

**A. INTRODUCTION**

This appendix contains a summary of the comments received during the public and agency review period for the Susquehanna River Rail Bridge Project environmental assessment (EA). The EA public review period spanned from March 6, 2017 to April 6, 2017. The agency review period extended to April 20, 2017. Feedback received is included in Appendix E, “Comments Received.” These comments came through a variety of methods, including: letters, emails, the Maryland Clearinghouse, website submissions, and written forms submitted at the March 23, 2017 Public Outreach Information Session (POIS).

The March 23, 2017 POIS included an informal question and answer period to enable a productive dialogue. POIS presentation and display boards are included in Appendix F, “Additional Correspondence and Outreach.” Since the POIS was not a formal public hearing, there is no transcript. Attendees were informed that comments and questions discussed during the POIS would not become part of the formal public record unless submitted in writing through a comment form or another method described above. Comment themes from the POIS included: project cost, design, and schedule; potential impacts to historic properties; noise and vibration impacts; construction-period outreach; maritime coordination; and construction traffic (including underpass clearance heights).

The following comment summaries convey the substance of agency and public comments, but do not necessarily quote the comments verbatim. Federal Railroad Administration (FRA) noted and carefully evaluated all of the comments received on the EA (including the Draft Section 4(f) Evaluation, and the Programmatic Agreement) before issuing a Finding of No Significant Impact (FONSI). None of the comments raised concerns that warranted changing the conclusions reached in the EA regarding potential impact or the selection of the Preferred Alternative. The Project Team is grateful for the range and depth of public and agency comments received on the EA and will continue to encourage public and agency input as the project planning and design moves forward. This will ensure specific concerns are clearly understood and carefully evaluated as the project advances.

**B. COOPERATING AGENCY COMMENTS****USDOT FEDERAL TRANSIT ADMINISTRATION (FTA), REGION III**

Ryan Long, Community Planner, email dated March 24, 2017

**Comment 1:** At this time FTA does not have any comments on the EA or draft Section 4(f) evaluation. We look forward to serving as a cooperating agency as part of this project.

**Response 1:** Comment noted. The Project Team values FTA’s assistance as a Cooperating Agency.

**U.S. ARMY CORPS OF ENGINEERS – BALTIMORE DISTRICT**

John J. Dinne, Maryland State Highway Administration Liaison, email dated April 6, 2017

**Comment 2:** Navigation is presented as one of the critical evaluation criteria and is a public interest factor in Corps permit evaluations. The EA includes information about navigable waters in several different sections, including the appendices. While there is information supporting the evaluation of the various alternatives, there does not appear to be a real conclusion in regards to how the proposed project affects navigation. Also, the navigation survey is referenced several times in the document. It was provided to the US Coast Guard as part of the coordination process and used, in part, in the project alternative design process. It would be useful to include the survey/results in an appendix of the EA.

**Response 2:** In response to the comment, the Project Team provided USACE a copy of the January 21, 2014 *Susquehanna River Bridge Reconstruction and Expansion Project – Navigation Study*, prepared by HNTB Corporation. The navigation study is also now posted to the project website ([www.susrailbrdge.com](http://www.susrailbrdge.com)). Chapter 3 of the EA (“Transportation”) analyzes the proposed Project’s potential effects to navigation. The analysis concluded the Proposed Project would result in a benefit to navigation along the Susquehanna River. Refer to Page 3-9, *“No significant adverse impacts to navigation would result from the Proposed Project. Under either Alternative 9A or Alternative 9B, the Proposed Project would provide a 60-foot vertical clearance and, at minimum, a 230-foot horizontal clearance. This would provide sufficient vertical clearance while widening the horizontal clearance. A wider horizontal clearance would improve safety by reducing the potential for conflicts between the rail bridge and marine traffic. The Proposed Project would also eliminate the need for bridge openings and closings by replacing the Susquehanna River Rail Bridge as two high-level fixed bridges. This would constitute an improvement to navigation along this segment of the Susquehanna River. The Navigation Study described earlier in this chapter recommended that bridge design consider a 60-foot vertical clearance. While a 60-foot clearance may limit taller vessels, such as the aforementioned skipjack Martha Lewis (expected to be 65 feet in height upon completion), from traveling upstream of the bridge, it would allow for the bridge to be designed at a lower grade that would not affect freight rail operations, since heavy freight trains typically require lower grades. Furthermore, conceptual design has indicated that a 60-foot clearance would help reduce the need for right-of-way acquisitions and other potential community impacts as compared with bridge designs providing a higher vertical clearance. The Navigation Study also determined that, while the existing horizontal clearance is sufficient, further widening of the horizontal clearance could increase sight distance, reduce vessel congestion, and aid tug boat and barge navigation through the bridge opening, increasing safety and resilience against potential bridge and fender system strikes by boats. The conditions of the USCG bridge*

*permit, when received, will finalize the legal navigation clearances for a new or reconstructed bridge.”* The maritime community is a key stakeholder group from which the Project Team sought input throughout the National Environmental Policy Act (NEPA) process. The Project Team will continue to coordinate with the maritime community during the subsequent design and permitting phases of the project.

