

**Brunswick Layover Environmental Assessment (EA)**  
**Appendix F: Categorical Exclusion for Downeaster Portland North  
Expansion Projects - additional projects**

**September 2013**

## Federal Railroad Administration (FRA) CATEGORICAL EXCLUSION WORKSHEET

**Note:** The purpose of this worksheet is to assist proposal sponsors in gathering and organizing materials for environmental analysis required under the National Environmental Policy Act (NEPA), particularly for proposals, which may qualify as Categorical Exclusions and to assist the FRA in evaluating requests from project sponsors for categorical exclusion determinations. Categorical Exclusions are categories of actions (i.e. types of projects) that the FRA has determined, based on its experience, typically do not individually or cumulatively have a significant effect on the human environment and which generally do not require the preparation of either an environmental impact statement or an environmental assessment.

Submission of the worksheet by itself does not meet NEPA requirements. FRA must concur in writing with the proposal sponsor's Categorical Exclusion recommendation for NEPA requirements to be met. Please complete this worksheet using compatible word processing software and submit and transmit the completed form in electronic format.

<i>For Agency Use</i>	<i>Date Received:</i>
Reviewed By: <i>W. J.</i> Date: <i>8/30/12</i>	Recommendation for action: <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Return for Revisions <input type="checkbox"/> Not Eligible
Comments:	
Concurrence by Counsel: <input checked="" type="checkbox"/> Accept Recommendation <input type="checkbox"/> Return with Comments	Reviewed By: <i>F. M. ...</i> Date: <i>8/30/12</i>
Comments:	
Concurrence by Approving Official: <i>Cory Hill</i>	Date: <i>8/31/12</i>

### I. PROPOSAL DESCRIPTION

<b>Proposal Sponsor</b> Northern New England Passenger Rail Authority	<b>Date Submitted</b> 8/16/12	<b>FRA Identification Number (if any)</b>
<b>Proposal Title</b> Downeaster Portland North Brunswick Overnight Holding Track		
<b>Location (Include Street Address, City or Township, County, and State)</b> Town of Brunswick		
<b>Contact Person</b> Patricia Quinn	<b>Phone</b> 207-780-1000	<b>E-mail Address</b> patricia@nnepra.com
<p>Note: Fully describe the proposal including specifics that may be of environmental concern such as: widening an embankment to stabilize roadbed; repairing or replacing bridge piers foundations, including adding rip-rap in a waterway; earthwork and altering natural (existing) drainage patterns and creating new water discharge; contaminated water needing treatment; building a new or adding on to a shop building; fueling or collection of fuel or oil and contaminated water; building or extending a siding; and building or adding on to a yard.</p>		

**Description of Proposal**

The Amtrak Downeaster (Downeaster) currently operates ten daily trips (or five round trips) between Portland, Maine, and Boston, Massachusetts. The Northern New England Passenger Rail Authority (NNEPRA) is currently in the process of extending four of these daily trips further north to Brunswick, Maine and adding two additional trips between Portland and Brunswick. The NNEPRA is rehabilitating approximately thirty miles of existing freight rail line between the Portland Transportation Center (PTC) in Portland, Maine, and the proposed Maine Street Station in Brunswick, Maine to offer this service. Construction of this project was started in the fall of 2010 is expected to be completed in the fall of 2012.

Through this project, the NNEPRA seeks to enhance mobility, reduce congestion and improve safety. Since 2001, the Downeaster has linked northern New England communities to ferries, airports, subways, intercity and regional bus trips, and Amtrak's northeast corridor by providing ten daily trips between Boston, Massachusetts and Portland, Maine. The Downeaster's 160 million passenger-miles and two million passengers since service initiation provide evidence of the regional demand for rail service in northern New England. Ridership has grown 87% since FY2005 and is expected to reach 468,000 passengers in FY2009.

