

2022 Northeast Corridor Project Inventory

I. Northeast Corridor Project Inventory

[Table 1. Northeast Corridor Project Inventory Summary](#)

[Table 2. Northeast Corridor Project Inventory](#)

[Table 3. Northeast Corridor Planning Studies](#)

How to Read the NEC Project Inventory

This section presents a guide to reading the Northeast Corridor (NEC) Project Inventory; please also refer to [Appendix A](#) for definitions of capitalized terms. Section II of this document provides an overview of the process to develop the NEC Inventory, while [Section III\(B\)](#) presents the Federal Railroad Administration's (FRA) intended project order prioritization, and [Section III\(C\)](#) presents FRA's method and plan for apportioning funding allocations.

The NEC Project Inventory has rows organized by Project Type and Lifecycle Stage and shows rows representing distinct projects. The NEC Project Inventory columns provide the following information:

Project Information

- **State:** the state(s) in which a project is located.
- **Project Name:** the name of the project as provided by the Project Sponsor.
- **Project Sponsor:** the entity identified as the lead entity for developing or delivering the project.
- **Total Project Cost:** as of the NEC Project Inventory publication, the estimate of Total Project Cost as provided in the FY23-FY27 NEC Capital Investment Plan.

NEC Project Inventory for 2022-2024

- **Funding Need:** the unfunded portion of the Total Project Cost that is anticipated to be requested and is necessary for the Lifecycle Stage(s) the project is scheduled to begin by, or in, 2024 (see also the Funding Need definition in [Appendix A](#)).
- **Allocation:** the amount, or range of amounts, that FRA has allocated to a project based on its Funding Need for this Inventory. There are two sub-columns: one displaying a 50 percent allocation of the Funding Need for certain projects, and another displaying an up to 80 percent allocation of the Funding Need for all projects. See [Section III\(C\)](#) below for further discussion of federal share.

Anticipated Obligations

- **Combined Appropriations for FY 2022 & 2023:** The amount of anticipated obligations during the two-year NEC Project Inventory period sourced from Bipartisan Infrastructure Law advance supplemental appropriations for 2022 and 2023 as well as from the FY22 annual appropriations. Actual obligations may differ from the listed amount.¹

Potential Phased Funding Agreements (PFA) & Letters of Intent (LOI)

- The amount represents potential obligations from funding sources beyond the two-year Inventory period. These amounts may be indicated in a LOI or as potential future obligations in a PFA. PFAs and LOIs will be issued at FRA's discretion and inclusion in this column in the Inventory is not a guarantee of the project sponsor receiving a PFA or LOI for the listed amount.
- FRA will report annually to Congress on PFAs and LOIs issued, as required by 49 U.S.C. 24911(j).

¹ At the time of publication of this NEC Project Inventory, fiscal year 2023 appropriations had not been finalized; should such appropriations be made available prior to the initial round of FSP award selections, FRA may elect to award such additional funds and may be able to select additional projects for awards.

II. Overview

A. The Federal-State Partnership for Intercity Passenger Rail Program

The Federal-State Partnership for State of Good Repair grant program was reauthorized and revised as the Federal-State Partnership for Intercity Passenger Rail grant program (FSP) in the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law (BIL), Title II, §§ 22106 and 22307, Public Law 117–58 (2021); codified at 49 U.S.C. § 24911. Under the FSP, the Secretary of Transportation (Secretary) is directed to develop and implement a program for issuing grants, on a competitive basis, to fund projects that reduce the state of good repair backlog, improve performance, or expand or establish new intercity passenger rail service, including privately operated intercity passenger rail service if an eligible applicant is involved.

For FRA to select projects on the Northeast Corridor for FSP funding, the Secretary must, among other things: (1) create and publish a predictable project pipeline that will assist Amtrak, States, and the public with long-term capital planning in the form of an NEC Project Inventory, and (2) use the NEC Project Inventory when selecting projects located on the NEC for FSP funds. FRA is delegated the authority to establish and administer the FSP program in accordance with 49 CFR 1.89(a).

On June 24, 2022, FRA published a Notice of Proposed Approach to the NEC Project Inventory and FSP (Notice) titled *Federal-State Partnership for Intercity Passenger Rail Program: Northeast Corridor Project Inventory* at 87 Fed Reg 37905 (June 24, 2022).² The Notice provided transparency around FRA’s proposed methodology for developing the NEC Project Inventory and facilitated consultation with the NEC Commission and the owners of NEC infrastructure and facilities as required under 49 U.S.C. 24911 (e)(6). Within the Notice, FRA encouraged interested parties to submit comments. FRA’s responses to comments received are included in [Appendix B](#).

As a result of the comments received, FRA modified its methodology for developing the NEC Project Inventory. The updated methodology may be found in [Section III](#).

B. Background on Northeast Corridor Planning

The NEC is the most heavily used passenger rail corridor in the United States, serving over 800,000 passengers daily (pre-COVID–19).

In 2015, the Northeast Corridor Commission (NEC Commission) approved a standardized policy for determining and allocating operating and capital costs shared among owners and operators of the corridor that ensures there is no cross-subsidization of commuter rail passenger and intercity rail passenger transportation. Capital cost sharing was intended to provide sufficient funding to recapitalize assets on an ongoing basis. The agreement to increase payments from the States and railroads was based in part on the premise that the Federal government would address decades of underinvestment in the corridor through future grant programs and funding to cover a significant share of the state of good repair backlog, as well as some matching share of other investment needs. The BIL provides a unique opportunity for the Federal government to support this agreement and to position the NEC to meet future travel demands in the Northeast.

² <https://www.regulations.gov/docket/FRA-2022-0049/>.

In 2017, FRA issued the NEC FUTURE Record of Decision that presented a vision for growth of the NEC, developed through a public and collaborative process with rail and other NEC stakeholders.³ Following NEC FUTURE, the NEC Commission, comprising representatives from each of the eight Northeast Corridor states, the District of Columbia, Amtrak, and the U.S. Department of Transportation, developed an implementation plan (CONNECT NEC 2035 or C35⁴) to deliver the first 15-year phase of investment to realize the NEC FUTURE vision. Through C35, the NEC Commission identified and provided a sequencing and delivery strategy for completing projects to eliminate the state of good repair backlog on—and modernize and make targeted improvements to—the NEC.