#### **U.S. COAST GUARD**

Kashanda Booker, Bridge Administration Branch, Fifth Coast Guard District, email dated May 15, 2017

**Comment 3:** The EA needs to assess compliance with Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act.

**Response 3:** Appendix D, “Errata” addresses Project compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

#### **C. RESOURCE AGENCY COMMENTS**

##### **U.S. DEPARTMENT OF THE INTERIOR**

Lindy Nelson, Regional Environmental Officer, letter dated April 12, 2017

**Comment 4:** The Department concurs that there is no prudent and feasible alternative to the proposed use of 4(f) lands, which consist of the Susquehanna River Rail Bridge and eight associated rail undergrade bridges, the Perry Interlocking Tower and Perryville Train Station Undergrade Bridge and the Havre de Grace Historic District. Alternative 9A will have adverse effects on all of these historic properties, which constitutes the Section 4(f) use. The Department concurs that the draft Programmatic Agreement developed in consultation with the Maryland State Historic Preservation Office details appropriate mitigation measures to address the adverse effects. The Department recommends including the final, signed document with the final Section 4(f).

**Response 4:** FRA notes and appreciates the concurrence. As recommended, the Programmatic Agreement is included, see Appendix C, “Programmatic Agreement.”

##### **U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION III**

Barbara Rudnick, EPA Team Leader, Office of Environmental Programs, letter dated March 29, 2017

**Comment 5:** EPA has reviewed this project in conjunction with our responsibilities under NEPA, Section 309 of the Clean Air Act, and the Council of Environmental Quality regulations implementing NEPA (40 CFR 1500-1508). While FRA has implemented avoidance and minimization strategies to reduce the environmental impacts, it should continue to work with the state and Federal resource agencies to compensate and mitigate for those impacts that are unavoidable.

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**Response 5:** FRA and the project sponsors will continue to work with federal and state agencies during the subsequent design and permitting phases to compensate and mitigate for adverse impacts.

### NOAA NATIONAL MARINE (NOAA) FISHERIES SERVICE (NMFS)

Kristy Beard, Marine Habitat Resource Specialist, email dated March 28, 2017

**Comment 6:** NOAA-NMFS does not have any additional comments, beyond those submitted previously during review of the draft Natural Environmental Technical Report (NETR).

**Response 6:** Comment noted. NOAA-NMFS comments on the NETR were incorporated into the final version of that report, included as Appendix E of the EA.

### MARYLAND DEPARTMENT OF PLANNING

Myra A. Barnes, Lead Clearinghouse Coordinator, letter dated March 27, 2017

**Comment 7:** Thank you for submitting your project for intergovernmental review. Your participation in the Maryland Intergovernmental Review and Coordination (MIRC) process helps to ensure that your project will be consistent with the plans, programs, and objectives of State agencies and local governments. We have forwarded your project to the following agencies and/or jurisdictions for their review and comments: the Maryland Departments of Commerce, the Environment, Transportation, Natural Resources; the Counties of Harford, and Cecil; the City of Havre De Grace, the Town of Perryville; and the Maryland Department of Planning including the Maryland Historical Trust.

**Response 7:** Comment noted.

Bihui Xu, Principal Planner, email dated April 7, 2017

**Comment 8:** I can't find the information on "a Susquehanna River Rail Bridge Project Bicycle/Pedestrian Crossing Hazard Analysis and Security Risk Assessment" in the EA. Has the project completed the study? I can't find any conclusion or summary on the ped/bike issue.

**Response 8:** Chapter 6 of the EA, "Parks, Trails, and Recreational Resources," Section E, states that the "Proposed Project would be designed so as not to preclude a future bicycle and pedestrian crossing over the river." Early in the NEPA process for the Proposed Project, the Project Team received several requests to include a bicycle-pedestrian path on a new rail bridge in order to provide a more convenient crossing over the Susquehanna River. The Project Team worked closely with many of the interested parties, including trail advocacy groups, elected officials, planning agencies, and members of the public, to evaluate the level of interest and feasibility of a bicycle-pedestrian path. Although the scope of the Project grant does not include the design and study of bicycle and pedestrian facilities, FRA, Maryland Department of Transportation (MDOT),

and Amtrak agreed to assess the feasibility of coordinating the Proposed Project with potential bicycle and pedestrian access across the river and hosted several stakeholder meetings on the topic. To respond to the input received regarding a multi-use path, MDOT and Amtrak agreed to conduct a Susquehanna River Rail Bridge Project Bicycle/Pedestrian Crossing Hazard Analysis and Security Risk Assessment. This study has been completed. The Project Team, however, did not rely on the completed study in its environmental analysis because, in July 2016, during the Proposed Project's NEPA review, the Maryland Transportation Authority (MDTA) announced that bicyclists will be allowed to cross the nearby Thomas J. Hatem Memorial Bridge (US 40). Furthermore, prospective funding sources, owners, and operators of the multi-use path on the Susquehanna Bridge have yet to be identified. Accordingly, the Project Team did not include a multi-use path as part of the Susquehanna River Rail Bridge Project as the bicyclists' request for a more convenient crossing of the Susquehanna River had been met. Instead, the Project Team designed the Proposed Project so as not to preclude the future addition of a multi-use path.

