



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

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July 17, 2017

Mr. James Redeker  
Commissioner  
Connecticut Department of Transportation  
2800 Berlin Turnpike, P.O. Box 317546  
Newington, Connecticut 06131-7546

**Re: Norwalk River Railroad Bridge Replacement - Environmental Assessment  
Finding of No Significant Impact**

Dear Mr. Redeker:

Based upon a review of environmental documentation submitted by the Connecticut Department of Transportation (CTDOT), the Federal Transit Administration (FTA) has issued a Finding of No Significant Impact (FONSI) for the Norwalk River Railroad Bridge Replacement (Walk Bridge) project (attached). The purpose of this project is to replace the existing deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of rail service; offer operational flexibility and ease of maintenance; and provide for increased capacity and efficiencies of rail transportation along the New Haven Line/Northeast Corridor while maintaining or improving navigational capacity and dependability for marine traffic in the Norwalk River. With the issuance of this FONSI, CTDOT has complied with the National Environmental Policy Act (NEPA) for improvements for this project defined in the Environmental Assessment.

In addition, in accordance with Section 106 of the National Historic Preservation Act, the FTA, in consultation with the Connecticut State Historic Preservation Office, has determined that an adverse effect exists for this project. A Memorandum of Agreement (MOA) has been executed which identifies mitigation measures. Additionally, we have reviewed the Section 4(f) evaluation incorporated into the Walk Bridge Environmental Assessment and determined that there are no reasonable and prudent alternatives to the use of Section 4(f) protected properties that meet the project Purpose and Need, and all possible planning has been done to minimize harm.

Please be advised that in accordance with 23 CFR 771.121, CTDOT is required to transmit a notice of availability of this FONSI to all affected Federal, State and Local governmental entities; FTA further requests that it be posted on the project website. Please also note that the standard terms and conditions of the FTA's federal grant contracts applicable to the project require CTDOT to undertake any mitigation actions as identified in the FONSI and the Environmental Assessment.

This determination applies only to the proposed project as described in the aforementioned correspondence and supporting materials. Any changes to the proposed project not outlined in this documentation, including the disclosure of new information or previously unidentified environmental concerns, may require re-evaluation of this action.

This FONSI does not provide FTA commitment that future Federal funds will be approved for this proposed

project. Any costs incurred under FTA pre-award authority must meet all Federal requirements prior to those costs being incurred in order to retain eligibility of those costs for future FTA grant assistance.

Thank you for your cooperation in meeting the requirements of the National Environmental Policy Act. We appreciate your efforts in advancing this important transit project.

Sincerely,

A handwritten signature in black ink that reads "Mary Beth Mello". The signature is written in a cursive, flowing style.

Mary Beth Mello,  
Regional Administrator

Attachment

# FEDERAL TRANSIT ADMINISTRATION REGION 1

## Finding of No Significant Impact

**Project:** Walk Bridge Replacement Project  
Bridge No. 04288R, State Project No. 0301-0176

**Applicant:** Connecticut Department of Transportation

**Project Location:** Norwalk, CT

### Description of Project

#### Summary Description

Through federal assistance provided by the Federal Transit Administration (FTA), the Connecticut Department of Transportation (CTDOT) will replace the New Haven Line railroad bridge over the Norwalk River (the Walk Bridge – Bridge No. 04288R) in Norwalk, Connecticut with a new movable vertical lift bridge. The project will consist of removing the existing bridge structure and replacing it with two side-by-side 240-foot open-deck through truss vertical lift spans across the Norwalk River, each with separate mechanical and electrical equipment and controls so that each span can work independently of the other, or in unison with the other. The vertical lift bridge will provide approximately 170 feet of horizontal navigation clearance, approximately 25 feet of vertical clearance in the span-closed position, and a minimum of 60 feet of vertical clearance when the lift span is fully raised. The vertical clearance when the span is in the fully-raised position will match the vertical clearance, as posted in the National Oceanic and Atmospheric Administration (NOAA) Nautical Charts, of the I-95 crossing of the Norwalk River (Yankee Doodle Bridge), which is located approximately 3,300 feet upstream of Walk Bridge. To achieve a minimum of 60 feet of vertical clearance at mean high water, the lift span will be raised approximately 35 feet from its span down position. The total clear width of the lift span superstructure, including both trusses, will be approximately 70 feet. Construction of the selected Preferred Alternative, Option 11C of the Movable Bridge Replacement Alternative, also will include the installation of a new fender system.

Dredging of approximately 4,900 cubic yards of sediment will be required to remove accumulated sediments at the pivot pier and rest piers of the existing bridge. These portions of the river that are not maintained as part of the federal channel will be dredged to match the federal channel depth of ten feet and to tie into the existing 125-foot navigation channel, thereby making the horizontal opening of the new bridge fully navigable. The widened channel will improve the bridge's alignment with the Stroffolino Bridge, which is located approximately 500 feet downstream of Walk Bridge.

In addition to the vertical lift span replacement bridge over the Norwalk River, the Walk Bridge Replacement Project will include other improvements along the New Haven Line (NHL) and within the project vicinity. About one-half-mile of track, overhead catenary and supports, and signal work will be replaced, from approximately the Washington Street Bridge in South Norwalk to approximately 300 feet east of the Fort Point Street Bridge in East Norwalk. The railroad bridge over Fort Point Street will be replaced as part of the project to accommodate the new track alignment on the Walk Bridge. Additionally, the eastern abutment of the existing Walk Bridge will be retained and partially lowered to support an extension of the Harbor Loop Trail to areas south of the bridge.

The Walk Bridge Replacement Project Environmental Assessment and Section 4(f) Evaluation and Environmental Impact Evaluation (EA/EIE), Volumes 1 and 2 (August 2016), was prepared in accordance

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with the National Environmental Policy Act (NEPA), 42 U.S.C. §4321 *et. seq.*; NEPA's implementing regulations, 40 CFR Part 1500 *et. seq.*; and FTA's regulations, "Environmental Impact and Related Procedures" (Federal Highway Administration and FTA, 23 CFR Part 771. Additionally, the EA/EIE was prepared in accordance with the Connecticut Environmental Policy Act (CEPA), Connecticut General Statutes (CGS) Sections 22a-1a through 22-1h. The Errata to the EA/EIE is included as Appendix 1.

**Background**

Walk Bridge is a critical transportation link on the Northeast Corridor (NEC), extending from Washington, D.C. to Boston, Massachusetts. Walk Bridge carries four tracks of Metro-North Railroad commuter railroad service, Amtrak inter-city passenger rail service, and freight service. The project is being conducted to address multiple deficiencies (needs) of the existing bridge. The existing bridge is approximately 120 years old and has deteriorated; both section loss (loss of original structural material) due to corrosion has been observed and cumulative fatigue damage (damage due to repetitive train loadings) of the main load carrying elements of the bridge has occurred. The existing bridge is increasingly unreliable. In 2011, Walk Bridge failed 12 times out of 138 openings, and in 2013, the bridge failed 16 times out of 271 openings. Failure means that the bridge fails to open or close properly in a timely manner. Failures have occurred in both the opened and closed positions. Without action to rehabilitate or replace the bridge, failures are expected to increase. The existing bridge is not designed to current standards for flooding events or storm events. In its current condition, the bridge is highly vulnerable to damage from a storm surge or high wind event, and it is also at risk for malfunction due to extreme temperatures. The bridge also does not meet current standards regarding its ability to withstand the magnitude of seismic forces and frequency of seismic events for this geographic area. The existing bridge does not meet current design standards which reflect improved safety aspects compared to when the bridge was originally designed and built. The existing bridge is not sustainable, as continued deterioration will cause bridge failures.

The project will be financed with state and federal funds. On January 29, 2013, the Disaster Relief Appropriations Act of 2013 (PL113-2) made funds available for public transportation systems impacted by Hurricane Sandy. On December 26, 2013, FTA announced the availability of funds from the Public Transportation Emergency Relief Program and the Disaster Relief Appropriations Act for projects that will reduce the risk of damage from future disasters in the areas impacted by Hurricane Sandy (78 FR 78486). On November 5, 2014, USDOT and FTA announced that the Walk Bridge Replacement Project would be allocated funds through the Act (79 FR 65762). The Preferred Alternative (Option 11C of the Movable Bridge Replacement Alternative) is entirely consistent with the intent of the Act and demonstrated needs of the infrastructure. The resiliency funds are being used to support the development of a critical and resilient infrastructure project on the New Haven Line/Northeast Corridor (NHL/NEC).

CTDOT is utilizing the innovative Construction Manager/General Contractor (CM/GC) project delivery method for the Walk Bridge Program. With the CM/GC process, the contractor acts as Construction Manager during design and advises CTDOT on schedule, phasing, constructability, materials availability, risk, and cost. This integrated team approach of involving the Contractor early in the project adds value by reducing construction duration, reducing impacts, improving construction sequencing, and reducing risk. The EA has sufficiently defined the nature and general elements of the project for the purposes of NEPA review and demonstrated that the project's environmental impacts are not significant. No further NEPA review is required. If additional mitigation measures are identified during the federal and state permitting process, as project design advances, CTDOT will carry out the project in accordance with all conditions and mitigation specified in the associated permits.

**Purpose and Need**

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CTDOT worked closely with FTA, as well as other federal and state agencies and the City of Norwalk, in developing the Purpose and Need Statement for the project:

The project Purpose and Need is to restore or replace the existing deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of rail service; offer operational flexibility and ease of maintenance; and provide for increased capacity and efficiencies of rail transportation along the New Haven Line/Northeast Corridor (NHL/NEC), while maintaining or improving navigational capacity and dependability for marine traffic in the Norwalk River. Upgrades to the Walk Bridge, through rehabilitation or replacement, are needed to increase bridge reliability, incorporate bridge redundancy, and provide a sustainable bridge for significant weather events, thereby accommodating current and future rail and marine traffic.

The Purpose and Need of the Walk Bridge Replacement Project incorporates multiple objectives. The Purpose and Need statement incorporates the primary purpose of the project: to rectify the deficiencies of the existing bridge, including its age and deterioration, decreasing reliability, safety standards, and difficulty of maintenance. It incorporates federal and state transportation goals for the NHL/NEC, including those enumerated by the NEC Commission and CTDOT. By improving the bridge's operational flexibility, enhancing the safety and reliability of rail service, and providing for increased efficiencies of rail transportation along the NHL/NEC, the project will advance policies and goals established in federal, state, regional, and local transportation plans. The project Purpose and Need statement incorporates the legislative intent of the Transportation Emergency Relief Program, by including bridge redundancy and sustainability as priority project elements. It also incorporates a secondary purpose of the project: to maintain or improve the navigational capacity in the Norwalk River, which is consistent with federal legislation and which advances the policies, plans, and goals of federal, state, and local agencies, including the water-dependent use policies of the Connecticut Coastal Management Act, as implemented by the Connecticut Department of Energy and Environmental Protection (CTDEEP), and the Norwalk Harbor Management Plan.

**Alternatives Considered**

Four groups of alternatives were identified by CTDOT and considered in the EA/EIE:

1. No Build (No Action) Alternative: continuing the existing operations and maintenance of the historic swing (movable) bridge;
2. Rehabilitation Alternative: rehabilitating the existing bridge to extend its useful life by 100 years, a timeframe comparable to the useful life of a new bridge;
3. Movable Bridge Replacement Alternative: constructing a new movable bridge, of either the bascule type or vertical lift type, on the same general alignment, and demolishing the existing bridge;
4. Fixed Bridge Replacement Alternative: constructing a new fixed (non-movable) bridge on the same or a different general alignment and demolishing the existing bridge. Three options were initially considered in the conceptual design screening process, consisting of a low-level replacement option, a mid-level replacement option, and a high-level replacement option. To address comments received on the EA/EIE, a fourth Fixed Bridge option was considered at the conceptual design level, consisting of a low-level rehabilitation option.