The NEC Commission issued C35 in July 2021, and subsequently updated the plan (C35 Update) after the enactment of BIL to reflect updated project information and better consider workforce and funding constraints. The NEC Commission also publishes, on an annual basis, an NEC Capital Investment Plan (CIP) pursuant to 49 U.S.C. 24904(b); the FY23-FY27 NEC CIP integrates infrastructure investments over the next five years to advance the service objectives outlined in C35 and address NEC state-of-good-repair needs.

³www.fra.dot.gov/necfuture/tier1_eis/rod/.

⁴<http://nec-commission.com/connect-nec-2035/>.

III. Northeast Corridor Project Inventory Methodology

The purpose of the NEC Project Inventory is to create a predictable pipeline that will assist Amtrak, States, and the public with long-term capital planning for the NEC. This NEC Project Inventory covers the period 2022 through 2024, including projects that are anticipated to be ready for some activity before 2025. This section presents FRA's updated methodology to develop the NEC Project Inventory, consistent with 49 U.S.C. 24911(e). Capitalized terms used throughout this document have the meanings defined in the Notice, unless otherwise defined herein (see [Appendix A](#) for a list of terms and their definitions).

In developing the NEC Project Inventory, FRA relied on data provided by the NEC Commission through the C35 as well as the FY23-FY27 NEC CIP (collectively referred to as NEC Commission Planning Documents). FRA used the best available information from the NEC Commission as of late October 2022. FRA will confirm accuracy of the project data used in developing the NEC Project Inventory during its evaluation of applications responsive to the forthcoming FSP Notice of Funding Opportunity (NOFO) for projects located on the NEC (FSP-NEC NOFO).

Projects included on the NEC Project Inventory are sole-benefit intercity passenger rail projects or Shared Benefit intercity passenger rail and commuter rail passenger transportation projects that are reasonably anticipated to be eligible projects in the FSP program. FRA will determine project eligibility by reviewing applications received in response to the FSP-NEC NOFO(s). Inclusion in the NEC Project Inventory is not a determination of project eligibility for the program.

Project Sponsors identified on the NEC Project Inventory are eligible, or reasonably anticipated to be eligible, applicants for FSP funding for their respective projects.

To be selected for funding, a Project Sponsor must submit an application in response to the FSP-NEC NOFO(s) following the application and submission requirements and demonstrating their project meets the selection and evaluation criteria specified in the NOFO. Funding Allocations specified on the NEC Project Inventory are not commitments, selections, or obligations of federal funding. FRA will make FSP selections and awards following review of applications in response to the FSP-NEC NOFO(s) that may differ from the ordering and Allocations identified in the NEC Project Inventory.

A. Identification of Projects

Using NEC Commission Planning Documents and other information as appropriate, FRA identified and included on the NEC Project Inventory all projects that, based on FRA's assessment of project information included in NEC Commission Planning Documents, are reasonably anticipated to be eligible under the FSP, and where the project sponsor indicated to FRA or the NEC Commission an intent to apply for funding under the FSP during the five-year BIL authorization period.

FRA did not include projects on the NEC Project Inventory where:

- i. The project sponsor or NEC Commission's Planning Documents indicated the project was a sole-benefit commuter rail passenger transportation project because such projects are not eligible to receive FSP funding, or
- ii. The project sponsor indicated to FRA or the NEC Commission that it would not seek FSP funding.

B. Order of Projects

In general and based on NEC Commission Planning Documents or other sources of information, FRA specified the order of funding for the identified projects by: (i) Project Type; and, within Project Type, (ii) ordering those projects beginning or in a Construction Stage activity by 2024 first, followed by those beginning or in a pre-construction Lifecycle Stage by 2024 second; and, (iii) for those projects in or starting Construction Stage, readiness to start or continue that activity by 2024. Further detail about this prioritization of projects is provided below.

- i. Project Types: FRA divided projects into two buckets based on Project Type.⁵ Bucket 1 comprises the first funding priority, Major Backlog projects. Bucket 2 comprises FRA's second funding priority and includes Capital Renewal, Improvement, and Stations Projects, with no priority given to any one project type over another within this bucket.
- ii. Readiness for Lifecycle Stage: Within Buckets 1 and 2, FRA prioritizes those projects that are ready to begin or continue activity in a Lifecycle Stage during the two-year NEC Project Inventory period over those projects for which Project Sponsors have not indicated they are ready to begin an eligible activity.⁶

Within each of Buckets 1 and 2 projects ready to continue or begin an eligible Lifecycle Stage activity during the two-year NEC Project Inventory period, FRA first prioritizes those projects in the Construction Stage, followed by those projects in pre-construction Lifecycle Stages (Final Design Stage, Project Development Stage, or Planning Stage). Due to limitations in the data available to FRA at the time of this NEC Project Inventory, FRA was not able to consistently distinguish those projects ready to begin or continue the Final Design Stage concurrent with the Construction Stage. However, as part of the evaluation and selection process associated with the FSP-NEC NOFO, FRA intends to prioritize those projects seeking funding for Final Design and Construction Lifecycle Stages in the same way as those projects seeking funding for only the Construction Stage.

- iii. Construction Readiness: For projects in Buckets 1 and 2 and which are ready to seek funding for the Construction Stage, FRA determined a project's readiness for initiating Construction by considering the status of the project's National Environmental Policy Act (NEPA) review and Cost Share Agreement, and prioritized projects based on that determination.
 - (1) NEPA Status refers to whether a project sponsor has completed reviews required under NEPA and other environmental regulations. FRA assessed the NEPA status of a project to determine if, in FRA's view, the project had completed NEPA with issuance of a NEPA decision (i.e., a Record of Decision (ROD), Finding of No Significant Impact (FONSI) or a Categorical Exclusion (CE) that has been issued by a United States Department of Transportation (USDOT) agency), NEPA was underway but not complete, or NEPA was not started. Projects with completed NEPA reviews were viewed as most ready, those with NEPA underway but not complete as next most ready, and those with NEPA not started as the least ready. FRA acknowledges that further NEPA review may be required for certain

⁵ Planning Studies are included in the NEC Project Inventory as shown in Table 3.

