos ambientales potenciales.

Debido a la actual emergencia de salud pública de la enfermedad del coronavirus (COVID-19), y de acuerdo con la dirección del Centro para el Control y la Prevención de Enfermedades con respecto a grandes eventos y reuniones masivas, FRA llevará a cabo un Proceso Pública Virtual de Alcance para el proyecto. Por eso, FRA ha preparado esta presentación y la ha puesto en el sitio web del proyecto para que lo vea a su conveniencia. FRA recopilará sus comentarios durante el período de Alcance Público, que corre del 1 de julio al 31 de julio de 2020.

En nombre de FRA y de todo el equipo del proyecto, le agradecemos su interés en conocer sobre este proyecto y ver esta Presentación de Alcance Público. Agradecemos sus comentarios.

SLIDE 3: FRA or NARRATOR WHAT ARE NEPA & Section 106?

La Ley Nacional de Política Ambiental, o NEPA para abreviar en inglés, es la ley que requiere que las agencias federales se comprometan a un proceso de revisión ambiental que tome una "mirada dura" a los impactos potenciales de un Proyecto o de la Acción Propuesta sobre el medio ambiente construido y natural. Esto tiene que pasar antes de que se tome una decisión y se comience construcción. Para este proyecto, FRA guiará la preparación de una Declaración de Impactos Ambientales para el proyecto en conformidad con NEPA. Además, FRA seguirá los procedimientos del Sección 106 de la Ley Nacional de Preservación Histórica, que también se aplica a este proyecto.

La Sección 106 requiere que las agencias federales consideren los efectos de sus proyectos en propiedades históricas, incluyendo recursos arqueológicos y culturales. Como parte de ese proceso, la Sección 106 también requiere que la FRA busque comentarios sobre temas históricos y arqueológicos de preocupación para el proyecto de una variedad de entidades, incluyendo la Oficina de Preservación Histórica del Estado de Nueva York, Tribus Nativas Americanas con interés en el área del proyecto, y otras organizaciones e individuos que tienen un interés específico en recursos históricos, arqueológicos y culturales que podrían ser afectados por el proyecto. La Sección 106 también incluye oportunidades para la revisión pública.

Así, durante el alcance público, FRA también está buscando comentarios sobre temas históricos y arqueológicos de interés para el proyecto, y si usted tiene un interés particular en los recursos históricos y arqueológicos, puede solicitar participar en la consulta de la Sección 106 para el proyecto.

SLIDE 4 – NARRATOR: PUBLIC INPUT AND SCOPING

Durante el proceso de EIS, habrá oportunidades para que el público proporcione comentarios. Estas oportunidades para comentar ocurren ahora, durante el Proceso de Alcance, y cuando el Borrador del EIS se ha publicado para revisión pública. El sitio web del proyecto estará disponible durante el proceso de EIS para que pueda leer sobre el Proyecto y hacer preguntas.

El propósito del Proceso de Alcance es para que FRA solicite información del público relacionado con el propósito y la necesidad del proyecto, alternativas que se examinarán en el EIS, recursos que se examinarán en el EIS, cómo FRA propone analizar los efectos sobre el medio ambiente construido y natural dentro del área de estudio del proyecto, y el proceso de participación pública y coordinación de agencias que se seguirá para la revisión ambiental del proyecto.

FRA le anima a enviar comentarios de alcance para el proyecto. Las opciones para enviar comentarios están al final de esta presentación, y también están disponibles para su referencia en el sitio web del proyecto.

El período de alcance público es desde el 1 de julio de 2020 hasta el 31 de julio de 2020, y los comentarios del alcance pueden ser enviados en cualquier momento durante ese período, que termina el 31 de julio de 2020.

FRA considerará los comentarios recibidos durante el período de alcance y los utilizará para informar el contenido del EIS.

SLIDE 5– Project Background (History of Site & local Planning Processes)

Ahora nos gustaría proveer algunos antecedentes sobre el sitio del proyecto y los procesos de planificación que se han llevado a cabo en el área en los últimos 35 años.

Las vías del Western Rail Yard y otras instalaciones fueron específicamente reconstruidas por MTA en el 1986 para acomodar columnas de apoyo que permitirían la futura construcción de desarrollo privado sobre el patio de ferrocarril. Como se ve en el mapa a la derecha, el sitio de Western Rail Yard, delineado en amarillo, es parte de Hudson Yards, delineado en azul. El área adentro y alrededor del Western Rail Yard ha sido objeto de varios esfuerzos de planificación, rezonificación y reurbanización, que cubren más de 4 docenas de bloques del extremo oeste de Manhattan.