Bihui Xu, Principal Planner, email dated April 10, 2017

**Comment 9:** The suggested editing comments to EA pages 4-2, 4-14 and 20-13 clarify the information related to the PFA law and state smart growth initiatives. (*see Appendix E, "Comments Received" for the complete comment, including specific suggested edits.*)

**Response 9:** The Project Team appreciates the clarifying edits. They are incorporated in Appendix D, "Errata."

MDP Review Comments received via the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017

**Comment 10:** The project would improve rail-transportation mobility in the State by replacing the existing Susquehanna River Rail Bridge between the Town of Perryville and the City of Havre de Grace. Improving passenger and freight transportation addresses State's multi-modal transportation need and supports Maryland's transportation, economic and environmental goals.

**Response 10:** The Project Team appreciates MDP's acknowledgement that the Susquehanna River Rail Bridge project would support Maryland's larger goals.

**Comment 11:** The Project is consistent with the Maryland Economic Growth, Resource Protection, and Planning Policy. The project also complies with the Priority Funding Area (PFA) Law. In March 2016, the project received the exception approval from the State's Smart Growth Coordinating Committee as required by the Priority Funding Area Law.

**Response 11:** The PFA exception is noted in the FONSI. Correspondence regarding PFA is included in Appendix H to the EA.

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**Comment 12:** It would strengthen the Environmental Assessment by providing the summary information from the Pedestrian and Bicycle Hazard and Security Assessments Study.

**Response 12:** Please see Response to Comment 8 regarding the multi-use path and the study. The Project Team appreciates MDP comments and looks forward to future coordination.

### MARYLAND HISTORICAL TRUST (MHT)

Elizabeth Hughes, Director / State Historic Preservation Officer, letter dated April 11, 2017

**Comment 13:** Maryland Historical Trust previously agreed with FRA that the undertaking will have an **adverse effect** on: the Susquehanna River Rail Bridge & Bridge Overpasses; Havre de Grace Historic District; Rogers Tavern; and Perryville Railroad Station. We are pleased that the draft Programmatic Agreement (PA) includes measures to reduce and resolve the undertaking's adverse effect on historic properties, monitors the effects of the undertaking on historic and archeological properties as the design develops and during construction, establishes procedures for ongoing coordination among the various signatory and consulting parties, and provides for appropriate public interpretation as an integral part of the project design. We offer specific comments on the PA (*see Appendix E, "Comments Received" for the complete letter from MHT listing specific comments on the PA*).

**Response 13:** FRA appreciates MHT's comments. They are incorporated into the final signed PA; see Appendix C, "Programmatic Agreement".

MHT Review Comments received via the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017

**Comment 14:** FRA is working with the Maryland Historical Trust and other involved, consulting parties to complete the historic preservation review of the undertaking under Section 106 of the National Historic Preservation Act. The parties are negotiating a formal PA to set forth the process by which FRA will ensure compliance with Section 106 and resolve the undertaking's effects on historic properties as project planning proceeds.

**Response 14:** The Project Team appreciates the valuable input from the Maryland Historical Trust on the project to date, and looks forward to future coordination as part of the Section 106 process.

### MARYLAND DEPARTMENT OF NATURAL RESOURCES (DNR)

Greg Golden, Environmental Review Program, email dated April 6, 2017.

**Comment 15:** We look forward to further coordination and review at the appropriate timing for future planning stages, and eventual construction. This especially includes coordination of various time-of-year restrictions for natural resources, which

may include, but not necessarily be limited to, fisheries, rare species, submerged aquatic vegetation (SAV), and waterfowl concentration areas. We realize that the Project Team may need to work with the resource agencies to negotiate the feasible construction timeline that protects resources and allows the necessary logistics to complete the project. In the cases of potentially overlapping restriction periods or restriction periods that could make certain construction practices not feasible, we will be available to help fine tune Best Management Practices (BMPs) and restrictions. We greatly appreciate and support the current level of BMP consideration for aquatic resources, such as pile installation methods.

**Response 15:** The Project Team appreciates the valuable input from DNR on the project to date, and looks forward to future coordination during the subsequent design and permitting phases – particularly related to fine-tuning BMPs for restricted construction periods. Additional consultation and timing restrictions would be negotiated as part of the "Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland."

**Comment 16:** We would like to emphasize the great importance of water access for fishing, boating, and other recreational or water-dependent purposes during and after project construction. Further study and planning may be necessary to ensure that water access is adequately addressed. Access should be considered to include boat ramps, soft ramps for kayaks and other hand carried boats, and opportunities for shoreline viewing and fishing, as allowed by local authorities. DNR can provide boating and access staff expertise when future coordination is conducted.

**Response 16:** During the next phase of design, construction phasing plans will be advanced and the Project Team will coordinate with DNR and other appropriate entities regarding water access, keeping in mind the great importance to the access for fishing, boating, and other uses during and after project construction. As discussed in the EA, the Jean S. Robert Park boat ramp will be replaced in a suitable location, in coordination with the City of Havre the Grace and other stakeholders.