Multiple parameters were considered in the development and evaluation of alternatives and design options, including: horizontal and vertical navigation clearances; span length; pier locations; bridge aesthetics, including historic considerations; resiliency and redundancy; constructability; rail, marine, and local impacts during construction; and cost, including initial costs and life cycle costs; and environmental

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impacts. More than 70 different design variations within the four groups of alternatives were initially investigated to identify representative options that consider these parameters and meet the project Purpose and Need.

After thorough consideration and analysis, neither the Rehabilitation Alternative nor any of the options of the Fixed Bridge Replacement Alternative were advanced for further evaluation beyond the initial screening process. The Rehabilitation Alternative would not meet the project Purpose and Need, primarily the resiliency and redundancy needs, which are very important given the long-term climate change predictions, including higher sea levels and storm surge flooding, greater storm intensities, and temperature extremes. The Rehabilitation Alternative would not meet other identified project needs such as incorporating updated safety standards and improving maintenance logistics. To strengthen the existing bridge while continuing to maintain rail service, the Rehabilitation Alternative would require construction of a temporary, two-track runaround bridge. As a result, the construction duration of the Rehabilitation Alternative is estimated to be 52-64 months, as opposed to an estimated construction duration of 40 months for the Preferred Alternative. Further, by using a temporary runaround track, the Rehabilitation Alternative would be more complicated and would have a larger construction footprint than the Preferred Alternative. Consequently, the Rehabilitation Alternative would create more rail and marine transportation impacts during construction. While the proposed construction costs of the Rehabilitation Alternative are comparable to the Preferred Alternative, due to the advanced age of the existing bridge and the anticipated need to perform large-scale retrofits in the near term, the annual life cycle costs of the Rehabilitation Alternative would be more than double those of the Preferred Alternative. Relative to project needs, construction schedule, footprint, impacts, and risk, the Rehabilitation Alternative does not compare favorably with the Preferred Alternative. Neither the low-level Fixed Bridge option nor the mid-level Fixed Bridge option would fully meet the project Purpose and Need. While the high-level Fixed-Bridge option would comply with the project Purpose and Need, this option also would result in the greatest impacts regarding cost, schedule, rail traffic, and environmental resources. Both the mid-level and high-level Fixed Bridge options would result in an extended construction period and would require extensive reconstruction of the NHL mainline. Both options would introduce additional construction risk and create further environmental impacts, including substantial impacts to adjacent properties.

The No Build Alternative was not advanced for further evaluation because it would not meet the project Purpose and Need. However, the EA/EIE includes the No Build Alternative as a baseline condition for comparison purposes; the No Build Alternative represents the transportation conditions that would exist if no actions other than normal maintenance of the bridge were conducted.

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<b>Project Needs/ Existing Bridge Deficiencies</b>	<b>Low-Level Fixed-Replace</b>	<b>Low-Level Fixed-Rehab</b>	<b>Mid-Level Fixed</b>	<b>High-Level Fixed</b>	<b>Pref. Alt. (Option 11C)</b>
Structure Age and Deterioration	✓	⊙	✓	✓	✓
Decreasing Reliability	✓	*	✓	✓	✓
Lack of Resiliency	✓	⊙	✓	✓	✓
Safety Standards	✓	*	✓	✓	✓
Lack of Redundancy (dual spans)	✓	*	✓	✓	✓
Limited Operational Flexibility	✓	*	✓	✓	✓
Difficulty of Maintenance	✓	*	✓	✓	✓
Reduced Rail Capacity & Efficiency	✓	*	✓	✓	✓
Reduced Dependability & Capacity for Marine Traffic	*	*	*	✓	✓
Lack of Sustainability	✓	*	✓	✓	✓

- ✓ Indicates that this project need/existing bridge deficiency would be met by the option.
- ⊙ Indicates that this project need/existing bridge deficiency would not be fully met by the option.
- \* Indicates that this project need/existing bridge deficiency would not be met by the option.

The Movable Bridge Replacement Alternative and the high-level Fixed Bridge are the only alternatives that fully meet the project Purpose and Need. However, the high-level Fixed Bridge would have the greatest impacts while the Movable Bridge Replacement Alternative results in the least environmental impact, including rail, marine, and community impacts. Therefore, the Movable Bridge Replacement Alternative was advanced for further evaluation in the EA/EIE.

Three options of the Movable Bridge Replacement Alternative (the Build Alternative) were evaluated in the EA/EIE:

- Bascule Bridge (Option 4S), consisting of two side by side single-leaf rolling lift bascule spans, across the Norwalk River. Option 4S would provide a vertical clearance of approximately 27 feet above mean high water (MHW) when the movable span is in the closed position, a vertical clearance of at least 60 feet when the movable span is in the opened position, and a horizontal clearance of at least 120 feet. Based on conceptual design, the estimated construction duration of Option 4S would be 47 months.
- Vertical Lift Bridge, Short Span (Option 8A), consisting of two side by side vertical lift spans across the Norwalk River. Option 8A would provide a vertical clearance of approximately 27 feet when the movable span is in the closed position, and a vertical clearance of at least 60 feet when the movable span is in the opened position. With a 170-foot open deck through-truss lift span, Option 8A would provide a horizontal clearance of at least 120 feet. The tower heights would be determined in final design, and would range between 100 and 150 feet above the top of the support piers. Based on conceptual design, the estimated construction duration of Option 8A would be 44 months.
- Vertical Lift Bridge, Long Span (Option 11C), consisting of two side by side vertical lift spans across the Norwalk River. Option 11C would provide a vertical clearance of approximately 27 feet when the movable span is in the closed position, and a vertical clearance of at least 60 feet when the movable span is in the opened position. With a 240-foot open deck through-truss lift span, Option 11C would provide a horizontal clearance of at least 200 feet. The tower heights would be determined in final

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design, and would range between 100 and 150 feet above the top of the support piers. Based on conceptual design, the estimated construction duration of Option 11C would be 40 months.

CTDOT determined that Option 11C, a long-span vertical lift bridge, is the Preferred Alternative. Option 11C will provide the most favorable balance of cost, operational redundancy, long-term reliability, and potential disruption. It will have the shortest construction duration, which will result in the least disruption to rail traffic on the NHL/NEC, the least disruption to marine traffic on the Norwalk River, and the least environmental impacts, including community disruption. In sum, it will require the shortest overall time from the start of Walk Bridge construction to restoration of four-track service and full operation capability for marine traffic.

**Summary of Public Involvement and Agency Coordination**

Public involvement and agency coordination for the Walk Bridge Replacement Project EA/EIE were conducted in accordance with NEPA and CEPA. Agency coordination and public involvement occurred during the CEPA public scoping process for the EA/EIE, during the preparation of the EA/EIE, and during and after the EA/EIE public review period.

Preparation of the Walk Bridge Replacement Project EA/EIE involved coordination with Federal and State agencies, the City of Norwalk, and other key stakeholders. A description of public involvement and agency coordination through the publication of the EA/EIE (August 2016) is provided in the EA/EIE (Chapter 8).

The following is a list of public involvement activities and stakeholder meetings conducted during the preparation of the EA/EIE:

<b>EA/EIE Preparation Public Involvement/Stakeholder Meeting</b>	<b>Date</b>
CEPA Public Scoping Session	February 24, 2015
First Design Charrette with Local Historic Stakeholders	August 13, 2015
Stakeholder Meeting for the Maritime Aquarium	October 13, 2015
Norwalk Seaport Association Meeting	November 18, 2015
Stakeholder Meeting for the Maritime Aquarium	November 19, 2015
Public Outreach Meeting	November 20, 2015
Project Partnering Workshop	December 2-3, 2015
Walk Bridge Stakeholders Meeting	February 8, 2016
Second Design Charrette with Local Historic Stakeholders	February 24, 2016
Rowers' Meeting	March 23, 2016
Upstream Businesses Coordination Meeting	May 3, 2016
Public Information Meeting	May 11, 2016
Project Partnering Workshop	June 23, 2016
Meeting with Legislators/City of Norwalk	July 14, 2016
Project Open House	August 16, 2016

A Notice of Availability for the Walk Bridge Replacement Project EA/EIE was published in the Connecticut Council on Environmental Quality *Environmental Monitor* and made available to the public on September 6, 2016. Additionally, the Notice was published in *The Norwalk Hour* on September 6 and September 14, 2016; in *El Sol News* (a weekly publication) on September 9, 2016 and October 7, 2016; and in *The Haitian Voice* online ([www.haitianvoice.com](http://www.haitianvoice.com)) starting on September 11, 2016.

The EA/EIE was made available for public review at the following locations:



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- The Connecticut Department of Transportation Bureau of Policy and Planning (Room 2155), 2800 Berlin Turnpike, Newington, CT;
- Norwalk City Hall, Town Clerk Office, 125 East Avenue, Norwalk, CT;
- Norwalk Public Library, 1 Belden Avenue, Norwalk, CT;
- East Norwalk Association Library, 51 Van Zant Street, Norwalk, CT;
- South Norwalk Branch Library, 10 Washington Street, Norwalk, CT; and
- Western Connecticut Council of Governments, 888 Washington Boulevard, Stamford, CT.

The EA/EIE was made available online via the project website and the CTDOT website as follows:

- [www.walkbridgect.com/environmental](http://www.walkbridgect.com/environmental);
- [www.ct.gov/environmentaldocuments](http://www.ct.gov/environmentaldocuments).

Additionally, a link to the EA/EIE on the project website was forwarded to federal, state, and local agencies; to interested parties; and to Cooperating and Participating Agencies.

The public review period, initially scheduled from September 6, 2016 through October 21, 2016, with a public hearing date of October 6, 2016, was extended through December 9, 2016 with a public hearing date of November 17, 2016. CTDOT extended the public comment period and rescheduled the public hearing date at the request of the City of Norwalk to allow additional time for the City and stakeholders to review the EA/EIE. In accordance with CEPA, CTDOT issued subsequent Notices in the *Environmental Monitor* on October 5, 2016 and November 28, 2016 to advise of a revision in the date of the public hearing and extension of the public review period. Additionally, revised legal notices were published in *The Norwalk Hour* (on October 5, 11, 18, 2016; November 15, 2016; and December 2 and 5, 2016); in *El Sol News* (on October 14, 2016); and in *The Haitian Voice* (a monthly publication) in October 2016 and online (from October 27, 2016 through November 17, 2016).

A public hearing was held at Norwalk City Hall (Concert Hall), 125 East Avenue, Norwalk, CT, on November 17, 2016. An open forum was held at 6:00 pm, followed by a brief presentation at 7:00 pm, and a public response period, from approximately 7:30 pm until 9:45 pm.

Written comments on the EA/EIE were received from seven state and local elected officials, five federal agencies, three state agencies, 13 municipal agencies and/or departments, 15 non-governmental organizations, 27 individuals, and 12 businesses. Additionally, 21 individuals, consisting of elected officials, City employees, organization and business representatives, and the public, provided testimony at the public hearing. In sum, CTDOT identified 593 individual comments received on the EA/EIE.