⁶ FRA also includes projects not ready to begin any Lifecycle Stage work during the period of this NEC Project Inventory but does not make any funding Allocations towards them.

projects that have already been issued a federal NEPA decision, but FRA finds that completion of the initial project NEPA review is the most time-consuming portion of the NEPA process.

- (2) Cost Share Agreement Status refers to whether a project sponsor has completed and executed a cost share agreement between the Intercity Passenger Rail provider and a cost sharing partner (e.g., a Commuter Rail provider) for a Shared Benefit project. FRA relied on project sponsor information on agreement status provided to the NEC Commission to assess cost share agreement status. FRA viewed projects with completed agreements as most ready, those with agreements in development as next most ready, and those with agreements not started as least ready. Furthermore, FRA can only make grant awards for NEC projects when those entities are in compliance with the NEC Commuter and Intercity Rail Cost Allocation Policy.

Within each of Buckets 1 and 2 projects ready to seek funding for the Construction Stage, projects with higher Construction Readiness ratings are prioritized over those projects with lower ratings. Projects with similar rankings for Project Type, Lifecycle Stage, and Construction Readiness Ratings were further prioritized by the planned construction start date, with those projects with an earlier start date prioritized.

Bucket 2 projects with lower Construction Readiness ratings and Bucket 1 and 2 projects seeking FSP funding for pre-Construction Lifecycle stages are listed alphabetically by state then by project name, with FRA expecting to conduct a competitive process through the FSP application and evaluation process to determine order of priority for funding awards for Bucket 2 projects (Bucket 1 pre-construction projects are already prioritized over any Bucket 2 project, including Bucket 2 construction projects). The FSP-NEC NOFO will detail selection criteria governing that competitive process.

While FRA followed the process described herein to determine the order of funding for the identified projects in the NEC Project Inventory, FRA will validate project data used to order projects as part of the evaluation of applications FRA receives in response to a future FSP-NEC NOFO.

C. Method and Plan for Apportioning Funds

In the NEC Project Inventory, FRA has proposed Allocations only for those projects where project sponsors indicate they plan to work on a Lifecycle Stage during the two-year period of the NEC Project Inventory, through 2024.^{7,8} As noted, Allocations on the NEC Project Inventory are not commitments, selections, or obligations of federal funding. Selections and award amounts may differ from the Allocations and anticipated obligations identified in the NEC Project Inventory.

Inclusion on the NEC Project Inventory does not limit Project Sponsors' ability to pursue and receive federal financial assistance through other programs.

⁷ FRA has included four Planning Studies in the NEC Project Inventory (see Table 3), allocating a federal share up to 80 percent of the Funding Need for each of them.

⁸ FRA did not include an Allocation for Lifecycle Stages starting after the two-year period of this NEC Project Inventory (i.e., after 2024).

- i. For Bucket 1 Projects, the NEC Project Inventory allocates a federal share up to 80 percent of the Funding Need for the Lifecycle Stage started during the two-year period of this NEC Project Inventory and provides anticipated obligations for the NEC Project Inventory period. For these projects anticipated to begin the Construction Stage, FRA may use PFAs, as authorized by 49 U.S.C. 24911(g). For those projects anticipated to begin pre-Construction Lifecycle Stages, FRA may use LOIs, as authorized by 49 U.S.C. 24911(g).
- ii. For Bucket 2 Projects that will begin or are anticipated to begin the Construction Stage by or in 2024 and for which FRA has found strong Construction Readiness, the NEC Project Inventory allocates a federal share of up to 50 to 80 percent of the Funding Need and provides anticipated obligations for the NEC Project Inventory period. Through the FSP-NEC NOFO application and evaluation process, FRA will determine actual funding awards for these projects. The FSP-NEC NOFO will specify criteria that FRA will consider in determining the federal share. For these projects, FRA may use PFAs. For those projects anticipated to begin pre-Construction Lifecycle Stages, FRA may use LOIs. Given the amount of funds likely to be available for Bucket 2, Project Sponsors of these projects may be expected to provide a greater than 20 percent non-federal match.
- iii. For Bucket 2 Projects that will begin or are anticipated to begin (a) the Construction Stage by or in 2024 but for which FRA has not found strong Construction Readiness, or (b) any pre-Construction Lifecycle Stage by or in 2024, the NEC Project Inventory allocates a federal share of up to 50 to 80 percent of the Funding Need but does not provide anticipated obligations for the NEC Project Inventory period. FRA expects to conduct a competitive process through the FSP-NEC NOFO application and evaluation process to determine funding awards for these projects. Selection and award for these projects will depend on funding availability after selections are made for higher priority projects. The FSP-NEC NOFO will detail selection and evaluation criteria governing that competitive process. Project Sponsors of projects in this Bucket may be expected to provide a greater than 20 percent non-federal match.

D. Future Inventories

FRA will publish the NEC Project Inventory not less often than every other year after the initial publication. Projects and Allocations in the NEC Project Inventory are not funding commitments and Project Sponsors must proceed through a competitive grant process and be selected for funding. Future inventories may change Allocations for projects or identify Allocations for additional projects not receiving an Allocation in this first NEC Project Inventory.

Variation or updates in amounts allocated on the NEC Project Inventory and the amounts requested in applications or awarded by FRA may result in NEC Project Inventory updates more frequently than every two years.

IV. Federal State Partnership for Intercity Passenger Rail Grant Program

Following publication of the initial NEC Project Inventory, FRA will publish an FSP-NEC NOFO soliciting applications for eligible projects identified on the NEC Project Inventory. FRA intends to simplify the solicitation process where possible to both leverage the substantial information included in the NEC Project Inventory and the NEC Commission's Planning Documents and reduce the application burden on Project Sponsors.

The FSP-NEC NOFO will describe the FSP Program requirements as well as the evaluation and selection criteria that FRA will use to determine grant awards.

In the FSP-NEC NOFO, FRA anticipates making funds available that are appropriated in the Consolidated Appropriations Act of 2022 (Public Law 117–103) and in Division J of the BIL. Should additional FSP funds become available after the release of that NOFO, such as fiscal year 2023 appropriations, FRA may elect to award such additional funds to applications received under the NOFO. Such annual appropriations may have different funding restrictions and requirements than currently available funding. If applicable, these differences will be summarized in the FSP-NEC NOFO.