**Comment 17:** The Department advocates and requests consideration of all reasonable opportunities for the project to participate in fish reef material collaboration, partnerships, and associated planning. We can provide expertise in this topic. Clean concrete rubble from demolition is of special interest for fish reef material, and this might become available from demolition and removal of bridge piers, piling, bulkheads, etc. The proximity of the project to navigable waters makes this an especially important consideration.

**Response 17:** Amtrak can make clean concrete rubble available to the DNR for their use. The large majority of the rubble would be stone masonry from the existing piers in the river. Please note that the City of Havre de Grace in an Advisory Bulletin

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dated January 23, 2015 similarly requested the stone masonry from the piers to construct jetties to aide aquatic life, submerged vegetation, river erosion protection and river calming.

**Comment 18:** As the document references, planning any potential Forest Conservation Act (FCA) studies and requirements should be clearly incorporated into future plans. The Forest Conservation Act requires that any project, on areas 40,000 square feet or greater, that is applying for a grading or sediment control permit shall have an approved Forest Conservation Plan or Forest Stand Delineation (Nat. Res. Art. 5-1601-5-16122, Annotated Code of Maryland). Projects proposed by a state or federal agency on state or federal land need to be submitted to the Maryland Department of Natural Resources Forest Service for review. Projects proposed for private land should be submitted to the local planning and zoning authority for review. Please note Critical Area exclusion; we have staff expertise and online information available for any needed guidance.

**Response 18:** As part of any future applications for a grading or sediment control permit, the Project Team will comply with the Forest Conservation Act and prepare for DNR approval a Forest Conservation Plan or Forest Stand Delineation. The Critical Area exclusion is noted.

**Comment 19:** Principio Creek is a Use III stream that provides a popular put-and-take fishery. Mill Creek is a Use I tributary to Furnace Bay. Although there was no reference in the EA, a wild brown trout population has been documented in Mill Creek.

**Response 19:** The Project Team acknowledges the presence of a wild brown trout population in Mill Creek and the need to provide the same protection as a Use III stream. This population is upstream of the project, so no adverse effects are anticipated.

**Comment 20:** The EA states the Chesapeake logperch does not occur in the vicinity of the project site; Tidal Bass Program surveys documented the presence of the Chesapeake logperch near the project site during the fall of 2014.

**Response 20:** As DNR states in **Comment 25**, the Wildlife and Heritage Service is assessing the new record of logperch "near the project site". The Project Team will continue to coordinate with DNR as they complete their evaluation and develop any additional protection comments regarding that species as the project planning continues.

**Comment 21:** The tidal black bass fishery (largemouth and smallmouth bass) in the Upper Bay is important recreational and economically important fishery, though only the presence of these species is stated in the EA. The gravel shoreline habitat and associated SAV within the project area are important habitat for spawning, juvenile, and adult bass that will be affected by the project.

- Response 21:** The Project Team acknowledges the presence of important shoreline habitat in the project area. Future project planning and design will note and consider this recreational and economically-important fishery for tidal black bass.
- Comment 22:** The finger piers are a preferred alternative to dredging. As noted in the Environmental Assessment, dredging can lead to long-term loss of an SAV seed bank and benthic habitat as well as temporary impact to existing SAV beds.
- Response 22:** Finger piers are preferred for the reasons mentioned in the comment. The project included the use of finger piers over dredging to address both short and long-term effects of dredging on SAV. Finger piers are currently proposed in shallow water areas to provide access for needed bridge construction and demolition activities while minimizing impacts. The NETR that is included as an appendix (Appendix E) to the EA notes that SAV planting will be included to mitigate for shading effects of the finger piers.
- Comment 23:** Both alternative build scenarios could re-suspend bottom sediment in the vicinity of the project site. These actions occur via the construction of finger piers at Cecil County, construction of west and east replacement bridge piers, and demolition of existing bridge and remnant piers. Because of local public sensitivity to such events and its influence on submerged vegetation and fishing activities, it is recommended that public notice is provided the Department and local area at least two weeks prior to periods when sediment is expected to be re-suspended. This will enable the Department to inform boaters and anglers about the need for the project and possible, temporary re-suspension of sediment at the project site.
- Response 23:** The Project Team will notify the Department and the public at least two weeks prior to periods when sediment is expected to be re-suspended, as recommended.
- Comment 24:** Reducing harmful sound or pressure waves should be further stressed in planning and documentation. Mitigating efforts to address sound waves during the installation of piles for the finger pier were addressed in the EA. While blasting is not an anticipated method, it is stated that it may be used if the contractor deems it necessary to remove the 16 in-water piers from the existing bridge and the 13 remnant piers of a prior bridge just downstream to “2’ below the mudline.” Removing the abutments outside of the navigational channel to “2’ below the mudline” would likely cause more disturbance/damage to the existing ecosystem than leaving them in place to some degree. The remnant abutments could provide current breaks and fish habitat if compatible with safe navigation.
- Response 24:** Future planning and documentation for the project will emphasize, where appropriate, the best management practices that will be implemented to minimize underwater noise during in-water construction. In coordination with

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the U.S. Coast Guard (USCG), the Project Team notes that removal of the existing piers and downstream remnant piers is proposed to improve hydraulic flow and to remove navigational obstructions for mariners.