In accordance with the National Environmental Policy Act (NEPA), the FRA and the NNEPRA prepared an Environmental Assessment (EA) for the Downeaster Portland North Expansion Project in June 2009 and the FRA issued a Finding of No Significant Impact (FONSI) in July 2009. The project continued to advance and a reevaluation in accordance with the NEPA was prepared in October 2009. As part of the Portland North Expansion Project under construction, the FRA and the NNEPRA are considering an additional action:

- the construction of approximately one-third of a mile of overnight holding track and equipment siding within the former Brunswick freight rail yard, now owned by NNEPRA, between Church Road and Stanwood Street in the town of Brunswick. This project is funded by the redistribution of approximately 2.4 million dollars of HSIPR ARRA funds. This project was previously documented in a FRA signed (April 2011) CE.

**Purpose and Need of Proposal**

Downeaster Portland North Expansion Project - The I-295 corridor has experienced substantial growth in traffic volume since the 1950s, and there is a growing need to reduce congestion and enhance safety in this area. Chronic congestion and delays occur due to inadequate roadway capacity. Furthermore, the increase in traffic volume has created an increase in traffic accidents, which creates hazards by temporarily reducing highway capacity and producing lengthy backups. The growth in traffic volume is projected to continue in the future; approximately 50,000 vehicles per day currently travel north of Portland on I-295, and traffic is expected to increase 20 percent by 2030. Further expansion of the I-295 corridor is unlikely due to the extremely high cost and significant environmental impacts including the potential for a large number of displacements of businesses and residences.

Brunswick Overnight Holding Track - An overnight holding track located near the northern terminus of service (Brunswick Station) is needed to reduce non-revenue service trips (not carrying passengers) that would otherwise travel between Brunswick and the current layover facility approximately 29 miles North in Portland. These non revenue trips increase fuel and operating costs and create additional night-time disturbances to abutters along the 29-mile route without increasing public benefit.

**II. NEPA CLASS OF ACTION**

Answer the following questions to determine the proposal's potential class of action.

**A. Will the proposal substantially impact the natural, social and / or human environment?**

YES (Contact FRA)  NO (Continue)

Actions that will significantly impact the environment require preparation of an Environmental Impact Statement. These proposals typically include construction or extension of rail lines or rail facilities including passenger, high speed, or freight rail activities.

**B. Is the significance of the proposal's social, economic or environmental impacts unknown?**

YES (Contact FRA)  NO (Continue)

**C. Does Section 4(f) of the Department of Transportation Act apply?** (i.e. proposal requires the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance, as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site.)

YES (Contact FRA)  NO (Continue)

**D. Is the proposal likely to require detailed evaluation of more than a few potential impacts?**

YES (Contact FRA)  NO (Continue)

**E. Is the proposal likely to generate intense public discussion or concern, even though it may be limited to a relatively small subset of the community?**

YES (Contact FRA)  NO (Continue)

**F. Is the proposal inconsistent with any Federal, State, or local law, regulation, ordinance, or Judicial or administrative determination relating to environmental protection?**

YES (Contact FRA)  NO (Continue)

**G. Is the proposal an integral part of a program of current Federally supported actions which, when considered separately, would not be classified as major actions, but when considered together may result in substantial impacts?**

YES (Contact FRA)  NO (Continue)

If the answer to any of the questions B through G is "YES", contact the FRA to determine whether the proposal requires preparation of an Environmental Assessment.