Many of the comments received on the EA/EIE addressed common themes. Of the total number of comments, over 100 comments addressed potential construction-period impacts, including potential socio-economic, transportation/traffic, air quality, and noise and vibration impacts. Approximately 80 comments were related to alternatives that were not further evaluated in the EA/EIE, including rehabilitation of the existing bridge and a fixed-bridge alternative. Over 80 comments addressed visual impacts and/or historic mitigation associated with the loss of the existing bridge. Slightly less than 80 comments focused on navigation, marine transportation, and/or existing and future water-dependent uses. Other frequent comments addressed water quality and aquatic resources, property acquisition, and the NEPA/CEPA process.

CTDOT identified and responded to all written and oral comments received on the EA/EIE. These comments and the CTDOT's responses to comments were compiled and formally submitted by CTDOT to FTA together with other materials supporting the EA/EIE on July 10, 2017 and they have been incorporated into this Finding of No Significant Impact by reference. The response to comments includes a table of

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responses to individual comments as well as Issue Papers, which address five frequently made comments that were received during the public review period. The Issue Papers consist of detailed information on topics in the EA/EIE that have been further explained to include background data and additional information, with references to the specific EA/EIE chapters and sections as appropriate.

Following the public hearing on November 17, 2016, CTDOT conducted additional public involvement activities. CTDOT held a public information meeting on December 5, 2016 at the Maritime Aquarium IMAX Theater, 10 North Water Street, Norwalk. The purpose of the meeting was to provide attendees with additional information on how design alternatives for the replacement of the Walk Bridge were narrowed down and the criteria used to shape the selection of appropriate structure types that were evaluated in the EA/EIE. An open forum was held at 6:00 pm, followed by a presentation at 6:30 pm, and a question and answer period. The public information meeting was advertised at the November 17, 2016 public hearing and through the project website. CTDOT conducted meetings with the City of Norwalk and other key stakeholders to review EA/EIE comments, held from December 2016 through March 2017. In May 2017, CTDOT conducted a third Charrette with local historic stakeholders to review the mitigation measures for the Memorandum of Agreement (MOA), as a follow-up to the two previously-held design Charrettes.

The following is a list of public and stakeholder meetings and activities conducted after the November 17, 2016 public hearing for review of the EA/EIE:

<b>EA/EIE Review Public Involvement/Stakeholder Meeting</b>	<b>Date</b>
Public Information Meeting	December 5, 2016
Norwalk Economic Development Department	December 20, 2016
Norwalk Redevelopment Agency	December 20, 2016
Norwalk Harbor Management Commission	December 20, 2016
Norwalk Planning and Zoning Department	January 6, 2017
Norwalk Department of Public Works	January 6, 2017
Maritime Aquarium at Norwalk	January 9, 2017
Norwalk Historical Commission	January 9, 2017
Norwalk Arts Commission	January 9, 2017
Norwalk Common Council	January 19, 2017
Spinnaker Real Estate Partners, Inc.	January 26, 2017
Mayor's Bike/Walk Task Force	January 30, 2017
Norwalk River Valley Trail Committee	January 30, 2017
Norwalk Upstream Businesses	January 30, 2017
Norwalk Parking Authority	March 6, 2017
Norwalk Third Taxing District	March 6, 2017
Third Charrette with Local Historic Stakeholders	May 10, 2017

All comments received have been reviewed and responded to as documented in the compiled Walk Bridge Replacement Project EA/EIE Review Comments and Responses to Comments submitted by CTDOT to FTA on July 10, 2017. As a result of the comments, an Errata table with corrective revisions to the EA/EIE was developed (Appendix 1). There were no changes that alter the environmental impact information and determinations made in the original EA/EIE.

**Summary of Environmental Impacts and Mitigation**

The replacement of Walk Bridge will be a sustainable project; it will contribute to the long-term cultural, economic, and environmental health and vitality of the community and the NEC. Constructing a

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replacement bridge over an active waterway in a densely developed urban area, while continuing to maintain train service on the NEC, will result in unavoidable adverse community impacts during project construction. These impacts are unavoidable regardless of the selected Build alternative. As the Preferred Alternative, CTDOT has selected a replacement bridge that will have the shortest construction duration and therefore will minimize impacts to intercity and intracity rail users and maritime traffic to the greatest extent practicable. Further, CTDOT has incorporated mitigation measures into the project to avoid, minimize, rectify, reduce, or compensate for potentially significant adverse environmental impacts. CTDOT will use FTA's Project Management Plan to track mitigation plans and permit conditions, as developed in final design, to which CTDOT has committed, working in coordination with the City of Norwalk, the local community, and regulatory agencies.

**Mitigation Measures to Minimize Harm**

The mitigation measures and other features of the project that reduce environmental impacts, to which the FTA and the CTDOT have committed to in the EA/EIE and FONSI, are included in a summary table of the environmental impacts and mitigation measures incorporated in Appendix 2-1 of the FONSI. CTDOT will implement the mitigation measures described in the EA and in this FONSI. The CTDOT will design and incorporate into the project the mitigation measures presented in the EA and this FONSI. The FTA will require in any grant documents for the Project that it be built in a manner consistent with that described in the EA and that all committed mitigation be implemented in accordance with the EA and this FONSI. FTA will require CTDOT to periodically submit written reports on its progress in implementing the mitigation commitments. FTA will monitor this progress through quarterly reviews of the project's progress.

**Federal Uniform Relocation Act Compliance**

The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, and its implementing regulations, 49 CFR 24, ensure the fair and equitable treatment of persons whose real property is acquired or who are displaced as a result of a Federal or Federally-assisted project.

The Corridor Preservation Exemption (CPE), 49 USC 5323(q), authorizes FTA under certain conditions to assist in the acquisition of ROW before the completion of the NEPA environmental review process for transit projects that eventually will use the ROW. The replacement of Walk Bridge and track, catenary, and signal improvements will occur within the existing state ROW. To the greatest extent possible, the Project will be located on an alignment that matches the alignment of the existing bridge. Minor shifts in alignment that may be necessary to meet geometric requirements will be accomplished within the existing ROW.

It is anticipated that the Project, as currently designed, will require acquisition of property, both for construction and operation. The EA, Table 3-5, identifies 23 parcels proposed for use in constructing and maintaining the Build Alternative. Required parcels include the following: two existing CTDOT owned parcels; one existing CTDOT easement and expansion of that easement; nine full-parcel acquisitions; and 11 full-parcel and partial-parcel temporary easements. CTDOT will require the parcels for laydown areas for the temporary storage of construction equipment and supplies, contractor assembly and staging of equipment, contractor access to the Norwalk River and streets for transport of equipment and materials, contractor access to the railroad ROW, and dredged/excavated sediment temporary storage and management. The EA, Table 3-5, presents the existing uses of the acquisition and easement parcels and the uses that will be displaced by the project. Section 5.3.4 of the EA discusses the temporary easements and temporarily displaced uses required for the project. As design progresses, property impacts, including parcel acquisitions and temporary and permanent easements, will continue to be refined. To the greatest extent possible, CTDOT will strive to minimize impacts.

CTDOT will provide monetary and other relocation assistance to displaced property owners in accordance with the procedures outlined in the Uniform Relocation Assistance and Real Property Acquisition Policies

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Act of 1970 and Connecticut's Uniform Relocation Assistance Act. Relocation assistance could include relocation services, moving payments, replacement housing payments, and other payments related to commercial and residential moving costs and displacement, and assistance regarding availability and rental costs of comparable dwellings and suitable business replacement properties. It is anticipated that suitable relocation sites are available in the project vicinity for the displaced residences and businesses. CTDOT will develop an implementation plan to address the details of relocation assistance to be provided to displaced property owners. In accordance with Federal and State guidelines, the CTDOT will pay fair market value for all parcels in private ownership that need to be acquired. In the case of certain property in public ownership, consistent with 23 CFR 710.509, CTDOT will offer and provide functional replacement to the City of Norwalk and specifically, to its Tenant, The Maritime Aquarium at Norwalk, Inc., for anticipated Project impacts to the Aquarium property.

### **Determinations and Findings**

#### **Section 106 Compliance**

Section 106 of the National Historic Preservation Act of 1966, as amended, requires the review of federally assisted projects for impacts to districts, sites, buildings, structures, and objects listed in or eligible for inclusion in the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Office (SHPO) and potentially affected Tribes to make this determination. The Advisory Council on Historic Preservation (ACHP) has established procedures for the protection of historic and cultural properties in or eligible for the National Register, pursuant to 36 CFR 800.

In a letter dated October 12, 2016, the Connecticut SHPO (CTSHPO) concurred with FTA that the Walk Bridge Replacement Project will constitute an adverse effect to historic properties; including the National Register-listed Norwalk River Railroad Bridge (No. 04288R, Walk Bridge), and lattice high towers, catenary support structures, masonry retaining walls, and Fort Point Street Bridge, which are deemed to be eligible for the National Register as contributing elements to a linear historic district. CTSHPO requested that CTDOT delay finalizing the mitigation efforts for the project until the public was given additional opportunity to comment on the project's draft Memorandum of Agreement (MOA), included in the EA/EIE as Appendix 1.

Based upon recommendations from local historic stakeholders received during the EA/EIE public review period, and in consultation with CTSHPO, FTA and CTDOT finalized the mitigation measures for the adverse impact to historic properties in the MOA. To address known and potential areas of archaeological sensitivity, the MOA includes an Archaeological Treatment Plan (Appendix A).

In accordance with 36 CFR 800.6, the MOA was finalized and signed by FTA, CTDOT, CTSHPO as signatory parties, and the Tribal Historic Preservation Officer (THPO) of the Mashantucket Pequot Tribal Nation, THPO of the Mohegan Tribe of Indians of Connecticut, Norwalk Historical Commission, Norwalk Historical Society, Norwalk Preservation Trust, and SONO Switch Tower Museum were invited to sign as concurring parties. The final MOA is included as Appendix 2-2.

#### **Section 4(f) Findings**

Section 4(f) of the Department of Transportation Act of 1966, codified at 23 U.S.C. §138 and 49 U.S.C. §303, articulates a National policy affirming that a special effort shall be made to preserve the natural beauty of the countryside, public park and recreational lands, wildlife and waterfowl refuges, and historic sites. Pursuant to 23 CFR 774.3, the Secretary of Transportation may not approve transportation projects that require use of such resources unless a determination is made that there is no feasible and prudent alternative,

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and that all possible planning has been done to minimize harm to Section 4(f) land(s) resulting from such use.

In a letter dated November 17, 2016, the U.S. Department of the Interior (USDO I) concurred with FTA that there is no prudent and feasible alternative to the use of Section 4(f) lands, which consist of the existing bridge, high electric towers, catenary support structures, stone retaining walls, Fort Point Street Railroad Bridge, and the Industrial Buildings historic district, all eligible for or listed on the National Register of Historic Places. USDO I advised that the measures to minimize harm must be explicitly consistent with the MOA.

FTA has concurred that exceptions to Section 4(f) use are applicable to the following: 1) temporary construction-related impacts that will occur to the Norwalk River Valley Trail (NRVT) on the east side and west side of the Norwalk River, pursuant to 23 CFR 774.13(d); and 2) project mitigation that will require the creation and/or restoration of wetlands within City of Norwalk parks near the project area, pursuant to 23 CFR 774.13(g)(1). On May 31, 2017, the City of Norwalk concurred with documentation from CTDOT that the temporary impacts to the NRVT and the use of selected City parks for wetland mitigation for the project qualify as exceptions to Section 4(f) under 23 CFR 774.13(g)(2).