**Comment 25:** Clean spoil material from the demolition of the bridge abutments could be used to provide valuable habitat for black bass and other species. This material could be used to construct a break wall to provide safe harbor at Elk Neck State Park or provide additional habitat near the project site with locations identified through a public input process. Black bass abundance correlates with habitat consisting of SAV and “structure” (woody debris, docks, reefs, rip-rap, etc).

**Response 25:** Please see Response to Comment 14.

**Comment 26:** The loss of the Jean Roberts boat ramp and the prolonged disruption of recreational fishing/navigation in the project area will impact popular local fishing activities. Mitigation from this project could include the development of a boat ramp and parking area capable of supporting large tournament activities prevalent in the Upper Bay region, creation of weigh-in stations for bass tournaments at Susquehanna River State Park (Lapidum) or at Tydings Memorial Park (Havre de Grace) to increase bass survival, or increasing boat/trailer parking at Tydings Memorial Park. Such a facility could be an economic benefit to the revitalization of the downtown business district and waterfront identified in the Havre de Grace Comprehensive Plan.

**Response 26:** The Project Team looks forward to coordination with DNR regarding these issues during the subsequent design and permitting phases. As discussed in the EA, FRA and MDOT will also work with the City of Havre de Grace to identify and ensure that a replacement for the Jean S. Roberts Memorial Park boat ramp is provided in a suitable location. In developing a replacement ramp, the Project Team will consider the importance of recreational fishing and navigation and collaborate with DNR and the City of Havre de Grace to minimize the effect of the Project on these water dependent recreational activities.

**Comment 27:** Fisheries Service has made and will continue to make to additional comments in future planning and design for other migratory and tidal fish species.

**Response 27:** Additional coordination is appreciated and welcomed.

**Comment 28:** Wildlife and Heritage Service has provided comments noting that recent information from the Fisheries Service on the State listed Chesapeake logperch is new to their program, and they have obtained further information from Fisheries Service and are assessing the new record for WHS. The department may develop additional protection comments regarding that species as the project planning continues. Review and comment on the Northern Map Turtle will be considered and should remain on the planning screen, but exact comments will depend on the more detailed future project information.

**Response 28:** The Project Team will continue to coordinate with DNR as they complete their evaluation on Chesapeake logperch (*Percina bimaculata*, synonym *Percina caprodes*) and Northern map turtle (*Graptemys geographica*). As the project planning continues through the subsequent design and permitting phases, the Project Team will work with DNR to develop additional measures, if necessary, to protect these species.

**Comment 29:** We can concur with the information regarding the project alternatives, including the purpose and need of the project. We support the continued study of impacts and impact minimization and understand the importance of the preferred alternative and targeted rail speeds.

**Response 29:** The Project Team appreciates the opportunity for continued coordination. The Team values your concurrence regarding the project alternatives and target speeds.

**MARYLAND DEPARTMENT OF THE ENVIRONMENT (MDE)**

Review Comments received by the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017.

**Comment 30:** If the proposed project involves demolition, any above-ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program for additional information.

**Response 30:** If underground petroleum storage tanks are unexpectedly encountered, the Project Team will contact the Oil Control Program and comply with applicable regulations (see EA Chapter 15, “Contaminated and Hazardous Materials”).

**Comment 31:** Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program for additional information regarding solid waste activities and contact the Waste Diversion and Utilization Program for additional information regarding recycling activities.

**Response 31:** The Project Team will provide contractors with appropriate disposal instructions. We appreciate the valuable input from the MDE on the project to date, and looks forward to future coordination during the subsequent design phase.

**Comment 32:** The Waste Diversion and Utilization Program should be contacted directly by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or

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disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.

**Response 32:** The Project Team will contact the Waste Diversion and Utilization Program prior to construction activities that may involve handling hazardous waste to ensure compliance with applicable regulations. The proposed Project would not involve treatment, storage, or disposal of hazardous wastes or radioactive wastes on site.

**Comment 33:** The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please contact the Land Restoration Program.

**Response 33:** The Project Team will seek assistance from MDE's Brownfields Site Assessment and VCP, if the need to acquire or redevelop eligible properties arises.

## D. STAKEHOLDER COMMENTS

### CITY OF HAVRE DE GRACE

Dianne Klair, Planner, letter dated April 4, 2017

**Comment 34:** Thank you for the opportunity for allowing the City to be represented as a Concurring Party to the Programmatic Agreement. I will provide appropriate points-of contact when the PA finalized. You will see a separate letter by Mayor Martin accepting the offer for the City to be a Concurring Party.

**Response 34:** The Project Team appreciates the City's acceptance to be a Concurring Party and the helpful comments received to date.