**H. Is the proposal consistent with one of the following potential Categorical Exclusions?**

FRA Procedures for Considering Environmental Impacts, 64 FR 28545 (May 26, 1999)

YES (Mark category and continue as indicated)  NO (Contact FRA)

Financial assistance or procurements solely for planning or design activities that do not commit the FRA or its applicants to a particular course of action affecting the environment. (*stop and submit to FRA*)

State rail assistance grants for acquisition. (*Continue to Part III*)

Operating assistance to a railroad to continue existing service or to increase service to meet demand, where the assistance will not result in a change in the effect on the environment. (*stop and submit to FRA*)

Acquisition of existing railroad equipment, track and bridge structures, electrification, communication, signaling or security facilities, stations, maintenance of way and maintenance of equipment bases, and other existing railroad facilities or the right to use such facilities, for the purpose of conducting operations of a nature and at a level of use similar to those presently or previously existing on the subject properties. (*Complete Part III, Sections H, I, U, & V and submit to FRA*)

Research, development and/or demonstration of advances in signal, communication and/or train control

systems on existing rail lines provided that such research, development and/or demonstrations do not require the acquisition of substantial amounts of right-of-way, and do not substantially alter the traffic density [or operational] characteristics of the existing rail line. *(Continue to Part III)*

- Temporary replacement of an essential rail facility if repairs are commenced immediately after the occurrence of a natural disaster or catastrophic failure. *(Continue to Part III)*
- Changes in plans for a proposal for which an environmental document has been prepared, where the changes would not alter the environmental impacts of the action. *(Continue to Part III describing the full consequences of the changes only)*
- Maintenance of: existing railroad equipment; track and bridge structures; electrification, communication, signaling, or security facilities; stations; maintenance-of-way and maintenance-of-equipment bases; and other existing railroad-related facilities. ("Maintenance" means work, normally provided on a periodic basis, which does not change the existing character of the facility, and may include work characterized by other terms under specific FRA programs) *(Continue to Part III)*
- Financial assistance for the construction of minor loading and unloading facilities, provided that proposals are consistent with local zoning, do not involve the acquisition of a significant amount of land, and do not significantly alter the traffic density characteristics of existing rail or highway facilities. *(Continue to Part III)*
- Minor rail line additions including construction of side tracks, passing tracks, crossovers, short connections between existing rail lines, and new tracks within existing rail yards, provided that such additions are consistent with existing zoning, do not involve acquisition of a significant amount of right of way, and do not substantially alter the traffic density characteristics of the existing rail lines or rail facilities. *(Continue to Part III)*
- Improvements to existing facilities to service, inspect, or maintain rail passenger equipment, including expansion of existing buildings, the construction of new buildings and outdoor facilities, and the reconfiguration of yard tracks. *(Continue to Part III)*
- Environmental remediation through improvements to existing and former railroad track, infrastructure, stations and facilities, for the purpose of preventing or correcting environmental pollution of soil, air or water. *(Continue to Part III)*
- Replacement, reconstruction, or rehabilitation of an existing railroad bridge, including replacement with a culvert, that does not require the acquisition of a significant amount of right-of-way. *(Continue to Part III)*

### III. **PROPOSAL INFORMATION FOR CATEGORICAL EXCLUSIONS**

Complete Part III unless indicated otherwise in Part II and submit to FRA.

For work to fixed facilities, maps displaying the following, as applicable, are required to be attached for FRA review:

- Proposal vicinity
- Proposal Site Plan indicating the USGS Quadrangle and Section
- Other Information as necessary to complete Part III

#### A. **Describe how the proposal satisfies the purpose and need identified in Part I:**

The Downeaster Portland North Expansion Project and this addition to the Portland North Expansion Project will continue the overall effort to expand regional passenger rail service to the Brunswick area and will enhance the mobility and improve the safety in the region and along the I-295 corridor.

With regard to the proposed Brunswick Overnight Holding Track, the provision of a holding track located near the northern terminus of service (Brunswick Station) will reduce non-revenue service trips (not carrying passengers) that would otherwise travel between Brunswick and the current layover facility approximately 29 miles away in Portland. The reduction in non revenue trips would serve to decrease fuel and operating costs and minimize night-time disturbances to abutters along the 29-mile route.