### **Floodplains**

CTDOT evaluated potential impacts to floodplains as a result of the Walk Bridge Replacement Project, in accordance with Connecticut's statutory and regulatory requirements for Floodplain Management for State Agencies, and Executive Order 11988, Floodplain Management, as amended by Executive Order 13690, Establishing a Federal Flood Risk Management Standard. Executive Order 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of flood plains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

Permanent beneficial impacts to the floodplain are anticipated from the removal of the existing bridge and replacement with the new bridge. The proposed hydraulic opening is anticipated to lessen hydraulic constraints and reduce upstream flooding. The project will decrease hydraulic constraints and reduce upstream flooding due to the increased hydraulic opening. The project will increase the flood storage volume of the Norwalk River due to removal of the existing large granite pivot pier and rest piers. Floodplain impacts would result in approximately 19,500 sf of impacts with the Vertical Lift Bridge. However, it is anticipated that flood storage loss will be negligible relative to the overall coastal floodplain.

Based upon the hydraulic improvements anticipated with the project, no mitigation is proposed. As stipulated in EO 11988, and in accordance with Section 404 of the Clean Water Act and CT Flood Management regulations, work proposed in the floodplain will be conducted with every effort to minimize any adverse effects, including flood storage loss and flood path obstruction. CTDOT will analyze both the temporary and permanent conditions to assess floodplain effects in compliance with Connecticut and FEMA floodplain management standards and criteria; if needed, CTDOT will take steps to mitigate effects. As part of permitting for the project, CTDOT will apply for a Section 404 permit from the US Army Corps of Engineers and all work will be conducted in accordance with the permit.

### **Air Quality Conformity**

Since the Walk Bridge Replacement Project involves rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way and will not involve any change in service, the project is exempt from federal conformity requirements under 40 CFR 93.126. Therefore, the Build Alternative (applicable to all three Build options) will not have a measurable effect on air quality and no detailed analysis is required.

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**Noise and Vibration Findings**

Potential noise impacts from the Project were assessed using FTA's noise and vibration impact criteria, following FTA's Transit Noise and Vibration Impact Assessment guidance manual which provides background information on transit noise and vibration, establishes and presents methodologies for assessing noise and vibration impacts. The detailed noise analysis procedures presented in the FTA manual were used to determine the potential change in Leq noise levels at the Maritime Aquarium at Norwalk and the potential Ldn noise level changes at residential areas abutting the area of the Build Alternative between the Norwalk River and the eastern terminus of the project. The Build Alternative would not increase operations and the operating speeds will remain similar to existing operations due to the presence of the bridge and the adjacent South Norwalk station. The Ldn noise levels for the residences in the vicinity of the project site would not change for the Vertical Lift Bridge. With no projected increases in operations, the vibration levels adjacent to the project area would not increase in any of the Build Alternative options.

Based on the analysis, FTA finds that the proposed Project does not result in significant long-term noise or vibration impacts.

**Environmental Justice Findings**

Executive Order 12898 provides that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations."

The project will not disproportionately impact EJ communities. Although all three Census Tracts and all four block groups encompassing the project site have similar EJ characteristics, as described in the EA, the proposed permanent property displacements for construction staging areas in East Norwalk will be located in the least urbanized and least developed portions of the project site. The affected census tract and census block group in East Norwalk have the lowest percentages of low income populations and minorities within the project study area.

The project will replace an existing bridge on an existing rail corridor and will represent an overall benefit to the entire community and is important to the continued economic prosperity of the region. The improved accessibility and reliability of the proposed bridge and navigational opening will also benefit EJ communities, which comprise a substantial portion of the local community.

Based on that analysis, FTA finds that the proposed Project would not have disproportionately high and adverse effects on minority or low-income populations.

**Executive Order 11990, Wetlands Protection**

The USDOT seeks to assure the protection, preservation, and enhancement of the nation's wetlands to the fullest extent practicable during the planning, construction, and operation of transportation facilities and projects. (DOT Order 5660.1A; Executive Order 11990).

As a result of the Project, impact to portions of existing vegetated tidal wetlands along the shore of the Norwalk River will occur. Both temporary and permanent impacts to these wetlands are anticipated. Based on the current design, the installation of the new bridge abutments and the new pile-supported bridge piers will permanently impact vegetated tidal wetlands.

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The Vertical Lift Bridge option would result in approximately 2,500 sf of permanent impact to tidal wetlands and approximately 2,400 sf of temporary impact to tidal wetlands. Since no eel grass beds will be impacted by the Build Alternative, no subtidal vegetated wetland mitigation is anticipated for the project. It is anticipated that the loss of vegetated intertidal wetlands will be mitigated through the restoration of degraded tidal wetlands dominated by common reed (*Phragmites australis*), currently existing along the river, proximal to but outside of the project's immediate vicinity.

The EA, Table 3-7 presents a summary of the mitigation requirements for the Build Alternative options. Based upon anticipated permanent and temporary impacts, and using applicable mitigation to impact factors, there are sufficient locations in the project vicinity to provide nearby compensation. The project will achieve a no-net-loss of wetlands by minimizing impacts to wetlands and mitigating for impacts that are unavoidable.

With the identified mitigation, FTA finds that the proposed Project will not result in a significant impact to tidal wetlands or jurisdictional waters of the United States.

**Endangered Species Act (ESA)**

The Endangered Species Act of 1973, as amended (ESA), intends to protect threatened and endangered species and the ecosystems on which they depend. The ESA requires a federal agency to ensure that any action it authorizes, funds or carries out is not likely to jeopardize the continued existence of any listed species or result in direct mortality or destruction or adverse modification of critical habitat of listed species. This requirement is fulfilled under Section 7 of the ESA by review of the proposed actions and consultation with the appropriate agency responsible for the conservation of the affected species. If necessary, mitigation will be required to avoid jeopardizing listed species or their habitat.

Section 7 of the ESA requires all federal agencies to consult with NMFS for marine and diadromous species, or with the USFWS for fresh-water species and inland flora and fauna. Listed species were identified and evaluated using state and federal consultation protocols, via a review of existing data sets and literature, and direct observation. For federally protected species, the NMFS Protected Resources Division was consulted in December 2014. For state regulated species, the CTDEEP Natural Diversity Database (NDDDB) was consulted in November 2014. Section 7 ESA applicability was determined via on-line screening using the USFWS Information for Planning and Conservation (IPaC) tool (September 2015). Field reviews were conducted to assess the potential habitat suitability for state listed species known to occur within the project area. Additionally, direct observations of some state listed species made during field work within the project area supplemented information that was available in the literature or obtained via resource agency consultation. No impacts to listed species are anticipated in the Build Alternative.

The USFWS identified the federally threatened red knot as having a distributional range within the project area. However, this species is unlikely to be encountered in the project area during any time of year. It is a rare to uncommon coastal migrant in Connecticut. The few individuals that do occur from time to time in Connecticut during migration are known to occur on offshore barrier beaches and sand spits along the coast and the mud flats that typically form behind them. It is even rarer in the western portion of CT's Long Island Sound shoreline. No permanent impact to this species is anticipated due to the Build Alternative, and no temporary impact is expected as a result of construction activity.

The USFWS IPaC screening tool identified the federally threatened northern long-eared bat as having a distributional range that includes the project area. Tree clearing to expand the width of the bridge approach on the east side of the Norwalk River will result in the removal of tall trees from within the railroad ROW. In general, tree clearing within the range of the northern long-eared bat is a potential concern for the conservation of this species. However, pursuant to the Final 4(d) Special Rule under authority of the Endangered Species Act, USFWS would not require surveys to determine the presence of northern long-

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ered bat if the project site does not occur within one-quarter-mile from a known hibernaculum or contain a maternity roost site. The USFWS defers to the state wildlife resource agencies for information on hibernacula and maternity site locations. CTDEEP NDDDB did not identify northern long-eared bat as occurring within the project area. As of February 1, 2016, the known northern long-eared bat hibernaculum located nearest to Norwalk is in Greenwich County, CT. Based upon this information, it may be concluded that the project would result in a “not likely to effect” determination for the northern long-eared bat. CDOT and FTA will request USFWS concurrence with this conclusion via a hard copy letter with documentation to accompany project permit application filings and will comply with any necessary conservation measures.

Pursuant to the MBTA and the Bald and Golden Eagles Protection Act, any activity which results in the “take” of migratory birds or eagles is prohibited unless authorized by USFWS. According to the USFWS IPaC report generated for the project, there are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Therefore, FTA is required to analyze potential project impacts to these bird species and implement appropriate conservation measures. However, the Build Alternative is not likely to have any negative effects on the relevant species identified by USFWS, because these species either do not occur in the project area, or are only transient migrants within the project area and would avoid construction activity. Therefore, no takes of these species are anticipated.

NMFS has also identified the following federally-listed Threatened and Endangered species that may occur within the Norwalk River: Atlantic sturgeon, loggerhead sea turtle, shortnose sturgeon, Kemp’s ridley sea turtle, green sea turtle, and leatherback turtle. CTDOT and FTA will consult with NMFS on any impacts to these species during the permitting phase of the project, and any necessary conservation and protection measures will be implemented.

There are no other permanent mitigation measures to Endangered, Threatened, or Special Concern species habitat anticipated for the Build Alternative. However, in-water work for any pier demolition, piledriving, and dredging activities are often subject to temporal or seasonal restrictions which are often made conditions of the requisite environmental permits. CTDOT will coordinate with USFWS, NMFS, and CTDEEP as the project design advances and the contractor’s means and methods of construction are developed, and as the project progresses into the permitting phase to protect the species and their critical habitats. Additional site-specific measures may be imposed by regulatory agencies during the permitting phase of the project. At this time, no permanent, indirect impact to the 24 migratory bird species whose distributional ranges overlap the project area are anticipated, therefore, no mitigation for those species is proposed.

FTA anticipates that the proposed project will have no adverse effect on any listed species or their habitats beyond those potential, insignificant, and transient effects identified and discussed above. This will be verified through continued consultation with the U.S. Fish and Wildlife Service (USFWS), USACE, U.S. Environmental Protection Agency (USEPA), National Marine Fisheries Service (NMFS), and CTDEEP through the permitting process, as appropriate, to avoid and/or minimize impacts to endangered and threatened species. On-going coordination with state and federal agencies will ensure minimal disruption of the species. Any identified mitigation resulting from these consultations will be implemented by CTDOT.

**Essential Fish Habitat (EFH)**

EFH is designated for ten species in the area inclusive of Walk Bridge, and five additional species have designated EFH reaching the Stroffolino Bridge. The designated EFH includes various life stages for the different species. There will be very minor impacts to EFH at the project site, consisting of minor changes in water depth to widen the channel bottom in the subtidal estuarine area under the bridge. Aside from



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limited vegetated wetlands in the intertidal zone, no other EFH, such as eel grass beds, tidal creeks, marsh pans, oyster reef, etc., will be lost due to the Build Alternative. Although there is the potential for temporary impacts to surface water quality in the immediate vicinity of the bridge during the in-water portion of construction, these potential impacts will be minimized through the use and implementation of BMPs. An EFH Assessment Checklist will be completed for the Build Alternative as part of the state and federal permitting process. The EFH Assessment will contain the specific detailed information on potential impacts to EFH and trust resources as a result of the Build Alternative, and will identify measures that will be implemented to minimize adverse impact to EFH. Since impact to EFH is not expected to be substantial, EFH mitigation is not anticipated for the project. However, this will be verified through coordination with the regulatory agencies during the permitting phase of the project.