Appendix A

On June 24, 2022, FRA published a Notice of Proposed Approach to the NEC Project Inventory and FSP (Notice) titled *Federal-State Partnership for Intercity Passenger Rail Program; Northeast Corridor Project Inventory* at 87 Fed Reg 37905 (June 24, 2022).⁹ This Appendix reproduces the terms and definitions used in the Notice that are also used in this NEC Project Inventory. Some definitions were changed, and some new terms were added; these are specifically noted as changed or new terms in the list below.

Definitions

Allocation (NEW TERM): See definition for “NEC Project Inventory Allocation for 2022-2024.”

Construction Stage (UPDATED DEFINITION): the Lifecycle Stage of a project following the Final Design Stage¹⁰ and during which the project is completely built and placed into operational use. This stage may include physical construction, procurement of vehicles and equipment, project administration, testing of equipment as appropriate, systems integration testing, workforce training, system certification, procurement of insurance, pre-revenue service, and start-up testing.

Capital Renewal Projects (UPDATED DEFINITION): a geographically integrated set of activities to repair, replace, or modernize basic infrastructure assets along a corridor section that is executed in accordance with a defined scope, schedule, and budget. Basic infrastructure assets include rails, ties, ballast, communication systems, signaling systems, electric traction power systems, and undergrade bridges.

Construction Readiness (NEW TERM): a measurement of a given project’s preparedness to begin the Construction Lifecycle Stage. FRA assigned a Construction Readiness Rating based on equal consideration of the status of the project’s NEPA review and Cost Share Agreement (see [Section II\(B\)](#) for more detail).

Final Design Stage (UPDATED DEFINITION): the Lifecycle Stage of a project following the Project Development Lifecycle Stage during which the project design is advanced to be ready for construction.¹⁰ This stage includes development of final engineering plans and specifications necessary for construction of the project; securing agreements (including execution of cost share agreements) necessary to construct and operate the project; and demonstration of commitment of the financial resources necessary to complete the project. This stage may include completion of property acquisition, and early construction or relocations and procurement of equipment and materials, if permissible under applicable law.

Funding Need (NEW TERM): the fraction of the Total Project Cost that represents the Project Sponsor’s outstanding funding need to complete Lifecycle Stages started or continuing during the two-year period of the NEC Project Inventory (i.e., through 2024). In some cases, the Funding Need is the entirety of the Total Project Cost; in other cases, the Funding Need is less than the Total Project Cost because: (1) the Project Sponsor is only starting pre-construction Lifecycle Stages before 2025 (i.e., funding need only

⁹ <https://www.regulations.gov/docket/FRA-2022-0049/>.

¹⁰ Due to limitations in the data available to FRA at the time of this NEC Project Inventory, FRA was not able to consistently distinguish those projects ready to begin or continue the Final Design Stage concurrent with the Construction Stage. However, FRA understands that the Final Design and Construction Stages may not always be distinct (for example, during a design-build delivery approach). As part of the evaluation and selection process associated with the FSP-NEC NOFO, FRA intends to prioritize those projects seeking funding for both Final Design and Construction Stages in the same way as those projects seeking funding for only the Construction Stage.

reflects pre-construction activity need, not Total Project Cost); (2) the Project Sponsor has already expended or received other sources of federal and/or non-federal funding towards the project; and/or (3) the Project Sponsor has indicated to FRA that they intend to seek less than 80% of the Total Project Cost.

Improvement Projects (UPDATED DEFINITION): those projects (or portions of projects) to improve reliability, increase capacity, reduce travel time, or improve the customer experience by replacing existing assets with superior ones or introducing new assets to existing NEC infrastructure, facilities, and equipment capabilities.

Lifecycle Stage: consecutive stages of a project as applicable, to include Project Planning Stage, Project Development Stage, Final Design Stage, and Construction Stage. Each sequential stage involves specific project activities including the preparation of appropriate project management documents. FRA evaluates project readiness for a subsequent Lifecycle Stage when considering a project for funding.

Major Backlog Projects (UPDATED DEFINITION): those projects necessary to achieve a state of good repair, but that are not undertaken on a routine basis, including rehabilitation or replacement of major bridges and tunnels. As with all capital projects, Major Backlog Projects involving replacement of a major structure should contemplate all work associated with that replacement as a single project. As of the publication of this NEC Project Inventory, the NEC Commission has identified Major Backlog projects on the NEC as:

1. Baltimore and Potomac Tunnel Replacement
2. Bush River Bridge Replacement
3. Connecticut River Bridge Replacement
4. Cos Cob Bridge Replacement
5. Devon Bridge Replacement
6. East River Tunnel Rehabilitation
7. Gunpowder River Bridge Replacement
8. Highline Renewal and State of Good Repair: Dock Bridge
9. Hudson Tunnel Project
10. Pelham Bay Bridge Replacement
11. Portal North Bridge Project
12. Saugatuck River Bridge Replacement
13. Sawtooth Bridges Replacement Project
14. Susquehanna River Bridge Replacement
15. Walk Bridge Program

NEC Project Inventory Allocation for 2022-2024 or Allocation (NEW TERM): The FRA's anticipated maximum eligible federal funding amount for a specific project under the FSP.

Northeast Corridor: the main rail line between Boston, Massachusetts, and the District of Columbia; the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York; and facilities and services used to operate and maintain the main and branch rail lines described above. 49 U.S.C. 24911(a)(3)¹¹

¹¹ While other definitions for the NEC exist, this definition is used in the FSP Program and is consistent with definition used in 49 U.S.C. 24904(e).

Northeast Corridor Capital Investment Plan (NEC CIP): the planning document developed by the NEC Commission pursuant to 49 U.S.C. 24904(b) and any subsequent updates to such document.¹²

Northeast Corridor Project (NEC Project): a project located on, or in primary use for, the NEC, consistent with 49 U.S.C. 24911(d)(1).

Northeast Corridor Service Development Plan: the planning document developed by the NEC Commission pursuant to 49 U.S.C. 24904(a) and any subsequent updates to such document or associated analyses. At the time of this Notice, the existing Northeast Corridor Service Development Plan is known as CONNECT NEC 2035 or C35.