- B. Location & Land Use:** *For fixed facilities, attach a map or diagram, at an appropriate scale, identifying the location of the proposal site and if applicable, the surrounding land uses and zoning of the site and surrounding properties. If the proposal would require many pages of maps or diagrams, include only a location map and contact FRA to determine if additional information is required. A map or diagram that identifies locations of critical resource areas, wetlands, potential historic sites, or sensitive noise receptors such as schools, hospitals, and residences should be included if there is the potential for impacts to these resources.*

*Briefly describe the existing land use of the proposal site and surrounding properties and resources.*

The project site is the former Brunswick freight rail yard located on the north side of the mainline rail corridor between Church Road and Stanwood Street in Brunswick. The site is presently vacant, while the adjacent rail corridor functions as a freight interchange location for Pan Am Railways and Maine Eastern Railroad.

Properties to and north of the site are a mix of industrial, commercial and residential uses, including a fuel storage facility. Industrial and commercial uses are also present on Church Road to the west and on Stanwood Street to the east. A residential neighborhood is located south of the site, across the railroad mainline. This neighborhood includes approximately twenty single family houses on Bouchard Drive that range between 140 feet and 400 feet from the existing mainline tracks. A forested area acts as a buffer to most of these residential properties south of the existing track.

The project site is located in an area identified as a Commercial Connector Growth Area in the Town's Comprehensive Plan, and is zoned Mixed Use 2 - Mixed Use Intown Railroad Corridor ("MU2"). A range of commercial, residential and industrial uses are permitted in the "MU2" zone. The Comprehensive Plan specifies that non-residential uses are most appropriate for the Commercial Connector Growth Areas. The forested area south of the tracks is also zoned "MU2".

The project site has historically functioned as a rail yard and borders the mainline tracks. Continued use of this site for railroad transportation activities is consistent with the town of Brunswick's Zoning and Comprehensive Plan.

- C. Historic Resources:** *If any cultural, historic, or archaeological resources are located in the immediate vicinity of the proposal, check and describe the resource(s) and then describe any potential effect of the proposal on the resource(s). Consultation with the SHPO is necessary when these resources are potentially affected.*

Cultural:

Historical:

Archaeological:

*Has consultation with the State Historic Preservation Officer occurred? If so, describe and attach relevant correspondence.*

Consultation with SHPO: Coordination and consultation with the Maine Historic Preservation Commission (MHPC) was performed as part of the NEPA process for the Portland North Expansion Project. Previous study of historic architectural resources for the portion of the rail corridor north of Yarmouth Junction revealed three known resources eligible for the National Register of Historic Places (NRHP): two stone arch culverts (one in Yarmouth and one in Freeport) and one bridge (South Main Street crossing in Freeport). A cultural resources survey

was performed for the 12-mile segment of Pan Am Railways between the Portland Wye in Portland and Yarmouth Junction, which had not previously been surveyed. The survey identified three bridges (one in Yarmouth, one in Cumberland, and one in Falmouth) within the project's Area of Potential Effects (APE) that are eligible for listing in the NRHP (VHB 2009). None of these resources are in the vicinity of the proposed Brunswick Overnight Holding Track.

The MHPC concurred that the Portland North Expansion Project would not impact prehistoric archaeological resources (MHPC 2008) and would have no adverse effect upon historic properties (MHPC 2009).

This additional action to the Portland North Expansion Project is consistent and in keeping with the information reviewed and approved by the MHPC. Consultation with the MHPC regarding this additional action resulted in a no historic properties effected determination by the SHPO on August 13, 2012.

**D. Public Notification:** *Briefly describe any public outreach efforts undertaken on behalf of the proposal, if any. Indicate opportunities the public has had to comment on the proposal (e.g., Board meetings, open houses, special hearings).*

Extensive public outreach has taken place as documented in Section 4.0 of the EA for the Portland North Expansion Project dated June 2009. Extensive public outreach took place prior to the start of construction of the Portland North Expansion project and public outreach will continue throughout construction and the beginning of passenger service.