**National Environmental Policy Act (NEPA) Finding**

FTA served as the lead federal agency under NEPA for the project. CTDOT submitted an Environmental Assessment/Section 4(f) Evaluation and Environmental Impact Evaluation (EA/EIE) in compliance with NEPA, 42 USC 4321 *et. seq.*; NEPA's implementing regulations, 40 CFR Part 1500 *et. seq.*; and FTA's regulations, 23 CFR Part 771. The EA/EIE describes the project's potential impacts and proposed mitigation measures to reduce impacts.

FTA has reviewed the EA/EIE and supporting documents, public and agency comments, and responses to comments. Pursuant to 23 CFR 771.121, FTA finds that the Walk Bridge Replacement Project, as described in the EA/EIE and with the mitigation measures committed to by CTDOT in the EA/EIE and further defined as presented in this FONSI, will result in no significant adverse impact on the environment. The record provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required.

**Permits**

As documented in Chapter 7 of the EA/EIE, CTDOT will be required to obtain all necessary federal and state permits and approvals prior to the project's start of construction. Appendix 3 contains lists of required federal and state permits and approvals.

**Incorporation by Reference**

The full text of the Walk Bridge Replacement Project EA/EIE, Volumes 1 and 2 (August 2016), accompanying EA/EIE documentation including technical reports, the Errata to the EA/EIE (Appendix 1), and all documentation of public comment and response to comments as provided by CTDOT are incorporated by reference into this Finding of No Significant Impact.

Approved: Mary Beth Mello Date: 7/17/17  
Mary Beth Mello  
Regional Administrator  
Federal Transit Administration, Region 1

Concur: Charles J. Dyer Date: 7/17/17  
Charles J. Dyer  
Regional Counsel  
Federal Transit Administration, Region 1

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**Appendix 1      Errata to the EA/EIE**

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**Errata to the EA/EIE**

EA/EIE Section	Page	Revision																					
2.3.2	2-6	Fixed Span – Low-Level Option. Revise the first sentence of the last paragraph in this subsection to read: CTDOT estimated the construction and program cost of the low-level option to range between \$290 and \$340 million in year 2020 dollars, which is the anticipated mid-point of construction.																					
2.3.2	2-6	Fixed Span – Mid-Level Option. Revise the first sentence of the last paragraph in this subsection to read: CTDOT estimated the construction and program cost of the mid-level option to range between \$320 and \$370 million in year 2020 dollars, which is the anticipated mid-point of construction.																					
2.3.2	2-7	Fixed Span – High-Level Option. Revise the first sentence of the last paragraph in this subsection to read: CTDOT estimated the construction and program cost of the high-level option to be in excess of \$1 billion in year 2020 dollars, which is the anticipated mid-point of construction.																					
2.4.2	2-21	Dredging for a Wider Navigation Channel. Revise the last sentence in this subsection to read: State and federal permits from CTDEEP and USACE will be required for dredging activities in the federal navigation channel, as described in Chapter 7.																					
3.1.3	3-11	Build Alternative subsection, second paragraph. Revise all references to “Cooper 80” to “Cooper E-80.”																					
3.6.2	3-38	Delete the following row from Table 3-5: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Map/Block/Lot</th> <th>Address</th> <th>Existing Uses on Parcels <sup>a</sup></th> <th>Displaced Uses</th> <th>Parcel Size (acre)</th> <th>Portion of Parcel to be Used</th> <th>FTA CPE <sup>b</sup></th> </tr> </thead> <tbody> <tr> <td>3/1/8</td> <td>217 Liberty Square</td> <td>Plastic fabrication company - 4,452 sf structure</td> <td>Plastic fabrication company</td> <td>0.16</td> <td>Full</td> <td>yes</td> </tr> </tbody> </table>	Map/Block/Lot	Address	Existing Uses on Parcels <sup>a</sup>	Displaced Uses	Parcel Size (acre)	Portion of Parcel to be Used	FTA CPE <sup>b</sup>	3/1/8	217 Liberty Square	Plastic fabrication company - 4,452 sf structure	Plastic fabrication company	0.16	Full	yes							
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3.17.5	3-105	<p>Revise the second row in Table 3-13 to read as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th data-bbox="334 243 740 281" style="text-align: left;"><b>Potential Adverse Impact</b></th> <th data-bbox="740 243 1547 281" style="text-align: left;"><b>Preliminary Assessment</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="334 281 740 558">Replacing an existing water-dependent use with a non-water-dependent use.</td> <td data-bbox="740 281 1547 558">During construction of the bridge, the project will replace an existing water-dependent use, a commercial marina and community rowing facility, with a non-water dependent use, consisting of access to the waterfront for demolition of the existing bridge and construction of the replacement bridge. However, this will be a temporary condition. Upon completion of the project, CTDOT will sell the property. Per the Norwalk Building Zone Regulations, provisions for public access to the waterfront are required for new development on lots adjacent to the water.</td> </tr> </tbody> </table>	<b>Potential Adverse Impact</b>	<b>Preliminary Assessment</b>	Replacing an existing water-dependent use with a non-water-dependent use.	During construction of the bridge, the project will replace an existing water-dependent use, a commercial marina and community rowing facility, with a non-water dependent use, consisting of access to the waterfront for demolition of the existing bridge and construction of the replacement bridge. However, this will be a temporary condition. Upon completion of the project, CTDOT will sell the property. Per the Norwalk Building Zone Regulations, provisions for public access to the waterfront are required for new development on lots adjacent to the water.
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5.3.20	5-25	<p>Add the following sentences to the end of the paragraph: There could be project-related actions that warrant work on or affecting South Norwalk Electric and Water (SNEW) and the Third Taxing District (TTD) utilities. As design advances, CTDOT will coordinate with SNEW and TTD to perform site-specific adjustments.</p>				

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**Appendix 2      Mitigation Measures**

- Appendix 2-1      Summary Table of Impacts and Mitigation Measures**
- Appendix 2-2      Section 106 Memorandum of Agreement**

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**Appendix 2-1      Summary Table of Impacts and Mitigation Measures**



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**Summary Table of Impacts, Mitigation, and Commitments**

Appendix 2-1 provides the following summary table of mitigation and commitments for the Walk Bridge Replacement Project. To track mitigation plans and permit conditions to be developed in final design, CTDOT will use FTA's Project Management Plan, working in coordination with the City of Norwalk, the local community, and regulatory agencies. As the lead federal agency, FTA exercises continual oversight and independent review of the project. Additionally, the project's commitment to mitigation measures will be reviewed by federal and state regulators.

Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Rail Transportation</b> (EA/EIE Sections 3.1 &amp; 5.3.1)</p>	<p>Temporary two-track outage will be needed for up to 30 months. Limited four-track outages will be required for specific construction activities.</p>	<p>CTDOT will maintain weekday passenger train service by keeping at least two tracks in service throughout nearly all the construction period. CTDOT will schedule limited four-track outages required during construction time during an off-peak and/or weekend period, to the extent possible.</p> <p>CTDOT will complete planned independent NHL-improvement projects on the main line and Danbury Branch prior to implementing the long-term, two-track outages; these projects will facilitate considerable train movement flexibility on the NHL main line and minimize schedule adjustments associated with long-term two-track outages. Refer to CTDOT Issue Paper: Early-Action NHL Projects with Independent Utility.</p> <p>CTDOT will minimize temporary impacts to rail traffic by coordinating the construction of the project with the East Avenue Bridge Project (Bridge No. 42.14) and associated roadway and the Osborne Avenue Bridge Project (Bridge No. 41.96). Refer to CTDOT Issue Paper: Coordinating Construction with Osborne and East Avenue Projects.</p> <p>CTDOT will work with Metro-North, Amtrak, and freight service providers to ensure that train operations proceed in a manner that maintains service, facilitates passenger boarding and alighting at East Norwalk and South Norwalk Stations, and prioritizes the overall safety of the railroad corridor.</p>
<p><b>Marine Transportation</b> (EA/EIE Sections 3.2 &amp; 5.3.2)</p>	<p>For most of the 40-month construction period, one or both channels will be open to navigation, and the replacement bridge project footprint will not encroach upon the existing channels. Temporary navigation restrictions will occur. The swing span will remain operational until shortly before its removal. A limited number of full channel closures will be needed for specific construction activities.</p>	<p>CTDOT will coordinate channel closures with the City of Norwalk, Norwalk Harbor Management Commission, the Norwalk Harbor Master, the U.S. Coast Guard (USCG), the U.S. Army Corps of Engineers (USACE), and waterway users to the maximum extent possible.</p> <p>CTDOT will develop and implement a Marine Transportation Plan and a series of water-dependent use/waterfront access strategies, working in coordination with the affected marine-based businesses, the City of Norwalk, and the Norwalk Harbor Management Commission. The Plan will address temporary impacts to water-based businesses, marina users, rowers, and ferry and vessel operations. Individual plans or strategies may be developed with owners and water-users. As a component of the Marine Transportation Plan, CTDOT will coordinate with the City of Norwalk Police and Fire Departments, water-dependent businesses, the Connecticut Department of Energy and Environmental Protection (CTDEEP), and the USCG to develop and update emergency preparedness, communications and response measures for businesses and properties upstream of Walk Bridge through the construction period.</p>

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Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Traffic, Transit and Parking</b> (EA/EIE Sections 3.3 &amp; 5.3.3)</p>	<p>Temporary impacts to local roadways will include full closure to public access of a portion of Goldstein Place; periodic partial lane closures and full street closures of North Water Street; and partial lane closures of Fort Point Street of about a month and occasional full street closures. Road closures may affect existing routing to parking facilities.</p>	<p>CTDOT will prepare and implement a Transportation Management Plan (TMP) to accommodate the replacement of Walk Bridge and Fort Point Street Bridge in conjunction with the East Avenue Bridge replacement (and associated roadway) project and the Osborne Avenue Bridge replacement project. The TMP will include vehicle, pedestrian, and bicycle detour plans for the stages of the project; temporary bus routes; rail user updates; and construction material haul routes.</p>
	<p>Temporary impacts (including closure) of the Norwalk Parking Authority (NPA) North Water Street parking lot could occur due to a construction easement on the parcel.</p>	<p>CTDOT will work with the City of Norwalk, the NPA, and business community to develop and implement an Alternative/Replacement Parking Plan. The Plan will identify replacement parking due to temporary closures of parking facilities (including the North Water Street Lot), and identify access to available parking facilities unaffected by the project.</p>
<p><b>Pedestrian and Bicycle Facilities</b> (EA/EIE Sections 3.4 &amp; 5.3.3)</p>	<p>Temporary use of the City's Wastewater Treatment Plant (WWTP) site (Parcel 3/2/3) and construction of an extension of this trail connection along the east river bank will temporarily affect the southernmost terminus of the existing Harbor Loop Trail.</p>	<p>CTDOT will develop and implement a TMP which will include pedestrian and bicycle detour plans for the stages of the project, including bridge construction.</p>
	<p>Due to the temporary use of the Norwalk Parking Authority site (Parcel 2/19/1), the portion of the Norwalk River Valley Trail (NRVT) adjacent to this parking lot may be closed to the public during construction. North Water Street and its sidewalks can be used by pedestrians and bicyclists.</p>	<p>CTDOT will restore the existing trails to pre-construction condition following completion of construction.</p> <p>CTDOT will include an extension of the Harbor Loop Trail on the east side of the Norwalk River in the Walk Bridge Replacement Project. CTDOT will work with the City of Norwalk, including the Bike-Walk Task Force and Norwalk River Valley Trail Steering Committee, to determine the preferred routing from the proposed north-south connector, as shown on EA/EIE Figure 3-10 or as determined through discussions with project stakeholders.</p> <p>CTDOT is supportive of an extension of the NRVT on the west side of the Norwalk River. The determination of the most appropriate location for this extension of the existing trail on the west side of the river will be made in coordination with the City and the Maritime Aquarium. Implementation specifics will be determined as the project progresses.</p>
<p><b>Property Acquisition and Displacement</b> (EA/EIE Sections 3.6 &amp; 5.3.4)</p>	<p>A total of eight full-parcel acquisitions will be required for project construction. A total of twelve full- and partial-parcel temporary easements</p>	<p>In accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, and the Connecticut Uniform Relocation Assistance Act, CTDOT will aid businesses and residents whose properties are acquired by the project, including payment of fair market value for the parcels and appropriate relocation costs.</p>