En 2005, el proyecto de zonificación de Hudson Yards instituyó una zonificación mayor del toda el área de Hudson Yards, para acomodar una mezcla de usos y densidades en todo el extremo oeste, incluyendo más de 38 millones de pies cuadrados de nuevo desarrollo, la provisión de nuevo espacio público, y una extensión de la línea de tren subterráneo numero 7, con una nueva estación para el tren subterráneo numero 7 en la calle 34 y la Avenida 11.

En 2009, se termino un EIS siguiendo los procesos del Estado y la ciudad de Nueva York para el desarrollo propuesto en el sitio de Western Rail Yard, que los cuales incluía una Plataforma y desarrollo de sobreconstrucción. Basado en el EIS final, el Consejo Municipal adoptó el texto de zonificación y las enmiendas en el mapa de la Resolución de Zonificación de la Ciudad de Nueva York para el desarrollo de Western Rail Yard. La Plataforma y el desarrollo de sobreconstrucción ahora se consideran que pueden ser construidos **de derecho**, de acuerdo con los controles de zonificación existentes de la Resolución de Zonificación de la Ciudad para este sitio. Este es un punto muy importante a tener en cuenta, en el contexto del actual proyecto NEPA y su revisión ambiental.

En 2015 se inauguró la nueva estación de metro 34th Street-Hudson Yards, lo que hace que el desarrollo en esta área sea más atractivo con acceso al sistema de metro. Más recientemente, el desarrollo de uso mixto sobre el Eastern Rail Yard al otro lado de la calle de este sitio se está acercando a ser terminado.

SLIDE 6: PURPOSE OF THE PROJECT

La Acción Propuesta para este EIS tiene dos propósitos principales:

El primero, es cubrir y proteger las vías activas del Ferrocarril de Long Island y las instalaciones de apoyo en el Western Rail Yard, para albergar servicios de seguridad vital crítica y de apoyo mecánico, eléctrico y de plomería para el patio de ferrocarril, incluyendo nueva iluminación, aspersores, y un sistema de ventilación de plataforma extensa, y proporcionar nueva capacidad adicional para el desarrollo inmobiliario. Como se mencionó anteriormente, cuando Hudson Yards fue reconstruido en 1986, las vías del Ferrocarril de Long Island (denominada LIRR, por sus siglas en inglés) y otras instalaciones fueron específicamente diseñadas para acomodar columnas de apoyo que serían necesarias para que el desarrollo futuro se construyera en este sitio.

El segundo, es preservar un derecho de paso a través del Western Rail Yard para apoyar la futura construcción de un cruce de ferrocarril de pasajeros al otro lado del Hudson a Penn Station en Nueva York.

SLIDE 7: NEED For the Project

El Western Rail Yard se encuentra por debajo del nivel de la calle en un sitio que está abierto al cielo y es utilizado intensivamente todos los días por LIRR para el almacenamiento, limpieza interior, y mantenimiento de sus vagones de tren de cercanías, así como para otros servicios y funciones de LIRR. Como resultado, no puede ocurrir ningún desarrollo por encima del patio de ferrocarril.

La Plataforma es necesaria para cubrir y proteger las vías ferroviarias activas y las instalaciones de apoyo LIRR en el Western Rail Yard, y modernizar los sistemas de seguridad de vida de última generación para todo el Western Rail Yard, y para proporcionar nueva capacidad adicional para el desarrollo de bienes raíces por encima del patio ferroviario activo que generaría ingresos para la MTA y sus agencias subsidiarias. MTA ha buscado durante mucho tiempo maximizar el potencial de generación de ingresos de sus bienes raíces. Actualmente, no hay capacidad de desarrollo sobre el Western Rail Yard sin la construcción de la Plataforma.

