



U.S. Department
Of Transportation
**Federal Transit
Administration**

Region II
New York
New Jersey

One Bowling Green
Room 429
New York, NY 10004-1415
212-668-2170
212-668-2136 (Fax)

November 4, 2013

Mr. Marc Albrecht
Assistant Director, Grant Management
Metropolitan Transportation Authority
341 Madison Avenue
New York, NY 10017-3739

Subject: MTA Long Island Rail Road East Side Access Technical Memorandum No. 7 – 37th Street Shaft – Construction Access

Dear Mr. Albrecht:

FTA finds that the proposed changes to construction access for the 37th Street Shaft would not cause a change in the determination of impacts from the Current Design as described in the FEIS or Technical Memorandums No. 3 or 4, and that further environmental analysis is not necessary. The finding is based on MTA LIRR's Technical Memorandum No. 7 – 37th Street Shaft – Construction Access, dated September, 2013.

The approval date of Technical Memorandum No. 7 is November 4, 2013. This letter completes the re-evaluation required under the National Environmental Policy Act (NEPA). If you have any questions regarding this, please contact Ms. Leah Flax of my staff at 212.668.2170.

Sincerely,

Nancy Danzig
Director, Planning and Program Development

cc: File



Metropolitan Transportation Authority

State of New York

September 26, 2013

Ms. Nancy Danzig
Director, Planning and Program Development
Federal Transit Administration
One Bowling Green, Room 429
New York, NY 10004-1415

Dear Ms. ^{Nancy}Danzig:

An Environmental Re-Evaluation for the East Side Access 37th Street Construction Access (Technical Memo No.7) is enclosed for your review and an electronic copy has been sent to Leah Flax of your staff. Construction access for personnel and delivery of materials (including concrete) continues to be needed at the southern end of the tunnels. A temporary personnel facility (trailer) housing locker rooms, showers, and bathrooms, which would be located in the commercial parking lane on 37th Street between Park and Madison Avenues, is also evaluated.

The proposed tunnel access plans would not result in significant adverse impacts and would not cause a change in the determination of impacts from what was described in the FEIS or subsequent documentation prepared in accordance with the National Environmental Policy Act (NEPA).

If you have any questions, please contact me or Audrey Heffernan at 646-252-4398.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marc Albrecht', with a long, sweeping horizontal line extending to the right.

Marc Albrecht
Deputy Director, Grant Management

cc:
L. Flax, FTA
A. Heffernan, MTACC
S. Rios, MTACC

A. Paskoff, MTACC
G. Johnson, MTA
A. Semancik, MTA

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The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Capital Construction
MTA Bus Company

ENVIRONMENTAL RE-EVALUATION CONSULTATION

Note: The purpose of this worksheet is to assist sponsoring agencies in gathering and organizing materials for re-evaluations required under the National Environmental Policy Act (NEPA). Submission of the worksheet by itself does not meet NEPA requirements. **FTA must concur in writing** with its determination and/or the sponsoring agency's NEPA recommendation. Contact the FTA Region 2 office at (212) 668-2170 if you have any questions regarding this worksheet. We strongly encourage you to contact us to discuss your project changes expiration of NEPA determination before you fill out this worksheet.

<i>For Agency Use</i> Date Received: <u>9/30/13</u>	
Recommendation by Planner or Engineer: <input checked="" type="checkbox"/> Accept <input type="checkbox"/> Return for Revisions <input type="checkbox"/> Not Eligible <div style="text-align: right; margin-top: 10px;"><i>Leah Flax</i></div>	Reviewed By: <u>LDF</u> Date: <u>10/17/13</u>
Comments:	
Concurrence by Director of Planning & Program Development <input checked="" type="checkbox"/> Accept Recommendation <input type="checkbox"/> Return with Comments <div style="text-align: right; margin-top: 10px;"><i>Nancy Denny</i></div>	Reviewed By: <u>NED</u> Date: <u>10/21/13</u>
Comments:	
Concurrence by Regional Counsel: <input checked="" type="checkbox"/> Accept Recommendation <input type="checkbox"/> Return with Comments <div style="text-align: right; margin-top: 10px;"><i>Michael J. D'Amico</i></div>	Reviewed By: <u>muc</u> Date: <u>10/31/13</u>
Comments:	
Concurrence by Approving Official: <u><i>[Signature]</i></u>	Date: <u>11/4/13</u>

Please answer the following questions, fill out the impact chart and attach project area and site maps. Using a site map from the previously approved NEPA document, show any project changes using a different color. Include additional site maps to help reviewer understand project changes.

REASON FOR RE-EVALUATION

A new construction access plan was developed in order to reduce cost and construction risk, and mitigate critical path schedule delays. Unacceptable bids were received for a contract called "Manhattan Structures 2 and Fit-Out of Facilities", which was to be awarded in the first quarter of 2013. As a result of the unacceptable bids, that contract was divided into smaller work packages and re-bid, increasing the number of contractors that must share tunnel access points and limited underground access routes.

