STATUS REPORT
On the

Amended Programmatic Agreement
among
The Federal Transit Administration
The Metropolitan Transportation Authority,
AND
The New York State Historic Preservation Office
Regarding Implementation of the
MTA/LIRR East Side Access Project

October 2008

MTA Capital Construction

Introduction

The East Side Access project will bring the Long Island Railroad (LIRR) into Grand Central Terminal (GCT), providing a critical expansion of the New York metropolitan region's rail network. When the project is completed in 2015, thousands of LIRR passengers who now travel daily to Penn Station on their way to Manhattan's East Side will enjoy a faster, more convenient commute via LIRR into GCT. This change will greatly reduce the current congestion at Penn Station. In addition, with convenient LIRR access to the East Side, auto travel and associated air pollution will be significantly reduced and the region will benefit greatly from expanded economic growth and development potential.

East Side Access will route the LIRR through new track connections in Queens and new tunnels under Sunnyside Yard, through the existing 63rd Street Tunnel under the East River to Second Avenue in Manhattan, where new tunnels curving south under Park Avenue are being built.

The Final Environmental Impact Statement (FEIS) for the project was completed in 2001, and, following consultation with the SHPO, the Advisory Council on Historic Preservation, and the New York City Landmark Preservation Commission (LPC), a Programmatic Agreement was signed in 2001. However, since that time, new project elements and modifications were identified as indicated in the following documents:

- Technical Memorandum for 37th Street Ventilation Plant, February 2008;
- 50th Street Revised Supplemental Environmental Assessment to the FEIS, April 2006;
- Queens Revision 14-4M Environmental Analysis, November 2005;
- Technical Memorandum Assessing Potential Design Changes, February 2002.

Since additional archaeological and historic properties/structures were identified in these documents in areas not covered by the former Areas of Potential Effect (APEs) in Manhattan and Queens, MTA, FTA and SHPO determined it appropriate to enter into an Amended Programmatic Agreement, which addresses the current alignment and also indicates the project status, as of July 2006.

This Annual Status Report summarizes work performed in the last year related to the protection of archaeological resources and historic structures.

STIPULATION I: Archaeological Resources

Based on the current alignment, 20 archaeologically sensitive areas have been identified in Manhattan and Queens that could be affected by the Project. Specifically, six different contracts in Queens and two in Manhattan will disturb soils in areas determined to be archaeologically sensitive. Of the areas in Queens, all but one is within the Sunnyside Rail Yard Complex, an active railroad with significant groundwater contamination that makes advanced field testing difficult. Progress made on the Project in the last year, and upcoming work such as soil-boring analysis and field monitoring, is described below.

A. Archaeological Assessments

A Stage IA archaeological assessment in support of the construction of a proposed Park Avenue ventilation plenum and sidewalk grate at 37th Street and Park Avenue in Manhattan was conducted in August 2007. The goal of the study was to determine the potential for the existence of original soil surfaces, in order to determine the depth where intact archaeological resources might lie. Historical research indicates that the proposed location for the ventilation shaft sits within the original site of Inclenberg, the country mansion of Robert Murray. Murray built the house in 1760 on the crest of the highest hill on Manhattan. There is a moderate potential for locating intact historic cultural deposits and a variety of features once associated with the Murray mansion and farm. Therefore, a Stage IB in the form of archaeological monitoring during construction was recommended in order to determine the absence or presence of potential intact cultural deposits. SHPO agreed with the findings of the Phase IA assessment in November 2007. Monitoring for the area in question will begin in January 2009. In accordance with the CPP, a field monitoring plan is currently being prepared and will be submitted to SHPO and LPC by the end of November 2008.

B. Field Testing

In December 2007, a Phase IB archaeological investigation was conducted in the archaeologically sensitive Queens Area 12. The fieldwork began with the mechanical removal of 0.8 to 5.6 feet of fill that covered the intact soil deposits. Once completed, hand excavation commenced in order to avoid any inadvertent disturbances to intact deposits. Eight 3-x-3-foot test units were excavated, revealing buried plow zones that contained a mixture of mostly late-nineteenth-century artifacts. 439 artifacts were recovered. Most of these were small in size and most likely represent materials that were redeposited during agricultural activities. The artifacts recovered were a product of secondary redeposition and do not represent primary deposits or date to any specific occupation, such as the Hessian and/or British occupation of Sunnyside. No further archaeological work was recommended for this area. A summary report of the Phase 1B testing was submitted to

SHPO and LPC on February 14, 2008. LPC and SHPO concurred with this assessment in February 2008 and March 2008, respectively.

C. Monitoring, Mitigation and Data Recovery

Monitoring

Archaeological monitoring of Area 1 (part of Contract CQ028 – Queens Open-Cut Excavation) in Yard A of the Queens Sunnyside Yard Rail Complex began on May 10, 2007 and concluded on March 12, 2008. Based on the Phase IA assessment, the section adjacent to Northern Boulevard was sensitive for a potential association with a 19th century homestead located at elevations of 300-288 feet. Beginning at elevation 308 feet, the deposit consisted of very friable yellowish sand, followed by coarser gray sand at elevation 304 feet, and traces of coarse gravel, mottled gray in color, appearing to trend south at elevation 300-298, which was considered to be the buried glacial deposit noted in the borings data. Unfortunately, the sandy fill collapsing into the excavation and the presence of water made any sizable exposure or exact documentation of this stratum impossible. One area contained a number of 10-foot-long timbers that appeared to have been associated with a building once present. At elevation 305 feet excavations began in 1-foot lifts. This deposit consisted of fill soils that were followed by a peat deposit at elevation 300 feet. The deposit continued to elevation 290 where glacial soils were encountered. No artifacts or indications of prehistoric occupation were noted during monitoring. A full report for Areas 1 and 4 will be submitted to SHPO at the conclusion of monitoring activities within Area 4.