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Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Property Acquisition and Displacement</b> (EA/EIE Sections 3.6 &amp; 5.3.4)</p>	<p>are currently anticipated for the project, and, of that total, permanent easements are anticipated on three parcels.</p>	<p>CTDOT is guided by Connecticut General Statutes when releasing excess property. Following project completion, any property determined to be in excess of CTDOT's needs will first be offered to other State Agencies in accordance with Connecticut General Statute (CGS) 4b-21. Thereafter, pursuant to CGS 3-14b, the City of Norwalk will have an opportunity to purchase property deemed in excess of the State's needs, prior to being offered to the public. The future use and development of these properties is determined by municipal zoning, the City's Plan of Conservation and Development, permit approvals, and for properties within the coastal zone boundary, municipal coastal site plan review.</p>
<p><b>Socioeconomics</b> (EA/EIE Sections 3.8 &amp; 5.3.5)</p>	<p>Temporary access impacts will occur to land-based businesses proximate to Walk Bridge and water-based businesses upriver from Walk Bridge over an approximate 40-month construction period.</p> <p>Temporary construction easements will adversely impact public and private parking facilities and facilities and operations of the Maritime Aquarium.</p>	<p>CTDOT will develop and implement Construction Period Coordination Plans to address concerns and develop mitigation plans as design advances and the contractor's construction means and methods are defined. The Plans will include a series of individual plans and strategies. The plans will identify project-specific tasks and mitigation measures to minimize impacts. The CTDOT design and construction team will develop and update these plans working in close coordination with the City of Norwalk, the business community, residents, and other affected parties. Refer to CTDOT Issue Paper: Construction Period Coordination Plans.</p> <p>CTDOT has developed a Communications Management Plan which outlines the objectives of the communications and public involvement efforts for the Walk Bridge Program. Through the project website - <a href="http://www.walkbridgect.com">www.walkbridgect.com</a> - CTDOT will continue to provide continuous updates to the community on the Walk Bridge Replacement Project and nearby projects. The Communications Management Plan includes strategic approaches for communicating accurate and timely information to all involved agencies and stakeholders, including residents, businesses, visitors, and rail and maritime users. The Plan will be reviewed vigorously and updated as necessary to support transparency and proactively engage stakeholders as design and construction progress. A variety of outreach tools is outlined in the Plan; these communication tools will be used through the duration of the project to facilitate meaningful dialogue.</p>

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Environmental Resource	Potential Impacts	Mitigation and Commitments
		<p>CTDOT will develop and implement a Business Coordination Plan to identify the concerns of the business community and address construction-related impacts. By developing and maintaining ongoing communication with local businesses, CTDOT seeks to establish a two-way communication system where the project schedule is communicated, business concerns are identified, and strategies are put in place to minimize disruptions to businesses. Initially, personal interviews will be conducted with businesses in the immediate project construction area to assess existing conditions, including employee and patron parking areas, delivery schedules, hours of operation, and shopping patterns. From these discussions, potential temporary impacts will be determined and mitigation measures will be developed in coordination with businesses in South Norwalk and East Norwalk. Individual plans or strategies may be developed as required.</p>

Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Socioeconomics</b> (EA/EIE Sections 3.8 &amp; 5.3.5)</p>	<p>Loss of property tax revenue of approximately \$91,000 per year over the 4-year construction period will result from parcel acquisitions.</p>	<p>CTDOT does not have the statutory authority to reimburse municipalities for long term tax revenue losses resulting from property acquisitions. However, mitigation measures are incorporated into the project that will benefit the Norwalk community.</p>
<p><b>Water Quality</b> (EA/EIE Sections 3.9 &amp; 5.3.6)</p>	<p>Temporary impacts will include sediment disturbance due to waterway work and soil exposure due to land-based work.</p>	<p>CTDOT will develop and implement a construction-period water quality control plan, pursuant to the requirements of Section 401 Water Quality Certification and the National Pollutant Discharge Elimination System (NPDES) program.</p> <p>CTDOT will prepare and implement a Stormwater Pollution Control Plan (SWPCP) as part of the project's Construction Stormwater General Permit. The SWPCP will identify potential pollutant sources areas and Best Management Practices (BMPs) to be used for erosion and sedimentation control, temporary stormwater management, dust control, and site stabilization.</p> <p>CTDOT will comply with the requirements of the Municipal Separate Stormwater Sewer Systems (MS4) General Permit requirements for linear transportation infrastructure.</p> <p>CTDOT will identify opportunities to protect and improve water quality as feasible, as it continues to evaluate the types of approach spans in coordination with the City, as the project proceeds into final design, and as the contractor's means and methods of construction are defined. Some examples of BMPs include using marine enclosures for work around piers during construction and demolition; adding protective enclosures for work on the bridge to contain materials that could potentially fall to the water; stabilizing land-based soils; using erosion control measures; removing contaminated sediments from the river; and disposing of sediments following state regulations. Further, CTDOT will utilize its own Environmental Compliance specifications, which list specific BMPs for water pollution control, and address standards for the management and disposal of contaminated and/or hazardous materials.</p>

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<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<b>Tidal Wetlands</b> (EA/EIE Sections 3.10 & 5.3.7)	Indirect temporary impacts will occur to approximately 2,400 sf of vegetated tidal wetlands. Permanent Impacts will occur to approximately 2,500 sf of vegetated tidal wetlands.	CTDOT will provide compensatory mitigation for temporary direct impacts to intertidal and subtidal habitats, and for indirect shading impacts to tidal vegetated wetlands, consisting of in-place restoration or enhancement of temporary impact areas, and restoration of tidal marsh areas that may be temporarily impacted from trestle platform shading.  CTDOT will provide compensatory mitigation for permanent impacts to vegetated tidal wetlands through restoration and/or enhancement of wetlands along the Norwalk River dominated by invasive species. Wetland restoration will produce a permanent community benefit.
<b>Freshwater Wetlands</b> (EA/EIE Sections 3.11 & 5.3.7)	Permanent loss of approximate 600-sf wetland will occur.	CTDOT will provide compensatory mitigation for the loss of a state-regulated freshwater wetland through restoration or replacement in-kind; out-of-kind wetland creation; invasive species removal; or any combination of these methods.

<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<b>Floodplains</b> (EA/EIE Sections 3.12 & 5.3.8)	Temporary impacts will occur to approximately 230,000 square feet of 100-year floodplain due primarily to construction staging and access to the railroad ROW.  Permanent impacts will occur to approximately 19,500 sf of 100-year floodplain.	CTDOT will analyze both the temporary and permanent conditions to assess floodplain effects in compliance with Connecticut and Federal Emergency Management Agency (FEMA) floodplain management standards and criteria; if needed, CTDOT will take steps to mitigate effects.
<b>Terrestrial Resources, Species, and Critical Habitats</b> (EA/EIE Sections 3.13 & 5.3.9)	Temporary impacts will occur to terrestrial species due to loss of herbaceous coverage.  Minor permanent impacts will occur due to loss of narrow upland habitat patch.	CTDOT will implement BMPs, use construction phasing or sequencing, and comply with seasonal restrictions to avoid impacts to terrestrial resources and habitats.

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<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<p><b>Aquatic Resources, Species and Critical Habitats</b> (EA/EIE Sections 3.14 &amp; 5.3.10)</p>	<p>Temporary impacts will occur to approximately 7,700 sf of intertidal habitat and approximately 8,400 sf of subtidal habitat.</p> <p>Conversion of approximately 300 sf of intertidal habitat to subtidal habitat and increased depth of subtidal areas will occur due to dredging.</p> <p>Permanent impacts will occur to approximately 900 sf of intertidal habitat and approximately 26,600 sf of subtidal habitat.</p>	<p>CTDOT will minimize impacts to finfish, shellfish, and other aquatic resources through the use of protective measures, including managing turbid water generated inside casing, sheet piles, or cofferdam containments; replacing contaminated native materials cut from the submarine conduits with clean material matching grain size of removed sediments; mechanically removing select existing bridge components; separating and removing sediment-laden water from containment areas; and avoiding construction blasting.</p> <p>CTDOT will provide compensatory mitigation for habitat displacement due to the construction-phase temporary direct impacts to intertidal and subtidal habitats, and for indirect shading impacts to tidal vegetated wetlands, in coordination with the USACE and CTDEEP.</p>
<p><b>Endangered and Threatened Species</b> (EA/EIE Sections 3.15 &amp; 5.3.11)</p>	<p>Potential temporary disruption of foraging habitat will occur due to work in the water and vegetation clearing.</p>	<p>CTDOT will continue to consult with the U.S. Fish and Wildlife Service (USFWS), USACE, U.S. Environmental Protection Agency (USEPA), National Marine Fisheries Service (NMFS), and CTDEEP through the permitting process, as appropriate, to avoid and/or minimize impacts to endangered and threatened species. On-going coordination with state and federal agencies will ensure minimal disruption of the species. Any identified mitigation resulting from these consultations will be implemented by CTDOT.</p> <p>CTDOT will conduct vegetation clearing during the off-season for protected bird species and will monitor the area for the presence of protected bird species during construction.</p> <p>CTDOT will incorporate a construction period BMP into the construction specifications to address the potential presence of the state-listed Peregrine Falcon nesting within the project area.</p>

<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<p><b>Consistency with CT Coastal Management Act</b> (EA/EIE Section 3.16)</p>	<p>Unavoidable temporary and permanent impacts will occur to tidal wetlands, intertidal and subtidal habitat, coastal access, water-dependent uses, and historic resources.</p>	<p>CTDOT will incorporate mitigation measures for unavoidable impacts and refine the design to minimize impacts to be consistent with the CT Coastal Management Act's policies for the protection of coastal resources and policies on development of those resources. CTDOT will request Coastal Consistency Review as part of its application to CTDEEP for a Structures, Dredge and Fill and Tidal Wetlands Permit for the project.</p>
<p><b>Water-Dependent Uses</b> (EA/EIE Sections 3.17 &amp; 5.3.12)</p>	<p>Temporary impacts will occur to upstream uses and uses in immediate proximity to the bridge due to navigation restrictions</p>	<p>CTDOT will develop and implement a series of water-dependent use/waterfront access strategies, working in coordination with the affected marine-based businesses, the City of Norwalk, and the Norwalk Harbor Management Commission. The Plan will address temporary impacts to water-based businesses, marina users, rowers, and ferry and vessel operations. Individual plans or strategies may be developed with owners and water-users.</p>