Tunnel access poses a significant challenge on this project due to the linear nature of the tunnels, the number of separate contract work areas underground, and the limited number of access points for personnel and materials delivery. Currently, most materials are brought into the tunnels through Queens. The shafts at 37th, 44th and 50th Streets, as well as several concrete drops, and access points within Grand Central Terminal, are also integral to the completion of the Manhattan tunnels and concourse.

DESCRIPTION OF PROJECT CHANGES, NEW INFORMATION OR REASON FOR DELAY IN CONSTRUCTION

This Technical Memorandum (No. 7) proposes to extend the use of the 37th Street shafts for tunnel access, including materials and concrete delivery and personnel access, until the second quarter of 2016. A proposal to install a personnel facility (hog house) in the southern commercial parking lane on 37th Street between Park and Madison Avenue near the Morgan Library (see attached Figures 1 and 2) is also evaluated.

The FEIS design did not include the tail tracks south of GCT or the associated ventilation shafts at 37th Street and Park Avenue. Technical Memorandum No. 3 (February 2008) described and evaluated construction activities required to build the ventilation shafts including removal of street trees, relocation of utilities, and the mining of three ventilation shafts, estimating an eight-month schedule. The work was completed in December of 2009. An Addendum to Technical Memo No. 4 (January 2010) evaluated use of the shafts for delivery of concrete, delivery of other material, and access by tunnel construction personnel as well as the effects of drill and blasting and its exhaust through the 37th Street shafts.

The Addendum to Technical Memo No. 4 included the following:

- ❖ **Concrete Deliveries:** The southernmost shaft would be used for concrete and shotcrete deliveries. Between 10 and 30 concrete trucks per day (depending on the pour size) would supply concrete to the tunnels via a concrete pump located within the air plenum beneath the sidewalk or in the tunnel, approximately 140 feet below the sidewalk. These deliveries would be made between 8 AM and 7 PM on weekdays, on average about three days per week. A maximum of four concrete mixer trucks would be in the 37th Street vicinity at the same time. Two would be in the west curb lane of Park Avenue to the south of 37th Street—one delivering concrete and one having its concrete chute washed out after completing its delivery. The other two trucks would be in the west curb lane of Park Avenue north of 37th Street, waiting to make their deliveries. Concrete-related deliveries are anticipated to be needed for about 16 months over a 20-month period.
- ❖ **Deliveries of Other Construction Materials:** The southernmost shaft would also be used for deliveries of construction materials (formwork, rebar, etc) to support the concrete operations in the tunnels, requiring a mobile crane to be stationed adjacent to the plenum. Materials would be lowered into the tunnels via the crane. Concrete and materials deliveries would be coordinated and would not occur at the same time. Every effort would be made to locate the crane in the parking lane and not on the sidewalk, to minimize noise levels at adjacent

HAVE ANY NEW OR REVISED LAWS OR REGULATIONS BEEN ISSUED SINCE APPROVAL OF THE LAST ENVIRONMENTAL DOCUMENT THAT AFFECTS THIS PROJECT? If yes, please explain.

- NO
 YES

IS THE LIST OF THREATENED AND ENDANGERED SPECIES (NMES AND USFWS) MORE THAN 6 MONTHS OLD?

Not Applicable - The project is on 37th Street between Park and Madison Avenue, a dense urban environment, in New York City.

WILL THE NEW INFORMATION HAVE THE POTENTIAL TO CAUSE A CHANGE IN THE DETERMINATION OF IMPACTS FROM WHAT WAS DESCRIBED IN THE ORIGINAL ENVIRONMENTAL DOCUMENT FOR ANY OF THE AREAS LISTED BELOW? For each impact category, please indicate whether there will be a change in impacts. For all categories with a change, continue to the table at the end of this worksheet and provide detailed descriptions of the impacts as originally disclosed in prior environmental documents, describe all changes possible impacts. For a project with delay(s) in implementation, confirm the accuracy and validity of the underlying studies. The change in impact may be beneficial or adverse.

Transportation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Land Use and Economics	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Acquisitions, Displacements, & Relocations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Neighborhoods & Populations (Social)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Visual Resources & Aesthetics	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Air Quality	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Noise & Vibration	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Ecosystems (Vegetation/& Wildlife, inclgd Endng'd Species)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Water Resources	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Energy & Natural Resources	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Geology & Soils	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Hazardous Materials	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Public Services	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Utilities	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Will these changes or new information require any new or different mitigation measures? If yes, describe the measures in each category.

Yes No

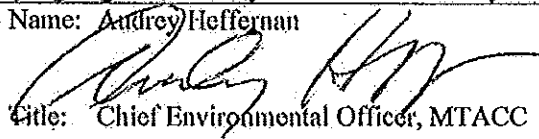
CONCLUSIONS AND RECOMMENDATIONS: The proposed construction access plan would not cause a change in the determination of impacts from what was described in the FEIS or subsequent NEPA documentation for any of the NEPA areas listed above. Further environmental analysis is not necessary.

LIST OF ATTACHMENTS:

Figure 1 Construction Access Plan
Attachment 1 37th Street Outreach Meetings

SUBMITTED BY:

By signing this, I certify that to the best of my knowledge this document is complete and accurate.