**Comment 35:** Thank you for 1) including comments regarding additional language from my letter dated November 2, 2016 in the text of the PA, and 2) for your letter dated March 13, 2017 where you stated that "[t]he design team is in the process of entertaining the use of a 220-foot space as the first span of the bridge on the Havre de Grace side of the project". This is a huge issue for us in Havre de Grace and I greatly appreciate your consideration of this solution. I would ask that some references to a longer span over the critical intersection of Otsego Street and Union Avenue be added in the narrative of the EA itself, since neither the text nor the latest engineering in EA Appendix B from June 2016 reflects that a longer span is being considered. (*See Appendix E, "Comments Received" for the complete comment, including specific suggested edits to the EA and PA*).

**Response 35:** Comments noted. Please see Appendix D, “Errata” for the text referencing the longer span and other requested revisions. Please note that Maryland State Highway Administration (SHA) approval is needed for the city-proposed roadway realignment of Otsego Street / North Union Street and Water Street.

**Comment 36:** Specific comments for the PA are as follows:

- The Havre de Grace District is still incorrectly identified as HA-1125; the correct identifier is HA-1617.
- Is it possible to change “could” to “would” and “may” to “will” under Stipulations I C? If another federal agency were involved, would they have to do another (separate) Section 106 Process? Please identify other federal agencies would potentially fund this project.
- Please add specific text for the potential for an expanded overland span (220-foot) in Havre de Grace.
- Please consider the aesthetic for future pier design, especially in relation to the futuristic rendering of the Preliminary Pier design under the Selected Bridge Type Design from the March 23, 2017 public meeting.

**Response 36:** The Project Team revised the PA to reflect the correct identifier (HA-1617). The original wording (“could” and “may”) must be retained since another federal agency (such as a federal permitting agency) may choose to become a signatory to the PA, but it is not required to do so. If that agency does not choose to sign on to this PA to fulfill its Section 106 obligations, then that agency would conduct its own Section 106 review. The revised PA includes text regarding consideration of the 220-foot-long span. Please see Response to Comment 33 regarding pier design.

**Comment 37:** Please include the following three letters in the EA documentation for the record in *Appendix H\_Public Involvement and Agency Correspondence.pdf* under the Section 106 Correspondence section: 1) My letter dated November 2, 2016 and the two-page attachment for Potential MOA Stipulations, 2) Mayor William T. Martin’s letter dated February 15, 2017, and 3) Mr. Brandon Bratcher’s response letter dated March 13, 2017. Each of these letters should also be referenced within the document in Table 20-2 (on p. 20-10) as part of the Section 106 Correspondence Summary for the record.

**Response 37:** Please see Appendix D, “Errata” and Appendix F, “Additional Correspondence and Outreach” for the requested revisions and the letters.

**Comment 38:** Statement about Preliminary Pier Design: The Preliminary Pier Design as shown on the Selected Bridge Type Design slide was not part of the EA; it was first shown at the March 23<sup>rd</sup> public outreach session and subsequent online materials. This is a modern, futuristic rendering as opposed to a more traditional pier design as described in the PA. Prior available views show a more traditional keyhole arch pier structure, and the Project Team used renderings of the length

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of the bridge with keyhole piers in its visual preference survey for the Girder Approach/Main Arch Span structure. It would be great to have a more understated, timeless aesthetic due to the historic communities in this eastern seaboard setting. The ideal is to somehow blend old and new while still meeting your engineering design criteria.

**Response 38:** As with all renderings presented throughout the course of the project, the pier design rendering shown at the March 23, 2017 Public Outreach Information Session was an illustrative example intended to solicit feedback and input from the communities. The keyhole pier design has not been eliminated from consideration. Amtrak will continue to coordinate with the communities regarding bridge and pier aesthetics during the subsequent design phase.

William T. Martin, Mayor, City of Havre De Grace, letter dated March 29, 2017

**Comment 39:** I am deeply appreciative of your letter dated March 13, 2017 where you stated that you will consider the use of a 220-foot span over the Otsego Street/Union Avenue intersection as an engineering solution for the entrance into our historic downtown commercial area. On behalf of the City of Havre de Grace, I accept the offer for the City to be a Concurring Party on the Programmatic Agreement that gets finalized following the Environmental Assessment comment period for the Susquehanna River Rail Bridge Project. Thank you for your continued public outreach and for working with us to accommodate our design concerns.

**Response 39:** The Project Team appreciates the acceptance to be a Concurring Party on the Programmatic Agreement and looks forward to future coordination and collaboration with the City of Havre de Grace. Amtrak will consider utilizing a 220-foot span(s) in the City of Havre de Grace as part of ongoing efforts to minimize effects to historic properties. Amtrak will submit design documents, to concurring parties and Maryland State Historical Preservation Officer for review and comment.