Archaeological monitoring is expected to commence in the late Fall of 2008 and Spring of 2009 for sensitive areas 4, 5, 14, and 16. Areas 4 and 5 will be monitored in 2009 for pre-contact resources at particular depths during the continued excavation of the open-cut area and the construction of a sanitary sewer. The building of retaining walls is expected to commence in late November 2008 for Area 16 and in the Spring of 2009 for Area 14. Areas 14 and 16 were identified as potentially sensitive for British and Hessian Revolutionary War troop occupation.

Mitigation and Data Recovery

To date, no significant archaeological resources have been physically identified and therefore, no mitigation measures have been implemented.

D. Professional Standards

All archaeological research, testing and analysis, and plans related to the Amended Programmatic Agreement have been carried out by or under the direct supervision of a

person or persons meeting at a minimum the Secretary of Interior's Professional Qualification Standards.

URS Corporation is currently responsible for the protection of archaeological resources and AKRF for the protection of historic built properties during Project construction. These qualified archaeologists and historians have been working with MTA Capital Construction to ensure the stipulations of the Amended Programmatic Agreement are met.

E. Curation

To date, no significant archaeological resources have been physically identified or excavated therefore, no data analysis or curation plan is required.

F. Phasing of Construction Activities and Archaeological Field Work

MTA Capital Construction has made all practical efforts to initiate and complete archaeological field analysis prior to construction activities in the vicinity of sensitive areas.

STIPULATION II: Historic Properties

A. Construction Protection Plan (CPP)

The MTA, in consultation with SHPO and LPC, developed and is implementing the revised CPP for Historical and Archaeological resources that was completed and approved in November 2007. This CPP is posted on the MTA CC website.

At historic built properties within the APE of the Manhattan Tunnels alignment (Contract CM009 – Manhattan Tunnels Excavation), preconstruction surveys have been performed and vibration, tilt, and settlement monitoring is ongoing. The Project's two Tunnel Boring Machines (TBMs) are currently excavating tunnels approximately 120 feet beneath the streets of Manhattan. The TBM launch chamber was excavated using controlled drill-and-blast technology. The first TBM tunnel bore (63rd to 44th Streets) commenced in September 2007 and was completed in August 2008, while the second bore (down to 37th Street) was completed on September 30.

Re-launch of both TBMs for their second drives will occur around 49th Street after they are backed up from their current positions, with the first machine relaunching in November 2008 and finishing near 40th Street, and the second relaunching this Winter with a finish at 43rd Street. The schedule for re-launch is dependent on the progress of crossover cavern excavation that is currently underway in the neighborhood of 51st to 49th Streets. The completion of these caverns will allow not only for the re-positioning of the TBMs, but will

eventually allow LIRR trains to switch between tunnels once the new routes are operational.

Vibration levels recorded at historic structures have been well below the threshold for cosmetic damage at 0.5 inch/second and no settlement has been recorded or complaints received in connection with to historic properties.

Work scheduled to commence in 2008/2009 includes the construction of a ventilation facility adjacent to the historic Yale Club on 44th Street (CM004 – not yet awarded), the construction of a ventilation plenum and sidewalk grate at 37th Street and Park Avenue (CM019, Manhattan Structures Part 1, awarded), and demolition, civil and structural work in GCT's Madison Yard (CM019), which includes the reframing or underpinning of a few columns of the historic Helmsley Building.

The Union League Club building is located within the APE of the construction of the 37th Street vent plenum and grate. Tilt and vibration meters have been installed on the building, and during all work the contractors will follow the approved historic resource protection methodology as outlined in the CPP.

B. Design Specifications

The MTA, in consultation with SHPO and LPC, has developed design specifications to ensure that new elements constructed as part of the Project inside Grand Central Terminal are compatible with the terminal's historic and architectural qualities. The advanced design of the 44th Street Ventilation Building (adjacent to the historic Yale Club) was reviewed and approved by SHPO in early 2007, while early designs plans affecting the GCT Dining Concourse, and the 50th Street Facility (across the street from the historic Villard Houses) were reviewed with SHPO and LPC (in the case of GCT work) in late 2006.

The most recent advanced design-phase renderings of the 50th Street Ventilation Facility were submitted to SHPO for review on October 2, 2008. Additional renderings of the GCT Dining Concourse plans will be submitted to SHPO and LPC in early 2009.

STIPULATION III: Reporting

This annual report fulfills MTA Capital Construction's obligations to update SHPO, FTA and LPC on how the Programmatic Agreement is being implemented and the effect of the Project on historic properties.

All final reports resulting from the Programmatic Agreement will be provided to SHPO, FTA and LPC.

In conjunction with the submittal of this annual report, MTA Capital Construction, FTA, SHPO and LPC should make a joint determination on whether revisions to the Programmatic Agreement are necessary at this time.

STIPULATION IV: Dispute Resolution

There have been no disputes to resolve.