El Encasamiento de Túnel es necesario para preservar el derecho de paso a través del Western Rail Yard para permitir la futura construcción de nueva infraestructura ferroviaria que apoyaría el servicio ferroviario de pasajeros dentro y fuera de Penn Station en Nueva York. Si este derecho de paso no se conserva ahora, antes de que se produzca un desarrollo privado en el sitio, no será posible construir esta conexión ferroviaria a Penn Station en el futuro. La nueva infraestructura ferroviaria es parte del esfuerzo por mantener un cruce resiliente, y mejorar el cruce de pasajeros trans-Hudson hacia la estación Penn de Nueva York, y mantener el servicio ferroviario de cercanías Amtrak y NJ TRANSIT existente en el Corredor Noreste, así como para apoyar futuros aumentos en la capacidad del sistema ferroviario regional que se puede perseguir.

SLIDE 8: PROJECT OBJECTIVES

De acuerdo con el propósito y la necesidad del proyecto de infraestructura del Western Rail Yard que se acaban de esbozar en los dos diapositivos anteriores, los cuatro objetivos principales del proyecto se relacionan con:

- #1. Mantener operaciones LIRR seguras, continuas e ininterrumpidas, construir sistemas críticos de seguridad y ventilación de la vida útil, y modernizar las instalaciones operativas dentro de Western Rail Yard;
- #2. Preservar oportunidades para permitir el crecimiento futuro del servicio ferroviario de pasajeros y mantener un cruce de ferrocarril de pasajeros al otro lado del Hudson funcional, resiliente y mejorado a Penn Station en Nueva York.
- #3. Apoyar la capacidad de cumplir con los objetivos de generación de ingresos de la MTA, el propietario del Western Rail Yard; (la Plataforma es esencial para permitir que el desarrollo del sobreconstrucción lo cual financiación privada fue previamente aprobado ocurra en el sitio. La venta de estos derechos de desarrollo proporciona ingresos a la MTA)

Y

- #4. Proporcionar el apoyo para la vida económica, social y recreativa del área de Hudson Yards y la ciudad.

SLIDE 9: PROPOSED PROJECT ELEMENTS

Las siguientes diapositivas proporcionan más descripción de los elementos del proyecto, incluyendo sus ubicaciones de estos elementos, y algunos detalles relacionados con su diseño.

Como hemos explicado, el proyecto propuesto tiene DOS elementos principales:

Una plataforma estructural de acero y hormigón de 9.8 acres que se construiría sobre el Western Rail Yard,

y

Un Encasamiento de Túnel construido de hormigón armado debajo de una porción de tierra sólida del sureste del sitio Western Rail Yard, que corre diagonalmente desde el borde norte de la calle 30 hasta el borde occidental de la Avenida Once, donde se conectaría a un encasamiento de hormigón existente que se ha construido bajo la Avenida Once, y que corre hacia el este bajo el Eastern Rail Yard hasta el extremo oeste de la Avenida Décima.

SLIDE 10: PROPOSED PROJECT ELEMENTS

La imagen de esta diapositiva muestra la ubicación de la plataforma propuesta, en el contexto de la ubicación del Encasamiento de Túnel propuesto, mostrado en rojo, y el barrio circundante. También es de destacar en el aéreo es el encasamiento de hormigón recientemente construido al este del sitio del proyecto, que se muestra en naranja, así como el parquee existente High Line, que se muestra en verde en la figura para contexto, que se envuelve del sitio del proyecto.

Además de cubrir y proteger el almacenamiento, mantenimiento y servicios y funciones de apoyo del vagón de cercanías del Western Rail Yard del LIRR, la Plataforma albergaría servicios críticos de seguridad de vida y de apoyo mecánico, eléctrico y de plomería para el patio ferroviario, incluyendo nueva iluminación, aspersores y un amplio sistema de ventilación de plataforma. Cuando se completa, todo el patio contendría sistemas de seguridad de vida de última generación, asegurando esta infraestructura crítica y protegiendo tanto a los trabajadores y al equipo ferroviario en el patio ferroviario.

El Encasamiento de Túnel tendría entre 50 y 65 pies de ancho, y entre 27 y 38 pies de altura debajo del sitio de Western Rail Yard y se uniría a un encierro previamente construido bajo el patio del ferrocarril oriental

Juntos, estos encasamientos de túneles preservarían aproximadamente 1.400 pies de derercho de paso de ferrocarril. En el proyecto no se construirían componentes operativos permanentes, como pistas, iluminación, ventilación o sistemas eléctricos en el Encasamiento de Túnel.

SLIDE 11: EIS PROCESS

Aquí está una breve descripción de los fases principales que ocurren durante el proceso de EIS, junto con las fechas en que FRA espera que estos pasos ocurran para este EIS.