### CITY OF HAVRE DE GRACE AND TOWN OF PERRYVILLE

Review Comments received by the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017

**Comment 40:** Since as early as 2012, the City of Havre de Grace and the Town of Perryville have submitted advisory comments, as well as, formal comments through the Section 106 Process and Environmental Assessment 30-day review period to help the Applicant comprehend the potential impact of the Susquehanna River Rail Bridge Project on the residents' quality of life during the projected, useful life of the two, new planned bridges. *(For a sample of review comments and advisories from both municipalities enclosed as part of this comment, please see Appendix E, "Comments Received."*

**Response 40:** The Project Team considered all of the comments received regarding Section 106, including the Advisory Board bulletins. Input from the City of Havre de

Grace and the Town of Perryville was incorporated where feasible into the Programmatic Agreement (see Appendix C, “Programmatic Agreement”). Correspondence was included in Appendix D and Appendix H of the Environmental Assessment. Additional correspondence is included in Appendix F to this FONSI, “Additional Correspondence and Outreach.”

#### **CECIL COUNTY**

Review Comments received by the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017

**Comment 41:** The County finds this project to be consistent with its plans, programs, and objectives.

**Response 41:** The Project Team appreciates the valuable input from Cecil County on the project to date, and looks forward to future coordination during the subsequent design phase to ensure continued consistency with the County’s plans, programs, and objectives.

#### **HARFORD COUNTY**

Review Comments received by the Maryland State Clearinghouse for Intergovernmental Assistance via its electronic network, dated April 20, 2017

**Comment 42:** The County finds this project to be generally consistent with its plans, programs, and objectives.

**Response 42:** The Project Team thanks Harford County for the thoughtful review. Comment noted.

**Comment 43:** This project is showing potential impacts to 100-year floodplains (and floodways), tidal and nontidal wetlands and their buffers, and the Critical Area. Any development that occurs in the floodplain area in unincorporated Harford County would need a Floodplain Authorization. All impacts must meet Chapter 131 of the Harford County Code to meet the County’s Floodplain Management Program and Critical Area regulations.

**Response 43:** The project will seek approval regarding floodplains from the appropriate regulatory authority.

**Comment 44:** The commitment to the construction of the long-proposed pedestrian bridge from Harford County to Cecil County, preferably from Havre de Grace to Perryville, is now, at hand. Harford County firmly believes the approval of this badly-needed, new railroad bridge crossing over the Susquehanna River should be contingent upon co-approval of the pedestrian crossing. Without the approval and financial commitment at this time, Harford County fears this pedestrian crossing is doomed for good, putting an end to any hope of this very essential connection. The completion of the long-awaited land trail on both sides of the River with a pedestrian connection from Havre de Grace to Perryville will result

## Susquehanna River Rail Bridge Project

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in an economic resurgence for this region. Better yet, a pedestrian crossing connecting both sides of the Lower Susquehanna River Trail would provide a total package of benefits for both communities including public health, recreation, and economic growth, and a source of community pride and identity. Instead of focusing on why it cannot be built, the various government agencies should be focused on making the pedestrian crossing.

**Response 44:** The Project Team appreciates the valuable input from Harford County on the project to date, and looks forward to future coordination during the subsequent design phase. Please see Response to Comment 8 for more information regarding the requests for a multi-use path.

### SUSQUEHANNA RIVER RAIL BRIDGE PROJECT ADVISORY BOARD

Volney H. Ford, Chair, letter dated April 4, 2017

**Comment 45:** Based on street geometry a 220/220/220-foot pier placement from the abutment location shown would be optimum if designed properly. There are other benefits of this span/pier placement. It may afford the best possible gateway view scape into the historic downtown district, and should have the least impact on the dwelling at the corner. The first pier would be positioned just behind the rear corner of this dwelling, giving it the most open frontal and southerly side view scape possible with a very broad landscaped area along its side.

**Response 45:** Amtrak will consider using a 220-foot span(s) in the City of Havre de Grace as part of ongoing efforts to minimize effects to historic properties. Please see Response to Comment 33 and Response to Comment 36 and note that SHA approval is required for the city-proposed street realignment.

**Comment 46:** It appears that pier placement proposed herein will very conveniently allow the first stone pier now in use to be left in place as an artifact and monument to the bridge being torn down. The historic plaque mounted on the existing abutment should be redisplayed on this pier. Cleaning and restoration work on this pier would be more than offset by the cost of its removal, and once restored, would be mostly protected from the elements by the new bridge overhead. It is also well-removed from the pier locations proposed herein, and does not interfere with a Water Street realignment.

**Response 46:** Amtrak is willing to consider retaining the first existing pier provided it does not interfere with the roadway, construction of the project or future bridge maintenance access. Please note that considerable discussion with Maryland State Highway Administration is needed including approval of the city-proposed roadway realignment of Otsego Street / North Union Street and Water Street.

**Comment 47:** You are no doubt aware of our proposal to redesign and rededicate the adjacent David Craig Park into a bridge history theme, displaying key artifacts from the existing bridge which we have already identified in Advisory Bulletin #15,

along the interpretive photographs and historical information relating to all bridges and modifications that have ever existed in this vista. Saving the first pier of the existing rail bridge, as well as that of the long-gone original bridge would complement the theme of this park. That abandoned first pier in the river should likewise be carefully restored, using components from its sister piers to be removed from the river, if necessary.