The NNEPRA has coordinated with the public and agencies regarding the potential development of a layover facility, which would be larger in scope than the currently proposed overnight holding track, at the site of the proposed action. The public outreach efforts has involved presentations at the Town of Brunswick Zoning Board and Town Council meetings, NNEPRA Board meetings that are open to the public, two public meetings, one meeting with nearby residents, one press conference, and three Advisory Committee meetings.

*Indicate prominent concerns expressed by agencies or the public regarding the proposal, if any.*

Primary concerns voiced by the public have been related to potential noise impacts. The proposed holding track will not impact noise or vibration to area residents. See section F below.

**E. Transportation:** *Would the proposal have a detrimental effect on other railway operations or impact road traffic, or increase demand for parking?*

No (continue)  Yes, describe potential transportation, traffic, and parking impacts, and address capacity constraints and potential impacts to existing railroad and highway operations. Include maps or diagrams indicating any impacts and any proposed modifications to existing railways or roadways or parking facilities. Also, summarize any consultation that has occurred with other railroads or highway authorities whose operations this project will impact.

The provision of an overnight holding track in Brunswick would have a positive impact on freight and passenger rail operations. The provision of a holding track located near the northern terminus of service (Brunswick Station) would reduce non-revenue service trips (not carrying passengers) that would otherwise travel between Brunswick and the current layover facility approximately 29 miles North in Portland.

The reduction in non revenue trips would serve to decrease fuel and operating costs and minimize night-time disturbances to abutters along the 29-mile route. This additional action would not adversely affect traffic operations on area roadways.

**F. Noise and Vibration: Are permanent noise or vibration impacts likely?**

No (continue)     Yes, describe how the proposal will involve noise impacts. If the proposal will result in a change in noise sources (number or speed of trains, stationary sources, etc.) and sensitive receptors (residences, hospitals, schools, parks, etc.) are present, apply screening distances for noise and vibration assessment found in FRA noise impact assessment guidance manual (and FTA's manual as needed) and compare proposal location with nearest receptor(s). If the screening distance is not achieved, attach a "General Noise and/or Vibration Assessment."

Noise       Vibration

*As a result of the general assessment(s) are there noise or vibration impacts?*

No (continue)     Yes (Describe and provide map identifying sensitive receptors):

Existing noise sources in the vicinity of the proposed action include motor vehicle traffic, commercial and industrial activity, noise from freight rail operations, and sounds generated from nearby neighborhoods. Train activity today is typically limited to two passing freight trains per week with occasional idling and switching in the Brunswick rail yard. Once Amtrak Downeaster service begins in November 2012, additional train operations will contribute to noise, including increased instances of horn blowing at the Church Road and Stanwood Street intersections.

The proposed action would not exceed FRA/FTA noise criteria and would not have a significant impact on noise. Noise levels would remain virtually unchanged from the results of the analysis in the Portland North Expansion project EA and FONSI. Adjacent land uses to the north are primarily commercial and industrial uses, while residential uses predominate to the south. A forested area acts as a buffer to most of these residential properties south of the existing track. The site for the proposed action is zoned "MU2" (Mixed Use Intown Railroad Corridor District). The proposed use as an overnight holding track would be consistent with the "MU2" zoning designation. The forested area south of the tracks is also zoned "MU2". The minor widening for the overnight holding track would take place north of the existing track closer to the industrial and commercial uses and away from the residential properties.

The predicted vibration associated with proposed train operations would be higher than current measured ambient vibrations levels (which were conducted during a period of no train activity), but well below FRA/FTA vibration criteria. The proposed action would not have significant vibration impacts.

**G. Air Quality:** *Does the proposal have the potential to increase concentrations of ambient criteria pollutants to levels that exceed the NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment?*

No (continue)     Yes, attach an emissions analysis for General Conformity regarding Carbon Monoxide (CO), Ozone (O<sub>3</sub>), Particulate Matter (PM<sub>10</sub>), Nitrous Oxides (NO<sub>x</sub>), and Carbon Dioxide (CO<sub>2</sub>), and include a hot spot analysis if indicated. Describe any substantial impacts from the proposal.