Algunos de estos pasos ya han ocurrido o están ocurriendo ahora mismo, e incluyen:

1. El Aviso de Intención fue publicado en el Registro Federal el 15 de junio de 2020
2. El Período de Alcance Público será del 1 de julio al 31 de julio de 2020
3. Se preparará un Borrador de EIS, y se espera que esté disponible para la Revisión Pública en la primavera de 2021
4. Se espera que el EIS final y el Registro de Decisiones se terminen en el otoño de 2021

Todos estos pasos se explican con más detalle en el Documento de Alcance que se publica en este sitio web del proyecto para su revisión.

SLIDE 12: EIS ANALYSIS AREAS

El EIS evaluará los impactos en el ambiente construido, como el uso de la tierra, parques, recursos visuales, recursos históricos y arqueológicos, y ruido y vibración. También considerará los efectos en los sistemas de transporte, incluyendo no solo el servicio ferroviario, sino también los impactos a el tráfico de vehículos y peatones. El EIS incluirá análisis de una gama completa de problemas ambientales, cada uno con un área de estudio definida, y considerará los impactos potenciales del proyecto tanto durante la construcción, como después de que la construcción esté completa, así como cualquier efecto indirecto y acumulativo previsible.

Como se mencionó anteriormente, el análisis de cómo el proyecto puede afectar los recursos históricos y arqueológicos se coordinará con la revisión concurrente de la Sección 106 del proyecto.

El EIS también incluirá una Evaluación de la Sección 4(f), como se requiere bajo la Ley del Departamento de Transporte de 1966. La evaluación examina los impactos potenciales a los recursos de la Sección 4(f), tales como: Parques; estructuras históricas, sitios o recursos arqueológicos; y áreas protegidas de vida silvestre, desde la construcción y/u operación de un proyecto o acción del Departamento de Transporte de los Estados Unidos, y examina las medidas que pueden tomarse para evitar, minimizar o mitigar cualquier impacto identificado.

Los elementos del EIS y los análisis que se van a realizar se discuten con más detalle en el Documento de Alcance, que está disponible en el sitio web para su revisión y comentario.

SLIDE 13: EIS TIMELINE/KEY MILESTONES

Aquí se muestra un cronograma que muestra los hitos importante en el desarrollo del proyecto y el proceso EIS. Los Patrocinadores del Proyecto han dedicados tiempo y pensamiento considerables para planificar el proyecto y considerar y perfeccionar el diseño factible y construible para el Proyecto. Este proceso implicó la coordinación entre diseñadores e ingenieros del proyecto, y la revisión intensiva por parte del MTA y Amtrak sobre los últimos various años.

Como puede ver en el diapositivo, hay dos tiempos principales durante el proceso de EIS que FRA solicitará activamente la opinión pública. Durante el alcance, y cuando el Borrador del EIS ha sido publicado para revisión pública.

Ahora estamos en el alcance público, y FRA está pidiendo sus pensamientos y comentarios. Después del Alcance, anticipamos la preparación de un Borrador de EIS para la próxima primavera, con revisión pública en la primavera de 2021 (donde de nuevo FRA le pedirá sus comentarios). FRA espera que el último paso en este proceso sea un EIS final y un Registro de Decisión combinado, que será publicado por FRA en el otoño de 2021.

**SLIDE 14: “YOUR INPUT IS IMPORTANT”
(HOW TO SUBMIT SCOPING COMMENTS)**

Puede enviar comentarios durante el período de alcance de varias maneras diferentes.

Todos los comentarios en línea se recopilarán en Regulations.gov. El Número de Caso para este proyecto es FRA-2020-0039.

Un enlace al caso se encuentra en el sitio web del proyecto:

www.westernrailyardinfrastructure.com

También puede enviar comentarios por correo electrónico a

comments@WesternRailYardInfrastructure.com

o

Por correo a la dirección en su pantalla, que también se encuentra en el sitio web del proyecto.

FRA dará igual consideración a todos los comentarios escritos y en línea y enviados por correo.

Como recordatorio, por favor envíe cualquier comentario o solicitud para convertirse en parte consultora de la Sección 106 antes del 31 de julio de 2020.

SLIDE 15: THANK YOU!