Planning Studies (UPDATED DEFINITION): those projects which include only planning activities such as railroad transportation market forecasting, operations analysis, fleet planning, cost analysis, station and facility planning, environmental resource consideration, and other similar activities. Planning studies have no associated construction in their current form. Planning Studies are part of the Project Planning Lifecycle Stage.

Project Development Stage: the Lifecycle Stage of a project, following the Planning Stage, during which project design, environmental, and other studies are advanced to ensure the project is ready for implementation. This stage includes completion of the environmental review process required under the NEPA and other related environmental laws, and advancement of the permitting processes as appropriate; completion of preliminary engineering and other design disciplines to develop estimates of risk, costs, benefits, and impacts, and sufficient to advance to Final Design; and identification of financial resources necessary to complete the project.

Project Planning Stage: the Lifecycle Stage of a project during which project concepts are identified to adequately address transportation needs and opportunities. The purpose of the Project Planning Stage is to identify and compare the costs, benefits, and impacts of project options as a means of providing private and government decisionmakers with information to reach transportation solutions. This stage includes the following activities to demonstrate a practical project proposal that addresses a clear project need and support of participant stakeholders: development of conceptual design to establish the type and scope of capital improvements to be made; advancement of technical studies (e.g., railroad transportation market forecasting, operations analysis, etc.); and engagement of stakeholders and the public as appropriate.

Project Sponsor: the entity responsible for implementing a project that may also be an applicant seeking or grantee receiving Federal financial assistance.

Project Type (UPDATED DEFINITION): a categorization of a project as either Major Backlog, Capital Renewal, Improvement, Stations, or Planning Studies. FRA recognizes that a single project may have elements of multiple Project Types.

Shared Benefit Projects: projects that benefit both intercity and commuter rail services.

¹² Subsequent updates are available at <http://nec-commission.com/documents/>.

Stations Projects (UPDATED DEFINITION): those projects (or portions of projects) to repair, replace, modernize, or improve an existing station, occurring primarily within the boundaries of the station property, or projects to construct an expanded, new, or replacement station. Stations projects may include elements relating to improvements of transportation-related infrastructure (e.g., tracks, platforms, safety equipment) and/or elements related to station development (e.g., improvements to passenger concourses, amenities, etc.).

Total Project Cost (UPDATED DEFINITION): the aggregate estimated cost for all Lifecycle stages in year-of-expenditure dollars that accounts for inflation and appropriate contingency amounts.

Appendix B – Summary of Comments Submitted in Response to Notice of Proposed Approach to the Northeast Corridor Project Inventory and the Federal-State Partnership for Intercity Passenger Rail Program (FSP) for Northeast Corridor (NEC) projects

FRA published a Notice of Proposed Approach (Notice) to the NEC Project Inventory and the FSP in the Federal Register, 87 FR 37905 (June 24, 2022).¹³ The Notice initiated a 30-day comment period during which FRA collected comments from stakeholders. During the comment period, FRA presented on the contents of the Notice at a meeting of the NEC Commission on June 28, 2022. FRA also provided an opportunity for NEC Commission member agencies to participate in a workshop on July 20, 2022, with FRA staff to provide oral comments and ask clarifying questions. Participants were encouraged to follow up with written comments submitted to FRA through the Notice and comment process.

During the public review period, FRA received seventeen comments from sixteen entities, including comments from four members of the NEC Commission. This appendix summarizes feedback received during the comment period and provides FRA responses to the general themes of the comments.

Theme 1: Information that May be Missing or Inaccurate if FRA Relies Primarily on the NEC Commission Planning Documents

Four public respondents, including three members of the NEC Commission, agreed with FRA's reliance on the NEC Commission's Five-Year Capital Investment Plan and CONNECT NEC 2035 when developing the NEC Project Inventory. One comment suggested that the FRA also consider track diagrams in various planning and design phases, the project sponsor's formal certification that projects conform with minimum criteria for award, and itemized detailed cost estimates of various planning and design phases.

FRA will require applicants to provide a detailed cost estimate and demonstrate project and applicant eligibility during the FSP application process, consistent with the FSP-NEC NOFO. FRA will carefully consider scope and project cost elements, including level of design and project readiness, when determining grant awards.

Theme 2: Information FRA Should Review for Preparing the NEC Project Inventory

Three public comments recommended additional data points for FRA's consideration during development of the NEC Project Inventory: State Rail Plans; input from local stakeholders; and workforce availability and the capacity of specific trades to avoid creating an environment where project sponsors along the NEC compete for limited resources.

FRA considered these comments and as part of the development of CONNECT NEC 2035, NEC Commission member agencies were responsible for ensuring consistency with State rail plans, and NEC Commission staff considered workforce availability in their delivery analysis. FRA and USDOT recognize adequate workforce will be key to successful delivery of the NEC program and are working with railroads and labor organizations to address the challenge.

Another comment received from a member agency of the NEC Commission questioned the need to demonstrate intercity passenger rail benefit. FRA has considered these comments. By law, FRA is limited in the FSP to funding only capital projects that "reduce the state of good repair backlog, improve performance or expand or establish new *intercity passenger rail service*. . . ." (49 U.S.C. 24911(c),

¹³ <https://www.regulations.gov/docket/FRA-2022-0049/>.

emphasis added). Although there is no specific rule for quantifying benefits of intercity passenger rail, FSP projects must represent a reasonable investment in intercity passenger rail. Additionally, the Secretary is required by 49 U.S.C. 24911(d)(1)(B) to make selections for projects located on the Northeast Corridor that benefit intercity and commuter rail services only when Amtrak and the public authorities providing commuter rail passenger transportation at the eligible project location are in compliance with the NEC Commuter and Intercity Rail Cost Allocation Policy required in 49 U.S.C. 24905(c)(2), which includes a method for project-based cost allocation. Amtrak and the public authorities must also identify funding for the intercity passenger rail share, the commuter rail share, and the local share of the eligible project before the commencement of the project.

Theme 3: The Order, Method, and Plan for Apportioning Funds

FRA received 21 public comments as well as workshop input related to the order, method, and plan for apportionment of funds. General themes of these comments are: 1) support for addressing Major Backlog Projects and reducing the state of good repair backlog; 2) support for simplifying the application process; 3) support for making project readiness a priority criterion, in part to allow for quick obligation of funding; and 4) support for considering Improvement and Stations projects for an 80% federal share.