**Response 47:** Please see Response to Comment 43 regarding retaining the first pier of the existing rail bridge. Restoration of the first in-river pier of the abandoned bridge downstream of the rail bridge will be considered by Amtrak. Please note the retaining this first in-river pier would require USCG approval.

**Comment 48:** I wish to thank you, Paul Del Signore of Amtrak, and the bridge project design team for making every effort to get the design of this intersection area right, in consideration of all interests and concerns that are involved. Again, we strongly urge the 220/220/220-foot span proposal as the most acceptable solution for Havre de Grace, based on all information made available to us to date.

**Response 48:** Comment noted. The Project Team looks forward to future coordination and collaboration with the Susquehanna River Rail Bridge Advisory Board.

#### **WILMINGTON AREA PLANNING COUNCIL**

Dave Gula, Principal Planner, comment form dated March 23, 2017

**Comment 49:** We appreciate the extensive public outreach program you have undertaken with this project. We hope to see the same level of public outreach when the construction program is announced. Please contact us for assistance with public outreach if necessary. We are looking forward to this presentation at our upcoming meeting on April 20.

**Response 49:** The Project Team notes the need for coordination to continue as design advances toward eventual construction. Comments noted.

#### **E. COMMENTS FROM THE PUBLIC**

Joe Kochenderfer, Havre De Grace, comment form dated March 23, 2017

**Comment 50:** Water line on Harford Board of Education property should be replaced by FRA/MDOT.

**Response 50:** The water line will be replaced as part of the Proposed Project.

**Comment 51:** At Otsego/Union Ave intersection distance between abutment and pier should be increased.

**Response 51:** The Project Team has been working with the City of Havre de Grace, MHT, the Susquehanna River Rail Bridge Advisory Board and others regarding the bridge

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abutment span lengths. As stated above, the Project Team will continue to evaluate the feasibility of a 220-foot-long span length.

Marc Dallaire, Perry Point Veterans Affairs Medical Center (VAMC), comment form dated March 23, 2017

**Comment 52:** Instead of cast in place “brick” finish on abutments, consider stone finish or stone block to complement historic sense of Rogers Tavern. I am sure some residents of HDG would appreciate stone abutments as well.

**Response 52:** The renderings shown at the March 23, 2017 Public Outreach Information Session were illustrative examples intended to solicit feedback and input from the communities. To the extent practicable, Amtrak will make commercially reasonable efforts to ensure that the design of the Project is compatible with affected historic properties and conforms to the guidance contained in the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* (“Standards”).

Alan Snyder, email dated March 29, 2017

**Comment 53:** I am very concerned about the impact that the bridge project will have on 600, 604 and 606 Water Street in Havre de Grace, MD. I am especially interested in the distance of the bridge from the property line of 600 Water Street, the placement of the bridge piers and the new route for Otsego Street. It is important that the concerns of the local property owners, especially those that will be directly impacted, be taken into consideration before the design is finalized. I am formally requesting that I participate in the design discussions that are occurring with the town of Havre de Grace. For the record, I have also attached a letter that I sent to the Federal Railroad Administration on July 18, 2016 (*the letter, along with the response to the letter are included in Appendix F, “Additional Correspondence and Outreach.”*) All of the concerns expressed in the letter remain valid and have not been addressed. I would like for them to be incorporated into your thoughts and plans as you move the project forward so that they can be fully addressed.

**Response 53:** To the extent possible at this stage of the Project, FRA addressed the concerns expressed in the July 18, 2016 letter. FRA’s response, dated August 30, 2016, is included in Appendix F, “Additional Correspondence and Outreach.” As the Project moves forward, the Project Team will continue to coordinate with property owners when appropriate.

Rick Kappler, via project website on December 23, 2016; February 28, 2017; March 3, 2017; March 14, 2017; March 22, 2017;

**Comment 54:** Will this bridge have bicycle and pedestrian paths on both sides of the bridge? Currently, there is an 80 mile detour to Columbia, Pennsylvania in order to cross the river. It is not pleasant to ride a bike with many cars on the highway bridge. I remember young adults walking on the current railroad bridge to walk from

Perry Point to a more “exciting” Havre de Grace after waiting thirty minutes for a taxi. It is great that it is finally legal in these modern times to be allowed to ride a bike on the nearby highway bridge during certain hours, but it is not a friendly place for kids on bikes riding on the same bridge with Wal-Mart trucks. There is no excuse for not accommodating room for both high-speed passenger trains along with pedestrian and bike paths. The veterans, employees, and visitors of the adjacent Veterans Administration (VA) medical center in Perry Point deserve access to the new bridge. The nearby tavern that President George Washington visited ought to be removed if there is a possible lack of room for the additional bike paths and railroad lines. The obesity epidemic calls for building more trails and more protected bike lanes. Pedestrian and bike access is about emergency access. Please build the pedestrian and bicycle access on this bridge or don’t build the new bridge at all.

**Response 54:** The Project Team appreciates your comments. Pedestrian and bicycle access is discussed in Response to Comment 8. Please note that Rodgers Tavern is a protected (Section 106) historic resource. As discussed, the Project Team designed the Proposed Project so as not to preclude the future addition of a multi-use path.