Gracias por su interés en el Proyecto de Infraestructura de Western Rail Yard, por participar en el proceso de alcance público y por su tiempo viendo esta presentación.

El sitio web del proyecto: www.westernrailyardinfrastructure.com será un recurso para las actualizaciones del proyecto durante el proceso del EIS.

Gracias de nuevo por su interés en este proyecto. Esperamos saber de usted.

**Western Rail Yard Infrastructure Project
Scoping Summary Report**

**Attachment E:
Comments Received During Scoping**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

June 29, 2020

Western Rail Yard Infrastructure Project
c/o Fitzgerald & Halliday, Inc.
416 Asylum Street
Hartford, CT 06103

RE: Western Rail Yard Infrastructure Project Environmental Impact Statement Scoping

Dear Sir or Madam:

The U.S. Environmental Protection Agency has reviewed the Federal Railroad Administration's June 15th, 2020 Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Western Rail Yard Infrastructure Project. The proposed project, located at the Western Rail Yard site between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in New York City, New York, will include a new approximately 9.8 acre platform that will cover the active rail yard below and provide for overbuild development and a tunnel encasement to preserve right-of-way for a new trans-Hudson rail connection.

The list of resource areas to be evaluated in the EIS is comprehensive, however, EPA offers the following comments.

- The project is in the New York-Northern New Jersey-Long Island, NY-NJ-CT non-attainment area, which is in serious non-attainment for ozone, and will require a General Conformity Applicability Analysis. Please note the applicable *de minimus* threshold for nitrogen oxides (NO_x), an ozone precursor, is 50 tons per year.
- Any state or city environmental documents prepared for this project and/or the new development should be incorporated by reference in the EIS and should be available for view on the Western Rail Yard Infrastructure project website.

EPA has agreed to be a participating agency for this EIS process and appreciates the opportunity to comment. If you have any questions, please contact Lingard Knutson at (212) 637-3747 or knutson.lingard@epa.gov.

Sincerely,

Mark Austin

Mark Austin, Team Leader
Environmental Review Team

Cc via email: Andrea Poole, Environmental Specialist, FRA



NYC Parks

Alyssa Cobb Konon
Deputy Commissioner
Planning & Development

T 212.360.3402
F 212.360.3453

E Alyssa.Cobb@parks.nyc.gov

**City of New York
Parks & Recreation**

The Arsenal
Central Park
New York, NY 10065
www.nyc.gov/parks

July 31, 2020

Ms. Andrea Poole
Environmental Protection Specialist
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
1200 New Jersey Avenue, SE.
Washington, D.C. 20590

Re: Western Rail Yard Infrastructure Project, New York City, New York

Dear Ms. Poole:

The New York City Department of Parks and Recreation (NYC Parks) has reviewed the Scoping Document for the Western Rail Yard Infrastructure Project (July 2020), located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard in the Borough of Manhattan, New York. We understand that the project will result in a new approximately 9.8-acre platform spanning the Western Rail Yard, including deep footings and a concrete slab to cover the active rail yard below, and reinforced building foundations to support development above the site. In addition, a tunnel encasement will be developed in the southern portion of the site, running from Eleventh Avenue to West 30th Street, to preserve right-of-way for a new trans-Hudson connection into New York Penn Station.

As shown in Figure 1 of the Scoping Document for the Western Rail Yard Infrastructure Project, the project site includes portions of the High Line, which is owned by the City of New York and is under the jurisdiction NYC Parks. The High Line is a public park that is operated by the High Line nonprofit organization under a license agreement with NYC Parks. Given the location of the High Line within the project site and the potential for the project to affect other open space resources within the study area, NYC Parks requests to be a Participating Agency in the environmental review of the proposed project. In addition, as the High Line is a State/National Register-eligible resource, NYC Parks requests to participate in the Section 106 process as a consulting party.

Based on our review of the Scoping Document, we have specific comments on the environmental analyses proposed to be included in the environmental review.

- The Aesthetics and Visual Quality Chapter of the EIS should consider the potential for visual impacts to the High Line due to the platform structure; assessing the change in view corridors, both to and from the High Line, as well as the architectural compatibility of the platform structure with the High Line.
- The EIS should assess the potential for construction-related impacts to directly and indirectly affect High Line access and use by the public, as well as other open space resources in the project study area. This assessment should include an assessment of construction-related impacts to the High Line structure due to vibration from pile driving and other means.