The project site is located in Cumberland County, Maine, which meets National Ambient Air Quality Standards (NAAQS) and is designated as an attainment area with regard to all NAAQS but is in an 8-hour Ozone maintenance area. The construction and operation of an overnight holding track in Brunswick would not have the potential to increase ambient criteria pollutants to levels that exceed NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment.

*Is the proposal located in a Non-Attainment or Maintenance area?*

No (continue)     Yes, for which of the following pollutants:

Carbon Monoxide (CO)     Ozone (O<sub>3</sub>)     Particulate Matter (PM<sub>10</sub>)

**H. Hazardous Materials:** *Does the proposal involve the use or handling of hazardous materials?*

No (continue)     Yes, describe use and measures that will mitigate any potential for release and contamination.

**I. Hazardous Waste:** *If the proposal site is in a developed area or was previously developed or used for industrial or agricultural production, is it likely that hazardous materials will be encountered by undertaking the proposal? (Prior to acquiring land or a facility with FRA funds, FRA must be consulted regarding the potential presence of hazardous materials)*

No, explain why not and describe the steps taken to determine that hazardous materials are not present on the proposal site and then continue to question I.

Yes, complete a Phase I site assessment and attach.

*If a Phase I survey was completed, is a Phase II site assessment recommended?*

No (continue)     Yes, describe the mitigation and clean-up measures that will be taken to remediate any hazardous materials present and what steps will be taken to ensure that the local community is protected from contamination during construction and operation of the proposal.

A Phase I and Limited Phase II assessment for the site of the proposed action were completed and submitted to the Maine Department of Environmental Protection (DEP). These assessments and on site sampling determined that coal ash and stockpiled soils with contaminants were present on site, which is consistent with the prior rail use of the site. The Phase I assessment also indicated the presence of underground piping of undetermined origin or use.

The proposed action would remediate existing contamination as specified by a recommended action plan, which the Maine DEP concurred with, as follows:

- Coal ash and stockpiled contaminated soils will either be removed to an appropriate disposal/remediation site or capped on site.
- If contaminated materials remain on site, a soils maintenance plan must be submitted and approved by the Maine DEP.
- Underground piping will be investigated further to determine whether

remedial actions are necessary.

- Deed restrictions prohibiting groundwater extraction and adherence to the soils maintenance plans shall be established.

Activities conducted at the site would not further contribute to contamination of the site.

**J. Property Acquisition: *Is property acquisition needed for the proposal?***

- No (continue)  Yes, indicate whether the acquisition will result in relocation of businesses or individuals. **Note:** *To ensure eligibility for Federal participation, grantees may not acquire property with either local matching or Federal funds prior to completing the NEPA process and receiving written FRA concurrence in both the NEPA recommendation and property appraisals.*

The property is owned by NNEPRA, thus property acquisition is not required.

**K. Community Disruption and Environmental Justice: *Does the proposal present potentially disruptive impacts to adjacent communities?***

- No (continue)  Yes, provide a socio-economic profile of the affected community. Indicate whether the proposal will have a disproportionately high and adverse effect on minority or low-income populations. Describe any potential adverse effects and any community resources likely to be impacted. Describe outreach efforts targeted specifically at minority or low-income populations.

The proposed action would not result in disproportionate adverse impacts to minority or low-income residents or populations as documented in Section 3.3.3 of the EA and FONSI for the Portland North Expansion Project. The proposed action would benefit residents by providing additional public transportation services between communities, employment and shopping centers, and recreational amenities within the region.

**L. Impacts On Wetlands: *Does the proposal temporarily or permanently impact wetlands or require alterations to streams or waterways?***

- No (continue)  Yes, show wetlands and waters on the site map and classification. Describe the proposal's potential impact to on-site and adjacent wetlands and waters and attach any coordination with the State and US Army Corps of Engineers.