FRA's intent is to reduce the state of good repair backlog by prioritizing Major Backlog projects. However, FRA acknowledges that a single project may have elements that span multiple Project Types. In response to comments, FRA consolidated the Capital Renewal, Station, and Improvement Project Types into one Bucket, and does not prioritize among these Project Types within the Bucket.

Thirteen of the comments highlighted an interest in FRA making project readiness the most critical criterion, highlighting that the BIL does not prioritize one type of project over another. In response, FRA has increased the emphasis of project readiness as a prioritization factor for the NEC Project Inventory. The NEC Project Inventory considers readiness by (1) only making Allocations for projects ready to begin activity in 2022-2024, and (2) considering readiness for construction as a key prioritization factor in ordering construction projects for funding. FRA will consider readiness for construction by assigning a Construction Readiness rating that equally considers NEPA status and cost share agreement status. Construction Readiness will be further assessed during the FSP-NEC NOFO and application evaluation process and may affect selection and award amounts such that they differ from NEC Project Inventory Allocations.

Theme 4: FRA's Proposed use of Letters of Intent (LOI) and Phased Funding Agreements (PFA)

FRA received three public comments regarding this topic, all of which supported FRA's proposed use of LOIs and PFAs. One respondent requested that FRA consider LOIs for projects entering the pre-construction phase in 2022-2024. FRA is developing an approach for issuing LOIs and PFAs and expects to use these tools after the grant solicitation process. As described in this Inventory, for Major Backlog Projects or other projects with strong Construction Readiness expected to begin the Construction Stage by or in 2024, FRA may use PFAs as authorized by 49 U.S.C. 24911(g), with FSP grant awards. For those projects anticipated to begin pre-Construction Lifecycle Stages, FRA may use Letters of Intent, as authorized by 49 U.S.C. 24911(g), with FSP grant awards.

General Issues and Concerns with Information Provided by the Notice

Four public comments requesting clarification were received:

- Two respondents requested that FRA publish a high level of detail in the NEC Project Inventory, including financial plans, budgets, schedules, and operational funding strategies. FRA publishes project information, as available from the NEC Commission Planning Documents. Additional project details will be requested through the grant application process.
- One agency requested that FRA provide further clarification of types of projects that will be considered Defined Capital Renewal Projects. Specifically, FRA was asked to clarify whether basic infrastructure assets (such as signaling systems) would fall within the scope of a Capital Renewal Project and whether track-level improvements would be included within Station Projects. FRA has amended the definition of Capital Renewal Projects in this document to clarify.
- One respondent noted that the Final Design and Construction phases are not distinct during the design-build delivery method. FRA acknowledges this lack of distinction and will consider allocating funding to multiple Lifecycle Stages, particularly for the Final Design and Construction phases. FRA will consider innovative procurement approaches in evaluating grant applications.
- Two respondents favored the broader application of pre-award authority. FRA will provide pre-award authority consistent with Departmental policy, 2 CFR Part 200, and applicable law.
- Two respondents requested that Penn Station no longer be used as a terminal, stating that the station should instead be transformed to enable through-running service so that trains would be able to enter Penn Station, continue to Grand Central Terminal, or continue to Long Island. As part of NEC Project Inventory development, FRA accepted project scopes as submitted by Project Sponsors, and reviewed projects only to determine eligibility for the FSP Program and identify information required to create the NEC Project Inventory. FRA recommends commentors provide comments on specific design concepts to Project Sponsors.

Table 1. Northeast Corridor Project Inventory Summary

[\[home\]](#)

All Amounts in Millions (\$M; \$000,000s)

	# of Projects	Total Project Cost <i>15-Year Period</i>	NEC Project Inventory for 2022-2024			Anticipated Obligations	Potential Phased Funding Agreements or Letters of Intent
			Funding Need	Allocation		Combined Appropriations for FY 2022 & 2023 <i>(Est. \$8,979M Avail.)</i>	
Bucket 1: Major Backlog Projects			<i>Up to 80% of Funding Need</i>				
<i>In Construction or Begin Construction by 2024</i> [1]	8	\$30,970	\$11,706		\$9,364	\$6,541	\$2,823
<i>In Project Development by 2024</i>	6	\$8,443	\$830		\$664	\$664	\$5,987
<i>Not Started by 2024</i>	1	\$2,041	\$0		\$0	\$0	\$0
Bucket 2: Capital Renewal, Stations, and Improvement Projects				<i>50% Share</i>	<i>80% Share</i>		
<i>In Construction or Begin Construction by 2024</i>	21	\$16,014	\$14,734	\$7,367	\$9,525	\$1,467	TBD
<i>In Project Development by 2024</i>	23	\$41,465	\$6,072	\$3,036	\$4,858	\$0	\$0
<i>Not Started by 2024</i>	9	\$6,943	\$0	\$0	\$0	\$0	\$0
Total [2]	68	\$105,875	\$33,341	\$20,431	\$24,411	\$8,672	\$8,811

Note:

[1] Funding Need, Allocation, Anticipated Obligations and Potential Phased Funding Agreements or Letters of Intent amounts do not include Gateway: Hudson Tunnel Project. See footnote [2] for Table 2.

[2] Four planning studies are excluded from Summary table (see Table 3). The column total for the "50% Share" allocation includes the Bucket 1 allocations and 50 percent share Bucket 2 allocations.

Table 2. Northeast Corridor Project Inventory

For the two-year period beginning November 2022. All amounts in millions (\$M; \$000,000s).