- Following the guidance of the CEQR Technical Manual, the EIS should assess the potential for direct and indirect open space impacts as a result of the proposed Western Rail Yard Infrastructure Project .
- The 4(f) Evaluation included in the EIS should assess the potential for any temporary or indirect effects to 4(f) resources.

As a general note about the project, NYC Parks will require access to the High Line structure, especially the underside, for inspection, maintenance, painting and repair will be required both during construction (platform and tunnel encasement) and after completion (platform). Furthermore, a Construction Permit from NYC Parks will be required for any invasive or destructive testing, installation of monitoring equipment, or surveys requiring vehicular access to the High Line or any other NYC Parks facility in the study area during the scoping and design phase of the project. A Construction Permit will also be required for any impacts to NYC Parks' facilities during the construction phase of the project, including but not limited to staging, storage of material, restriction of access to NYC Parks personnel or the general public (such as closing a Park entrance), or any temporary or permanent alteration to the structure of the High Line or any other NYC Park property. Work within 50' of a City Tree (defined as trees on NYCDOT right-of-way and in NYC Parks) requires review and permitting by NYC Parks, and any tree removals are subject to NYC Parks' policy regarding tree restitution.

Please include me as the NYC Parks point of contact for the project. I can be reached at (212) 360-3492 or david.cuff@parks.nyc.gov .

Sincerely,



David Cuff, AICP
Director of Environmental Review

CC:
Colleen Alderson, NYC Parks
Mike Bradley, NYC Parks



Construction & Development

July 31, 2020

Ms. Andrea M. Poole, PMP
Environmental Protection Specialist
USDOT Federal Railroad Administration
Office of Railroad Policy and Development
Via email at WRYproject@dot.gov

**RE: DOT Docket No. FRA-2020-0039
Western Rail Yard Infrastructure Project, New York County, New York
Participating Agency Inclusion and Scoping Comments**

Dear Ms. Poole,

Thank you for the invitation to serve as a Participating Agency for the environmental analysis of the application by a joint venture of WRY Tenant LLC and the National Railroad Passenger (“Amtrak”) for Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (“RRIF”) Program for certain work including: (1) a structural Platform over the Western Rail Yard parcel (the “WRY”); and (2) a railroad right-of-way preservation Tunnel Encasement (the “Tunnel Encasement”) to allow for privately-funded mixed-use development and public open space above the Platform (as more fully described in the WRY Scoping Document, the “Proposed Actions”).

On behalf of both the Metropolitan Transportation Authority (“MTA”) and the Long Island Rail Road (“LIRR”), I am attaching the response form indicating that MTA and LIRR (collectively, the “MTA Parties”) wish to be involved as Participating Agencies for the Project.

Please note that, as comment to footnote 2 on page 1 of the WRY Scoping Document, the City of New York does not have interest in the air rights over the WRY and they have not been sold. As noted within the WRY Scoping Document, the WRY (as part of the West Side Storage Yard¹) is owned by the MTA and operated by LIRR as a commuter railroad storage yard and maintenance facility. The WRY is the subject of a ground lease and corresponding construction agreement which permits WRY Tenant LLC, at its sole cost and expense and while *at all times* permitting uninterrupted LIRR operations, to develop, design and construct certain improvements within and over the WRY including without limitation, the foundation, platform deck and below-platform improvements and utilities (e.g., critical life safety and ventilation systems).

MTA consent will be required for the portions of Amtrak’s Tunnel Encasement which are to be constructed on MTA fee-owned property. The MTA Parties have extensive rights of approval over

¹For clarification, the West Side Storage Yard is a 31 (not 30) track train yard that has the capacity to store up to 328 train cars on a daily basis.

the afore-referenced matters (among others) and, accordingly, significant legal and operational interest in the Proposed Actions (as define in the WRY Scoping Document).

As requested, this letter and attached form are being transmitted electronically only.

Sincerely,

A handwritten signature in blue ink that reads "Lawrence Lennon". The signature is written in a cursive style and is positioned above a horizontal line.