Name: Audrey Heffernan  Title: Chief Environmental Officer, MTACC	Date: 9/26/13
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Submit two paper copies of this form, attachments, and a transmittal letter recommending a NEPA finding to the address below. Submit an electronic version to your area FTA Community Planner. Contact FTA at the number below if you are unsure who this is or if you need the email address. Modifications are typically necessary. When the document is approved, FTA may request additional copies.

Federal Transit Administration, Region II
1 Bowling Green, Room 429
New York, NY 10004

phone: (212) 668-2170
fax: (212) 668-2136

Historic, Cultural & Archaeological Resources	None	None	None
Parklands & Recreation	None	None	None
Construction	<p><u>FEIS</u>: Did not address 37th Street shafts or tail tracks</p> <p><u>Tech Memo 3</u>: No significant adverse impacts were identified for the construction and operation of the new 37th Street ventilation facility. Only "limited disruption during construction of less intensity and less duration than construction activities anticipated for other Manhattan sites identified in the FEIS" was anticipated.</p> <p><u>Addendum to Tech Memo 4</u>: Anticipated a 22-month construction access period. Deliveries would be made on average 3 days per week between 8 AM and 7 PM, with hiatus during NYCDOT embargo period between Thanksgiving and New Year's. Depending on pour there could be up to 30 concrete truck deliveries on a given day, proper washing, and no more than 4 concrete trucks in the vicinity of construction site at the same time. Strict adherence to NYCDOT permit requirements. The crane and concrete pump would incorporate the latest air emissions reduction technology and trucks and equipment would use ULSD fuel. A noise screening assessment was performed and noise would be below FTA criteria.</p>	None	<p>Fewer nuisance complaints anticipated due to the completion of blasting and exhaust through the 37th Street shafts, which were the main source of complaints from adjacent building occupants.</p> <p>An additional 32 months of material and concrete deliveries and personnel access. After which only very sporadic need for tunnel access is anticipated, if any.</p> <p>Installation of 100' x 10' personnel facility (hog house trailer) in southern commercial parking lane on 37th Street between Park and Madison Avenues would displace about 10 commercial (3 hour limit) parking spaces.</p> <p>The operations, impacts and mitigation measures identified in the Addendum to Tech Memo 4, and implemented during the past construction access activities in this location, would be the same for the upcoming work. Concrete and material deliveries would be permitted between the hours of 7 AM and 7 PM.</p>
Secondary and Cumulative	None	None	None
Environmental Justice	None	None	None
Other	None	None	None

**Attachment 1
37th Street Outreach Meetings**

Date	Property	Attendees	Subject
Meetings Regarding Construction Access (Contract CM09/19)			
1/9/2009	46 Park Avenue	Property Management	Update the El Salvador Mission on Phase 2 of construction for CM09/19
3/27/2009	Community Board 6	Full Board	Update on progress of work
10/20/2009	Community Board 6	East Side Access Task Force	Met to discuss current proposal for additional construction activities
10/30/2009	50 Park Avenue	Property Management	Met to discuss current proposal for additional construction activities
11/11/2009	Community Board 6	East Side Access Task Force	Update on progress of work
12/9/2009	Community Board 6	Full Board	Update on progress of work
12/14/2009	Community Board 6	East Side Access Task Force/ NYCDDC	Update on progress of work
2/8/2010	41 Park Avenue	Property Management	Update on progress of work
3/10/2010	Community Board 6	Full Board	Update on progress of work
3/16/2010	52 Park Avenue	Tenants/ Property Management	Community site visit meeting
6/23/2010	American Scandinvia House 58 Park Ave	Property Management	Met to discuss concerns about trailers along sidewalk in front of building
7/21/2010	American Scandinvia House 58 Park Ave	Property Management	Site visit - discuss possibility of moving storage equipment as well as the installation of planters and signage
11/1/2011	Community Board 6	East Side Access Task Force	Update on progress of work
12/3/2011	Community Board 6	East Side Access Task Force	Update on progress of work
4/5/2012	Community Board 6	East Side Access Task Force	Update on progress of work
4/5/2012	50 Park Avenue	Tenants / Property Management	Update on progress of work
5/11/2012	Union League Club 37th Street 38 E	Attorney/Property Management	Met to discuss agreement
8/16/2012	50 Park Avenue	Tenant	Site visit - Observation from 16th floor of work below
Meetings Regarding Construction Access (Contract CM005)			
4/22/2013	Community Board 6	District Manager	Discussed with the District Manager the best way to proceed in terms of getting public input on the personnel facility.
8/16/2013	Community Board 6	District Manager	Briefed new District Manager on upcoming work for CM005 and discussed options for informing the community
9/18/2013	Union League Club 37th Street 38 E	Property Management	Initial meeting meeting to inform property management about the upcoming work for CM005
9/18/2013	Community Board 6	East Side Access Task Force	Initial meeting meeting to inform community members about the upcoming work for CM005
9/19/2013	Morgan Library Madison Ave 225	Property Management	Initial meeting to inform property management about the upcoming work for CM005
9/24/2013	Morgan Library Madison Ave 225	Property Management	Follow-up meeting/site walk through to review coordination for deliveries and options for aesthetic treatment of trailer.