Project Information				NEC Project Inventory for 2022-2024		Anticipated Obligations	Potential Phased Funding Agreements or Letters of Intent	
State	Project Name	Project Sponsor	Total Project Cost	Funding Need	Allocation <i>(Up to 80% of Funding Need)</i>	Combined Appropriations for FY 2022 & 2023 <i>(Est. \$8,979M available)</i>		
Bucket 1: Major Backlog Projects								
In Construction or Begin Construction by 2024	NJ	[1] Gateway: Portal North Bridge	NJ TRANSIT	\$2,183	\$0	Previously funded	\$0	
	MD	B&P Tunnel Replacement Program	Amtrak	\$6,030	\$5,902	\$4,722	\$2,000	\$2,722
	NY, NJ	[2] Gateway: Hudson Tunnel Project	Gateway Development Commission	\$16,090		See footnote		
	CT	Walk Bridge: Replacement	Connecticut DOT	\$1,080	\$581	\$465	\$465	
	CT	Connecticut River Bridge Replacement Project	Amtrak	\$1,080	\$862	\$690	\$690	
	MD	Susquehanna River Bridge Replacement Program	Amtrak	\$2,700	\$2,627	\$2,102	\$2,000	\$102
	NJ	Gateway: Highline Renewal and State of Good Repair: Dock Bridge	Amtrak	\$235	\$234	\$188	\$188	
	NY	East River Tunnel Rehabilitation Project	Amtrak	\$1,572	\$1,499	\$1,199	\$1,199	
In Project Development by 2024	CT	Devon Bridge Replacement	Connecticut DOT	\$3,074	\$143	\$115	\$115	\$2,333
	CT	Saugatuck River Bridge Replacement	Connecticut DOT	\$580	\$30	\$24	\$24	\$440
	MD	Bush River Bridge Replacement Program	Amtrak	\$744	\$140	\$112	\$112	\$483
	MD	Gunpowder River Bridge Replacement Program	Amtrak	\$1,306	\$245	\$196	\$196	\$848
	NJ	Gateway: Sawtooth Bridges Replacement	Amtrak	\$2,023	\$137	\$109	\$109	\$1,427
	NY	Pelham Bay Bridge Replacement Project	Amtrak	\$716	\$135	\$108	\$108	\$456
Not Started by 2024	CT	Cos Cob Bridge Replacement	Connecticut DOT	\$2,041	\$0	\$0	\$0	

Table 2. Northeast Corridor Project Inventory

For the two-year period beginning November 2022. All amounts in millions (\$M; \$000,000s).

Project Information				NEC Project Inventory for 2022-2024			Anticipated Obligations	Potential Phased Funding Agreements or Letters of Intent	
State	Project Name	Project Sponsor	Total Project Cost	Funding Need	Allocation (Up to 80% of Funding Need)		Combined Appropriations for FY 2022 & 2023		
					50% Share	80% Share	(Est. \$8,979M available)		
Bucket 2: Capital Renewal, Stations, and Improvement Projects									
Projects with Strong Project Readiness									
NY	[3] Penn Station Access	MTA	\$2,867	\$2,697	\$1,349	\$2,023	\$1,349	TBD	
PA	[3] Mid-Atlantic OCS Replacement Program Phase 1: Zoo to Paoli	Amtrak	\$236	\$236	\$118	\$189	\$118		
Other Projects [4]									
CT	Hartford Line Rail Program: Double Track (Phase 3B-Contracts 1 thru 3)	Connecticut DOT	\$202	\$202	\$101	\$162			
CT	New Haven Line Network Infrastructure Upgrade	Connecticut DOT	\$110	\$57	\$29	\$46			
CT	Stamford Station Improvements	Connecticut DOT	\$297	\$134	\$67	\$107			
CT	TIME-Phase 3 (Devon Bridge Replacement Area/Block)(CP257 to 261)	Connecticut DOT	\$377	\$377	\$188	\$302			
CT	TIME-Phase 5 (New CP227-228 Interlocking, CP223-229 Block Improvements)	Connecticut DOT	\$492	\$492	\$246	\$393			
CT, NY	New Haven Line Signal System Replacement: Sections 2 & 3 - Norwalk to New Haven	Connecticut DOT	\$101	\$101	\$50	\$81			
CT, NY	NHL Power Improvement Program	Connecticut DOT	\$134	\$114	\$57	\$91			
DC	Washington Union Station: Near Term Rail Program	Amtrak	\$216	\$179	\$90	\$143			
MD	Baltimore Penn Station: Master Plan	Amtrak	\$306	\$196	\$98	\$157			
NJ	Delco Lead	NJ TRANSIT	\$928	\$680	\$340	\$544			
NJ	Gateway: Harrison Fourth Track	Amtrak	\$90	\$87	\$44	\$70			
NJ	New York Metro Signal System Upgrades to 562 Program Phase 1: County to Elmora	Amtrak	\$136	\$128	\$64	\$103			
NJ	Newark Penn Station: Platform Rehabilitation (A, B, C)	Amtrak	\$120	\$119	\$59	\$95			
NY	[5] New York Penn Station Master Plan: Reconstruction	MTA	\$7,100	\$7,091	\$3,545	\$3,545			
NY	New York Penn Station: Central Concourse	NJ TRANSIT	\$450	\$450	\$225	\$360			
PA	Cornwells Heights Station Improvements	SEPTA	\$61	\$61	\$30	\$49			
PA	Downingtown Station Improvements	Pennsylvania DOT	\$135	\$115	\$57	\$92			
PA	Philadelphia 30th Street District Plan	Amtrak	\$1,126	\$695	\$347	\$556			
PA, DE	Mid-Atlantic OCS Replacement Program Phase 2: Brill to Landlith	Amtrak	\$530	\$524	\$262	\$419			
In Project Development by 2024	CT	Devon Bridge Interim Repairs	Connecticut DOT	\$115	\$22	\$11	\$17		
	CT	Hartford Station Relocation	Connecticut DOT	\$519	\$95	\$48	\$76		
	CT	TIME-Phase 1 (CP257 to 261)	Connecticut DOT	\$469	\$85	\$42	\$68		
	CT	TIME-Phase 2 (Walk Bridge, Minor Bridge Replacements)(CP 241 to 243)	Connecticut DOT	\$225	\$10	\$5	\$8		
	DC	WAS First Street Tunnel Project	Amtrak	\$131	\$23	\$11	\$18		
	DC	Washington Union Station: Long Term Station Expansion	Amtrak	\$17,513	\$1,579	\$789	\$1,263		
	MD	BWI 4th Track Phase 1	Amtrak	\$580	\$105	\$52	\$84		