Lawrence Lennon, PE, AICP
Director, Special Project Development and Planning
Metropolitan Transportation Authority

Enclosure

CC: J. Lieber
F. Cuenca
D. Betty
L. Messina
L. Oliva
R. Paley



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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LOWELL D. KERN
Chair

JESSE R. BODINE
District Manager

July 29, 2020

Ronald Batory
Administrator
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Western Rail Yards Infrastructure Project Scoping for Draft Environmental Impact Statement

Dear Administrator Batory,

Manhattan Community Board 4'S (MCB4) Clinton/Hell's Kitchen Land Use Committee ("CHKLU") held a public Scoping Hearing on the Draft Environmental Impact Statement ("DEIS") for the Western Rail Yards Infrastructure Project. This administrative letter serves as the MCB4's comments on the DEIS.

WRY Tenant LLC (Related) and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program for the construction of a platform and tunnel encasement in the Western Rail Yards (the "Platform"). The Platform will support an overbuild that has been adopted into the New York City Zoning Resolution for redevelopment of the Western Rail Yards parcel, which is located between West 30th and West 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.

CHKLU determined that the proposed project should have no impact on the existing plan or commitments which are part of the West Rail Yards rezoning and therefore, the agreements and plan remain unaffected. The Committee felt strongly that the WRY Rezoning approved in 2009 must be adhered to by the developer and the City. Specifically, the development of the Platform must not change site lines or the access to and use of the High Line Park in any way, as previously agreed by all parties.

Sincerely,

Lowell D. Kern
Chair
Manhattan Community Board 4
Committee

Jean-Daniel Noland
Chair
Clinton/Hell's Kitchen Land Use

cc: Hon. Corey Johnson, New York City Council Speaker
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Jerrold Nadler, U.S Congressman
Hon. Brad Hoylman, New York State Senate
Hon. Richard Gottfried, New York State Assembly
Related Companies
Andrea Poole, Environmental Protection Specialist, Office of Railroad Policy and
Development, USDOT Federal Railroad Administration



NEW YORK STATE LEGISLATURE

Brad Hoylman
New York State Senator
27th Senate District

Richard N. Gottfried
New York State Assembly Member
75th Assembly District

July 30, 2020

Andrea Poole
Environmental Protection Specialist
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
info@westernrailyardinfrastructure.com

Re: Western Rail Yards Infrastructure Project Scoping for Draft Environmental Impact Statement

Dear Ms. Poole:

Thank you for the opportunity to comment on the Draft Environmental Impact Scoping Document for the Western Rail Yards Infrastructure Project.

We echo Manhattan Community Board 4's request that the WRY Rezoning approved in 2009 be adhered to by all parties involved in the project, including the developer and New York City. We want to make sure that as previously agreed upon, the proposed Platform does not impact sight lines or access to and use of the High Line in any way.

Should you have any questions or wish to discuss this matter further, please contact Senator Hoylman at 212-633-8052 or Assembly Member Gottfried at 212-312-1492.

Sincerely,

Brad Hoylman
State Senator
27th District

Richard N. Gottfried
Assembly Member
75th District



July 29, 2020

Andrea Poole
Environmental Protection Specialist
Office of Railroad Policy and Development
USDOT Federal Railroad Administration

SUBJECT: Western Rail Yard Infrastructure – EIS Scoping – (the “Project”)

Dear Ms. Poole:

I write today on behalf of Friends of the High Line, the non-profit organization responsible for maintaining and operating the High Line, regarding the proposed EIS Scoping for the Western Rail Yard Infrastructure.

Given the proximity of the proposed Project, we respectfully request the following:

To fully analyze the impacts of the Project on the High Line pursuant to NEPA and Section 4(f), the EIS should analyze the construction means and methods that would be used, including (but not limited to) the manner in which the underpinning of the High Line would be undertaken, whether access to any portion of the High Line would be temporarily or permanently closed, and whether any portion of the High Line would be permanently altered.

Sincerely,

Robert Hammond
Co-Founder & Executive Director

Comment from Victoria Arbitrio

Posted by the **Federal Railroad Administration** on Jul 13, 2020

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Comment

Dear FRA,

Yes, Build the platform and to the extent you have control, please help ensure the following:

1. A new tunnel (Gateway) is built to connect the northeast to the rest of the country via rail.
2. The new development includes public services, like fire stations, schools, and libraries, as well as affordable housing and grocery stores. With these key elements, it might become a real neighborhood within our great city.

Thank you,

Comment ID

FRA-2020-0039-0002



Tracking Number

1k4-9hpe-75nw

Document Subtype

Comment(s)

Received Date

Jul 8, 2020