According to the U.S. Fish and Wildlife Service's (USFWS) online National Wetland Inventory (NWI) mapping for Brunswick (<http://www.fws.gov/wetlands/Data/Mapper.html>), the proposed overnight holding track in Brunswick does not contain wetlands. Detailed field investigations were not performed.

**M. Floodplain Impacts: *Is the proposal located within the 100-year floodplain or are regulated floodways affected?***

- No (continue)  Yes, describe the potential for impacts due to changes in floodplain capacity or water flow, if any. If impacts are likely, attach scale maps describing potential impacts and describe any coordination with regulatory entities.

According to the FEMA online floodplain maps for Brunswick, the proposed action is located outside of the 100-year floodplain (<https://hazards.fema.gov/wps/portal/mapviewer>).

**N. Water Quality: *Are protected waters of special quality or concern, essential fish habitats, or protected drinking water resources present at or directly adjacent to the proposal site?***

- No (continue)  Yes, describe water resource and the potential for impact from the proposal, and any coordination with regulatory entities.

There are no public water supplies within or adjacent to the project site and the site is not within a public water supply watershed. The project site is located within a mapped Significant Sand and Gravel

Aquifer by the Maine Geological Survey (MGS). The aquifer is rated at 10-50 gallons per minute. A sand and gravel deposit is considered by the MGS as a significant aquifer when a well in that deposit is capable of being continuously pumped at a rate of 10 gallons per minute (gpm) or more. To sustain a yield of 10 gpm or more, a deposit must be permeable enough for water to flow readily into the well as it is pumped, and there must be a sufficient depth of water in the well so that it will not be pumped dry. The project site is not within the Town of Brunswick Aquifer Protection Overlay Zone.

The proposed action would not have substantial permanent impacts to surface or groundwater.

- O. Navigable Waterways:** *Does the proposal cross or have effect on a navigable waterway?*  
 No (continue)    Yes, describe potential for impact and any coordination with US Coast Guard.

The proposed action would not impact navigable waterways.

- P. Coastal Zones:** *Is the proposal in a designated coastal zone?*  
 No (continue)    Yes, describe coordination with the State regarding consistency with the coastal zone management plan and attach the State finding if available.

The proposed action is within the Coastal Zone. Coordination was performed with the Maine State Planning Office and it was determined that although the proposed action is within the Coastal Zone it is not required to file for federal consistency review as the activity is not listed under the Maine Coastal Program.

- Q. Prime and Unique Farmlands:** *Does the proposal involve the use of any prime or unique farmlands?*  
 No (continue)    Yes, describe potential for impact and any coordination with the Soil Conservation Service of the US Department of Agriculture.

The proposed action would take place on land previously developed and committed to urban development and not subject to the Federal Farmland Protection Policy Act.

- R. Ecologically Sensitive Areas And Endangered Species:** *Are any ecologically sensitive natural areas, designated wildlife or waterfowl refuges, or designated critical habitat areas (woodlands, prairies, wetlands, rivers, lakes, streams, and geological formations determined to be essential for the survival of a threatened or endangered species) within or directly adjacent to the proposal site?*

No (continue)    Yes, describe them and the potential for impact. Describe any consultation with the State and the US Fish and Wildlife Service about the impacts to these natural areas and on threatened and endangered fauna and flora that may be affected. If required prepare a biological assessment and attach.

Due to the disturbed nature of the site, rare, threatened and endangered species are not likely to occur on the site and therefore would not be impacted by the proposed action. There are no fisheries resources on the project site; therefore, the proposed action would have no impacts to fisheries. A small amount of wildlife habitat would be lost and wildlife displaced as a result of the proposed action. However, the site has low wildlife value due to past vegetation management activities.