Project Information					NEC Project Inventory for 2022-2024			Anticipated Obligations	Potential Phased Funding Agreements or Letters of Intent
State	Project Name	Project Sponsor	Total Project Cost	Funding Need	Allocation <i>(Up to 80% of Funding Need)</i>		Combined Appropriations for FY 2022 & 2023 <i>(Est. \$8,979M available)</i>		
					50% Share	80% Share			
In Project Development by 2024	MD	Edgewood Capacity Expansion: Four Track Extension and Infrastructure Realignment	Amtrak	\$508	\$92	\$46	\$74		
	MD	Martin Airport Station Accessibility Improvements	MDOT MTA / MARC	\$95	\$17	\$9	\$14		
	MD	Penn-Camden Connector	MDOT MTA / MARC	\$100	\$19	\$10	\$15		
	NJ	Gateway: NJ TRANSIT Gateway Storage Yard	NJ TRANSIT	\$2,485	\$315	\$158	\$252		
	NJ	Gateway: Portal South Bridge	NJ TRANSIT	\$3,569	\$366	\$183	\$293		
	NJ	Gateway: Secaucus Station and Loop Tracks	NJ TRANSIT	\$2,372	\$283	\$141	\$226		
	NJ	Hunter Flyover	NJ TRANSIT	\$384	\$20	\$10	\$16		
	NJ	Midline Loop	NJ TRANSIT	\$638	\$79	\$39	\$63		
	NJ	Newark Penn Station: Station Rehabilitation	NJ TRANSIT	\$37	\$7	\$4	\$6		
	NY	[6] Gateway: New York Penn Station Expansion	MTA / Amtrak	\$10,903	\$2,801	\$1,400	\$2,240		
	PA	Harrisburg Line Track 2 Restoration: Paoli to Frazer	SEPTA	\$66	\$13	\$6	\$10		
	PA	Keystone Line Interlocking SOGR Program – Phase 1: Potts	Amtrak	\$36	\$7	\$4	\$6		
	PA	Keystone Line Interlocking SOGR Program – Phase 2: Wynnefield	Amtrak	\$146	\$27	\$14	\$22		
	PA	Mid-Atlantic OCS Replacement Program Phase 3: Paoli to Thorndale	Amtrak	\$265	\$48	\$24	\$38		
	PA	Parkeburg Station Improvements	Pennsylvania DOT	\$71	\$12	\$6	\$10		
RI	Warwick/T.F. Green Airport Station Expansion	Rhode Island DOT	\$239	\$47	\$24	\$38			
Not Started by 2024	CT	CP 261 (Devon) to CP 266 (Woodmont) 4th Track Project	Connecticut DOT	\$171	\$0	\$0	\$0		
	CT	New Haven Line Station Platform Replacement Program (New Haven)	Connecticut DOT	\$350	\$0	\$0	\$0		
	CT	Springfield Line: Connecticut River Bridge Replacement Project	Amtrak	\$546	\$0	\$0	\$0		
	DE	Landlith Interlocking - Wine Interlocking NEC Section Improvement Project	Amtrak	\$1,099	\$0	\$0	\$0		
	MA	Boston South Station Expansion	MBTA	\$3,296	\$0	\$0	\$0		
	MA	High Capacity Signaling: Boston to Canton Junction	MBTA	\$16	\$0	\$0	\$0		
	MA	Massachusetts Third Track: Readville to Canton	MBTA	\$201	\$0	\$0	\$0		
	MA, RI	Providence-Boston Traction Power Upgrades	MBTA	\$693	\$0	\$0	\$0		
NJ	Choke Point Relief: Westbound Waterfront Connection	NJ TRANSIT	\$570	\$0	\$0	\$0			
GRAND TOTAL: All Bucket 1 and Bucket 2 Projects				\$105,875	\$33,341	\$20,431	\$24,411	\$8,672	\$8,811

Notes:

- [1] This Major Backlog project has been previously funded and does not require an allocation.
- [2] The Project is seeking funding under multiple U.S. Department of Transportation Programs, including the Federal-State Partnership for Intercity Passenger Rail Program (FSP), Federal Transit Administration’s Capital Investment Grant program, and other discretionary programs. FRA will evaluate funding needs from FSP in coordination with the other Departmental program determinations. FRA may update this Inventory to include the funding need from the FSP Program, associated allocation, and anticipated obligations prior to the next required Inventory update.
- [3] For these projects, the NEC Project Inventory allocates a federal share range from 50 percent to 80 percent of the Funding Need. Anticipated obligations shown in the table are based on the 50 percent allocation. FRA will determine awards for these projects, if any, and the associated federal share through the FSP Notice of Funding Opportunity application and evaluation process.
- [4] For the remainder of the table, projects within each group are listed alphabetically by state, then by project name. For these projects, the NEC Project Inventory allocates a federal share range from 50 percent to 80 percent of the Funding Need. FRA will determine awards for these projects, if any, and the associated federal share through the FSP Notice of Funding Opportunity application and evaluation process.
- [5] MTA has indicated to FRA that they will be the Project Sponsor for National Environmental Policy Act and preliminary design activities for this project.
- [6] MTA and Amtrak submitted information for this project. The project sponsor for the project is to be determined from among the MTA, Amtrak, NJ TRANSIT, or Gateway Development Commission. FRA may update this Inventory to include updated project sponsor information prior to the next required Inventory update.

Table 3. Northeast Corridor Planning Studies

[\[home\]](#)

For the two-year period beginning November 2022. All amounts in millions (\$M; \$000,000s).

Project Information				NEC Project Inventory for 2022-2024		Anticipated Obligations
State	Project Name	Project Sponsor	Total Project Cost	Funding Need	Allocation <i>(Up to 80% of Funding Need)</i>	
Planning Studies						
MD	Infrastructure Renewal and Speed Improvement Program - Mid-Atlantic South	Amtrak	\$9	\$9	\$7	\$7
NJ, PA	Infrastructure Renewal and Speed Improvement Program - New Jersey	Amtrak	\$9	\$9	\$7	\$7
PA, DE	Infrastructure Renewal and Speed Improvement Program - Mid-Atlantic North	Amtrak	\$9	\$9	\$7	\$7
RI, CT	New Haven - Providence Capacity Planning Study	Amtrak	\$5	\$5	\$4	\$4
Total: Planning Studies				\$33	\$32	\$26