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<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
	<p>Temporary relocation of the Sheffield Ferry and Maritime Aquarium vessel operations will be required, as the current docking facilities will be temporarily removed due to anticipated project construction activities.</p>	<p>CTDOT is working with the Norwalk Seaport Association and the Maritime Aquarium to aid in relocating their respective vessels in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (Uniform Act).</p>
	<p>Permanent impact will occur through parcel acquisition of private marina.</p>	<p>Regarding the sale of properties with existing water-dependent uses, CTDOT will market the excess property indicating the highest priority and preference for water-dependent use of the site. With approval from the Commissioner of the Department of Energy and Environmental Protection, CTDOT will select the highest bid that best demonstrates an integrated, quality, water-dependent use. Water-dependent uses include, but are not limited to: marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyard and boat building facilities, and water-based recreational uses.</p>
<p><b>Parklands, Public Recreation, and Community Facilities</b> (EA/EIE Sections 3.18 &amp; 5.3.13)</p>	<p>Temporary impacts that will occur to the Norwalk River Valley Trail (NRVT) on the east side and west side of the Norwalk River.</p> <p>Permanent impacts will occur to City parks due to the creation and/or restoration of wetlands.</p>	<p>CTDOT will restore the existing trails to pre-construction condition following completion of construction.</p> <p>CTDOT's proposed wetland restoration will be a positive permanent impact: it will enhance the City's parks and waterfront and provide a permanent benefit to the community. The tidal wetland restoration that may be located adjacent to or within the boundaries of Oyster Shell Park is identified in the City of Norwalk's Oyster Shell Park Master Plan as part of planned waterfront improvements.</p>

<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<p><b>Parklands, Public Recreation, and Community Facilities</b> (EA/EIE Sections 3.18 &amp; 5.3.13)</p>	<p>Construction will impact the Maritime Aquarium, including animal exhibits and the IMAX Theatre. CTDOT is coordinating with the Maritime Aquarium and the City regarding the temporary and/or permanent nature of these impacts.</p>	<p>CTDOT is developing a specific coordination plan with the Maritime Aquarium. CTDOT is working with the City of Norwalk and the Aquarium to develop a plan to identify and address the impacts of the project upon the Aquarium's outdoor and indoor exhibits and its terrestrial and aquatic animals. CTDOT will compensate the City of Norwalk for the property rights to be acquired. In connection therewith, CTDOT will provide the City of Norwalk and/or the Aquarium the assistance necessary to relocate the animals affected by the acquisition.</p>



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<b>Environmental Resource</b>	<b>Potential Impacts</b>	<b>Mitigation and Commitments</b>
<p><b>Visual Resources</b> (EA/EIE Sections 3.19 &amp; 5.3.14)</p>	<p>Temporary impacts will occur due to construction staging, including use of temporary trestles and barges in the water. Permanent altered visual setting will occur due to loss of historic resources, and potential altered visual effect could occur due to new bridge in an historic setting.</p>	<p>CTDOT has initiated meetings with the City of Norwalk's Design Advisory Committee to review design and solicit feedback on those design elements that will contribute to the aesthetics of the replacement bridge, including (but not limited to) façade treatments, color, and landscaping. CTDOT has committed to working with the Design Advisory Committee, as well as local historic stakeholders, on the design elements of the bridge.</p>
<p><b>Air Quality</b> (EA/EIE Sections 3.20 &amp; 5.3.15)</p>	<p>Temporary minor impacts will occur from diesel equipment, fugitive dust.</p>	<p>CTDOT will develop and implement a construction-period air quality/dust control plan. It is anticipated that construction-related dust will be primarily controlled by using BMPs, and will build on the air quality/dust control measures identified for consideration in the EA/EIE (Section 5.3.15).</p>
<p><b>Noise and Vibration</b> (EA/EIE Sections 3.21 &amp; 5.3.16)</p>	<p>Temporary impacts will occur due to daytime and night-time noise proximate to the project site.</p>	<p>CTDOT will develop and implement a construction-period noise and vibration control plan to address potential impacts of land-based and water-based noise. It is anticipated that the construction noise and vibration control plan will build on the noise and vibration control measures identified for consideration in the EA/EIE (Section 5.3.16).</p> <p>CTDOT is developing a specific coordination plan with the Maritime Aquarium which they will work with the Aquarium to implement. CTDOT is working with the City of Norwalk and the Aquarium to develop a plan to identify and address the impacts of the project upon the Aquarium's outdoor and indoor exhibits and its terrestrial and aquatic animals.</p> <p>CTDOT will coordinate the need for vibration mitigation measures with the NMFS, including addressing potential vibration impacts on fish living/migrating in the Norwalk River.</p>

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Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Noise and Vibration</b> (EA/EIE Sections 3.21 &amp; 5.3.16)</p>	<p>Potential temporary impacts of ground-borne vibration to affect nearby buildings, including the Maritime Aquarium and historic structures that may not have the same physical resistance to vibration as modern buildings.</p>	<p>CTDOT will develop and implement an Historic Building Protection Plan in coordination with the Connecticut State Historic Preservation Office (CTSHPO) to minimize the effects of construction-period vibration upon nearby historic buildings. The historic buildings to be included in the Plan consist of the Interlocking Tower (South Norwalk Switch Tower Museum) and historic buildings on the north side of Washington Street in the South Main and Washington Streets Historic District, the Former Norwalk Lock Company, the Former Norwalk Iron Works, the circa 1910 commercial buildings at 68 Water Street, and the buildings that comprise the potentially eligible Liberty Square Historic District. The Plan will be based on FTA's vibration threshold criteria, and will consist of multiple elements, including (but not limited to) conducting pre-construction inspection of historic buildings, developing and implementing a vibration monitoring program, and conducting post-construction surveys of historic buildings. The plan will include protective measures to be implemented if monitoring indicates the potential for damage to historic buildings. CTDOT will prepare a draft technical memorandum documenting the results of the Plan's implementation and will submit it to CTSHPO and FTA. The final technical memorandum will be submitted to CTSHPO for permanent archiving and public accessibility.</p>
<p><b>Cultural Resources</b> (EA/EIE Sections 3.22 &amp; 5.3.17)</p>	<p>Adverse effects will occur due to demolition of National Register-listed Walk Bridge and Fort Point Street Bridge; and historic stone abutment retaining walls, high towers, and catenary support structures.</p>	<p>CTDOT has developed mitigation measures for impacts to historic resources, working in coordination with FTA, CTSHPO, and local historic stakeholders. CTDOT has determined that to the maximum amount practicable, mitigation measures for the loss of the landmark structure will be public in their scope and availability to the Norwalk community, particularly the South Norwalk and East Norwalk neighborhoods. The mitigation measures are memorialized in a Memorandum of Agreement (MOA) among FTA, CTSHPO and CTDOT (as signatory parties) and local historic stakeholders (as concurring parties), pursuant to Section 106 of the National Historic Preservation Act. Refer to Appendix 2-2.</p> <p>Prior to demolition, CTDOT will contact the Historic American Engineering Record (HAER) for advice as to the level of documentation that would be appropriate for recording the Walk Bridge. CTDOT will retain a qualified consultant to prepare the documentation of the Walk Bridge as specified in HAER's response. CTDOT will submit the documentation to FTA and CTSHPO for review, revise the documentation according to any comments, and submit the revised documentation to HAER and provide CTSHPO with two copies of the documentation upon completion.</p>

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<p><b>Cultural Resources</b> (EA/EIE Sections 3.22 &amp; 5.3.17)</p>	<p>Adverse effects will occur due to demolition of National Register-listed Walk Bridge and Fort Point Street Bridge; and historic stone abutment retaining walls, high towers, and catenary support structures.</p>	<p>Prior to demolition, CTDOT will determine whether the documentation entitled "New Haven Railroad Catenary System," prepared by Historical Technologies in 2000 (the 2000 Documentation), adequately represents the catenary structures to be demolished as part of the project. If the catenary structures that were photographed and described in the 2000 Documentation are essentially identical to those proposed for demolition, CTDOT will notify CTSHPO of this determination and no further documentation will be necessary. If the catenary structures to be demolished are unique and not adequately represented in the 2000 Documentation, CTDOT will prepare additional written and photographic documentation of the catenary structures to the professional standards of CTSHPO. CTDOT will submit the documentation to the FTA and CTSHPO for review, revise the documentation according to any comments, and submit the revised documentation to CTSHPO for permanent archiving and public accessibility.</p>
		<p>CTDOT will prepare written and photographic documentation of other historic structures on the New Haven Line, within the limits of the project, to the professional standards of CTSHPO. The documentation will address the high towers, stone retaining walls, interlocking tower (South Norwalk Switch Tower Museum), Fort Point Street Railroad Bridge, and any historic trackside features such as mileposts. The documentation will also provide context views that incorporate the former Norwalk Lock Company buildings, the former Norwalk Iron Works buildings, and the buildings of the South Main and Washington Streets Historic District. CTDOT will submit the documentation to the FTA and CTSHPO for review, revise the documentation according to any comments, and submit the revised documentation to CTSHPO for permanent archiving and public accessibility.</p>
		<p>CTDOT will attempt to reuse/repurpose the stone masonry from the existing bridge abutments that will be demolished in the construction of the replacement bridge. If CTDOT determines that it is not feasible to reuse/repurpose the stone, CTDOT will notify FTA and CTSHPO of the reason(s) that reuse would not be feasible, and CTDOT's obligation to reuse the stone will cease. Subsequently, CTDOT will attempt to solicit interest in obtaining the stone masonry to be used for public education purposes, from local institutions identified in the MOA. If it is feasible to do so, CTDOT will use its best efforts to ensure that the salvaged material is removed in as intact a condition as possible. If CTDOT determines it is not feasible to salvage the stone masonry, CTDOT will notify FTA and CTSHPO of the reason(s) that salvaging the material would not be feasible and CTDOT's obligation to salvage the material will cease.</p>

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<p><b>Cultural Resources</b> (EA/EIE Sections 3.22 &amp; 5.3.17)</p>	<p>Adverse effects will occur due to demolition of National Register-listed Walk Bridge and Fort Point Street Bridge; and historic stone abutment retaining walls, high towers, and catenary support structures.</p>	<p>CTDOT will attempt to solicit interest in obtaining salvaged material from the project, such as the catenary structures, to be used for public education purposes, from the institutions listed in the MOA. If it is feasible to do so, CTDOT will use its best efforts to ensure that the salvaged material is removed in as intact a condition as possible. If CTDOT determines it is not feasible to salvage the material, CTDOT will notify FTA and CTSHPO of the reason(s) that salvaging the material would not be feasible and CTDOT's obligation to salvage the material will cease.</p>
		<p>CTDOT will develop a maximum of two (2) exhibits and/or education programs for institutions and educators in the community, including the Maritime Aquarium. A maximum of \$450,000 will be allocated to the development of the two (2) exhibits and/or education programs. CTDOT will solicit letters of interest (including scope of work and fee), select the institution(s) to develop the exhibits/education program(s), and submit the scope of work to FTA and CTSHPO for review. Following consultation with and approval by FTA and CTSHPO, CTDOT will oversee the development and implementation of the exhibits and/or education programs.</p>
		<p>One exhibit will be focused on historic and current movable bridge engineering. The exhibit will include information about the extant WALK Bridge, earlier rail bridges at this location, and the new lift bridge. The public will learn about bridge operation, construction, and function. Hands-on Science, Technology, Engineering, and Math (STEM) educational components will be developed and distributed to local schools to be used in conjunction with school trips to the Maritime Aquarium. Materials will also be provided to the Aquarium to share with and educate visitors. A second exhibit will focus on the history of the railroad in the City of Norwalk, especially the WALK Bridge and the archaeological work conducted as part of the project. Photographs, documents, and other materials will be compiled to create the exhibit narrative and visuals. An exhibit will be developed that could be accommodated in any of the historical museums in the City. Associated classroom information will be developed, as well as electronic media that can be shared online with the public.</p>
<p>CTDOT will provide non-federal resources for the restoration of the original iron fencing, gates, and associated masonry located in Mathews Park at the original entrance to the Lockwood-Mathews Mansion on West Avenue in Norwalk. CTDOT will provide a maximum of \$2,500,000 for the restoration. CTDOT will work with the City of Norwalk, the Norwalk Historical Commission, and the Lockwood Mathews Mansion Museum to develop the scope for the restoration of the original fencing, gates, and associated masonry.</p>		