According to the USFWS and the National Marine Fisheries Service, there are no known federally listed or proposed threatened or endangered species in the vicinity of the proposed action. The USFWS did note the proposed action was within the range of the Gulf of Maine District Population segment of Atlantic salmon, a federally listed endangered

species, but in subsequent correspondence "determined that there are no Atlantic salmon populations, habitat, or other resources of...concern in the vicinity of the project." According to the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program, there are no known state listed or proposed threatened or endangered species in the vicinity of the proposed action.

**S. Safety And Security: Are there safety or security concerns about the proposal?**

No (continue)  Yes, describe the safety or security concerns and the measures that would need to be taken to provide for the safe and secure operation of the proposal after its construction.

**T. Construction Impacts: Are major construction period impacts likely?**

No (continue)  Yes, describe the construction plan and identify impacts due to construction noise, utility disruption, debris and spoil disposal, and address air and water quality impacts, safety and security issues, and disruptions of traffic and access to property and attach scale maps as necessary.

Major construction period impacts are not anticipated.

**U. Cumulative Impacts: Are cumulative impacts likely?**

A "cumulative impact" is the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts may include ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or resulting from smaller actions that individually have no significant impact. Determining the cumulative environmental consequences of an action requires delineating the cause-and-effect relationships between the multiple actions and the resources, ecosystems, and human communities of concern.

No (continue)  Yes, describe the reasonably foreseeable:

(a) Direct impacts, which are caused by the action and occur at the same time and place.

The Portland North Expansion Project and this additional action would have slight beneficial contributions to cumulative impacts. The proposed extension of passenger rail service is expected to provide an overall benefit to air quality. The rail service would provide service to motorists who would otherwise travel between Portland and Brunswick by motor vehicle; this shift in travel mode is expected to reduce overall vehicle emissions. The addition of passenger rail service would also encourage the transit-oriented development already occurring adjacent to the proposed stops (see Portland North Expansion Project EA Section 3.5).

(b) Indirect impacts, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect impacts may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

The Portland North Expansion Project and this additional action would result in secondary impacts by creating the potential for development of additional platforms and further transit-oriented development near the proposed stops, similar to the Freeport Village Station and the Brunswick Maine Street Station. This transit-oriented development would likely occur in already built-up areas. Local review boards would be responsible for investigating the impacts to water, sewer, and traffic from future transit oriented development (see Portland North Expansion Project EA Section 3.5).

- V. Related Federal, State, or Local Actions:** *Indicate whether the proposal requires any of the following actions (e.g., permits) by other Agencies and attach copies of relevant correspondence. It is not necessary to attach voluminous permit applications if a single cover Agency transmittal will indicate that a permit has been granted. Permitting issues can be described in the relevant resource discussion in sections B-S above.*

- Section 106** *Historic and Culturally Significant Properties*
- Section 401/404** *Wetlands and Water*
- USCG 404** *Navigable Waterways*
- Executive Orders** *Wetlands, Floodplains, Environmental Justice*
- Clean Air Act** *Air Quality*
- Endangered Species Act** *Threatened and Endangered Biological Resources*
- Magnuson-Stevens Fishery Conservation and Management Act** *Essential Fish Habitat*
- Safe Drinking Water Act**
- Other State or Local Requirements** (Describe)

- X. Mitigation:** Describe mitigation measures which address identified impacts and have been incorporated into the proposal, if any.

The proposed action would remediate existing contamination as specified by a recommended action plan, which the Maine DEP concurred with, as follows:

- Coal ash and stockpiled contaminated soils will either be removed to an appropriate disposal/remediation site or capped on site.
- If contaminated materials remain on site, a soils maintenance plan must be submitted and approved by the Maine DEP.
- Underground piping will be investigated further to determine whether remedial actions are necessary.
- Deed restrictions prohibiting groundwater extraction and adherence to the soils maintenance plans shall be established.

Activities conducted at the site would not further contribute to contamination of the site.