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<p><b>Cultural Resources</b> (EA/EIE Sections 3.22 &amp; 5.3.17)</p>	<p>Adverse effects will occur due to demolition of National Register-listed Walk Bridge and Fort Point Street Bridge; and historic stone abutment retaining walls, high towers, and catenary support structures.</p>	<p>CTDOT will prepare documentation for listing the potentially eligible Liberty Square Historic District on the National Register of Historic Places. The Liberty Square Historic District to be listed consists of a row of late 19<sup>th</sup>-century and early 20<sup>th</sup>-century commercial buildings (195-201 Liberty Square, 203 Liberty Square, 205 Liberty Square, 207 Liberty Square, 209 Liberty Square, 211 Liberty Square, 213 Liberty Square, and 215 Liberty Square). CTDOT will submit the documentation to the FTA and CTSHPO for review, revise the documentation according to any comments, and submit the revised documentation to CTSHPO for submittal to the National Park Service in accordance with the requirements of the National Register of Historic Places. The documentation will be available for archiving and public accessibility.</p>
		<p>CTDOT will prepare permanent interpretative panels for outdoor display in the city of Norwalk that will be available for viewing by the public. It is anticipated that the subject of the panels will be related to the history of Walk Bridge, the railroad, railroad engineering and transportation history in Connecticut. CTDOT will consult with the City of Norwalk and the local historic stakeholders regarding the content and locations of the interpretative panels. CTDOT will prepare and install a maximum of ten (10) permanent interpretive panels.</p>
		<p>CTDOT will share Thirty (30), sixty (60), and ninety (90) percent design plans with CTSHPO and concurring parties who will have a thirty (30) day comment period in which to submit their comments to CTDOT. CTDOT will consider these comments as design further progresses.</p>
	<p>Potential archaeological sensitivity for pre-colonial/contact and historic periods exists on many of the construction parcels, requiring subsurface testing and/or monitoring.</p>	<p>CTDOT will implement an Archaeological Treatment Plan as attached to the MOA in areas with potential archaeological sensitivity. If it is determined that archaeological properties that are eligible for listing in the NRHP are present, CTDOT will consult with FTA and CTSHPO regarding measures to avoid affecting the properties or to mitigate adverse effects on the properties and will implement the agreed-upon measures.</p>

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FINDING OF NO SIGNIFICANT IMPACT**

Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Title VI and Environmental Justice</b> (EA/EIE Sections 3.26 &amp; 5.3.21)</p>	<p>No disproportionate temporary or permanent impacts will occur.</p>	<p>As part of its overall Communications Management Plan (included in the Project Management Plan), CTDOT developed an EJ and Title VI Outreach Plan to ensure that EJ and Title VI populations have equal access to information about the project. CTDOT has committed to implementing EJ and Title VI outreach for each major Walk Bridge Program event so these populations have equal access to information about the Program.</p> <p>CTDOT coordinated with the City of Norwalk to identify community organizations representing EJ communities and methods for outreach to EJ and LEP groups. Outreach methods included translating communications materials in appropriate languages (Spanish and Haitian Creole); advertising in multi-language publications (<i>El Sol News</i> and <i>The Haitian Voice</i>); and conducting grassroots outreach by establishing partnerships in low-income neighborhoods, including community organizations, neighborhood groups, and small neighborhood businesses. Community organizations with which CTDOT has initiated and/or established relationships include (but are not limited to) the South Norwalk Community Center, Open Door Shelter, Norwalk Senior Center, Norwalk NAACP, Norwalk Housing Authority, Make the Road CT, and Greater Norwalk Hispanic Chamber of Commerce. Outreach activities conducted for the EA/EIE public review period, the EA/EIE public hearing, and public meetings held after the public hearing included translated advertising, translated materials, and advance phone calls and emails to community organizations.</p> <p>On an ongoing basis, CTDOT tracks and addresses all concerns and issues voiced from EJ and Title VI stakeholders. For future Walk Bridge public meetings and outreach efforts, CTDOT has committed to: conducting phone calls, emails, and check-ins with community groups prior to meetings; offering translation services at all public meetings, and translating meeting materials and advertisements. Google Translate (into any language) is enabled on the Walk Bridge Program website (<a href="http://www.walkbridgect.com">www.walkbridgect.com</a>).</p>
<p><b>Secondary &amp; Cumulative Impacts</b> (EA/EIE Section 3.27)</p>	<p>Secondary impacts will occur due to relocation of the Eversource powerlines, currently on high towers abutting the existing bridge.</p>	<p>Eversource Energy, LLC, the utility owner, is responsible for the relocation of the powerlines and will be obtaining NEPA review (if required pursuant to the Federal Energy Regulatory Commission) and permits, including identifying impacts and mitigation measures. CTDOT is coordinating with Eversource Energy on the timing of its replacement project.</p>

**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

Environmental Resource	Potential Impacts	Mitigation and Commitments
<p><b>Secondary &amp; Cumulative Impacts</b> (EA/EIE Section 3.27)</p>	<p>There are multiple CTDOT-sponsored and local municipal and private projects planned for construction in the greater Norwalk area over the next six years (prior to and during the Walk Bridge Replacement Project).</p>	<p>CTDOT is preparing a Regional Transportation Management Plan (Regional TMP) to address the potential cumulative impacts of these projects and is committed to implementing its recommendations. The Regional TMP, which will include Norwalk and surrounding communities, will address potential traffic impacts of the multiple projects, facilitate comprehensive public outreach efforts, and provide coordination with stakeholder agencies in the region. An early Regional TMP has been created that assesses viable mitigation strategies, prioritizes these based on the lead time required to implement them, identifies the responsible parties, and establishes coordination protocols for inter-agency coordination. CTDOT initiated several Regional TMP tools for implementation in 2017, including portable data collection units, Regional TMP coordination, website rollout, and public involvement strategies. CTDOT will continue to work with the City of Norwalk to determine appropriate traffic mitigation strategies for various stages of individual projects, as well as for projects with anticipated substantial impacts.</p>
	<p>Cumulative impacts will occur due to loss of a tangible example of historic movable bridge technology in Connecticut, and a bridge on the NRHP-listed Movable Railroad Bridges on the Northeast Corridor in Connecticut Thematic Resource.</p>	<p>CTDOT has identified mitigation measures for the loss of the historic bridge and other resources which could address the historic bridge technology in Connecticut. Mitigation measures include developing exhibits that are historic- and/or STEM-related; obtaining salvaged material from the project to be used for public education purposes; and creating permanent interpretative panels related to the history of Walk Bridge, the railroad, and railroad engineering and transportation history in Connecticut. (Refer to Cultural Resources Mitigation Measures and Commitments).</p>

**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

**Appendix 2-2      Section 106 Memorandum of Agreement**



**MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
AND  
THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176**

**WHEREAS**, the Connecticut Department of Transportation (CTDOT), an agency of the State of Connecticut, proposes the replacement of the Walk Bridge, also known as the Norwalk River Railroad Bridge and State Bridge No. 04288R, across the Norwalk River in Norwalk, Connecticut (the Undertaking); and

**WHEREAS**, the U.S. Department of Transportation, Federal Transit Administration (FTA) is providing funding for the Undertaking, making it subject to the provisions of Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA) and its implementing regulations, 36 C.F.R. Part 800, et. seq.; and

**WHEREAS**, the Undertaking is not a Tier 2 Project in accordance with the Programmatic Agreement regarding the Northeast Corridor (NEC) FUTURE Investment Program and is an independent project on the NEC; and

**WHEREAS**, CTDOT has prepared technical reports, *Historic Resources Evaluation Report, Walk Bridge Replacement Project* August 2016 and *Archaeological Sensitivity Assessment, Walk Bridge Replacement Project* August 2016 (collectively, the Technical Reports) for historic above-ground resources and archaeological resources potentially affected by the Undertaking, which Technical Reports have been reviewed and approved by FTA and the Connecticut State Historic Preservation Office (CTSHPO); and

**WHEREAS**, CTDOT has prepared an Archaeological Treatment Plan (Appendix A) to address areas of archaeological sensitivity identified in the archaeological technical reports, as well as areas of sensitivity that could be identified as part of ongoing actions associated with the Undertaking, which plan has been reviewed and approved by FTA and CTSHPO and has been incorporated into this Memorandum of Agreement (MOA) as Appendix A; and

**WHEREAS**, this Agreement was developed with appropriate public involvement (pursuant to 36 CFR 800.2[d] and 800.6[a]) both coordinated with the scoping, public review and public hearings conducted to comply with NEPA and its implementing regulations and through public meetings to comply with NHPA and its implementing regulations; and in consultation with the CTSHPO, the Advisory Council on Historic Preservation and (pursuant to 36 CFR 800.2[d] and 800.6[a]) additional invited Consulting Parties; and

**WHEREAS**, the public has had an opportunity to comment on the Undertaking and the findings set forth in the Undertaking's associated Technical Reports; and

**WHEREAS**, the Norwalk Historical Commission, the Norwalk Historical Society, the Norwalk Preservation Trust, and the SONO Switch Tower Museum have participated in the consultation process pursuant to 36 C.F.R. Part 800, have been invited to concur in this MOA, and will continue to be consulted in the implementation of the MOA; and

**WHEREAS**, the Tribal Historic Preservation Officers (THPOs) of the Mashantucket Pequot Tribal Nation and the Mohegan Tribe of Indians of Connecticut have participated in the consultation process pursuant to 36 C.F.R. Part 800, have been invited to concur in this MOA;

**WHEREAS**, FTA in consultation with CTSHPO has defined the Area of Potential Effect of the Undertaking as shown on the attached map (Appendix B); and

**WHEREAS**, FTA, in consultation with CTSHPO, has (i) determined that the Undertaking will have unavoidable adverse effects pursuant to 36 C.F.R. Part 800.5 to properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP) and are enumerated in the attached table (Appendix C) (collectively, the Historic Properties); and

**WHEREAS**, FTA has notified the Advisory Council on Historic Preservation (the Council) of the adverse effects on the Historic Properties that were identified in the Technical Reports and the Council has elected not to participate in consultation; and

**NOW, THEREFORE**, FTA, CTDOT, and CTSHPO agree that the Undertaking shall be implemented with the following Stipulations to ensure that effects to the Historic Properties are taken into account:

**STIPULATIONS:**

FTA will ensure that the terms of this MOA are carried out and will require, as a condition of any approval of federal funding for the Undertaking, adherence to the stipulations set forth herein.

1. Prior to demolition, CTDOT shall contact the Historic American Engineering Record (HAER) for advice as to the level of documentation that would be appropriate for recording the Walk Bridge. CTDOT shall retain a qualified consultant to prepare the documentation of the Walk Bridge as specified in HAER's response. CTDOT shall submit the documentation to FTA and CTSHPO for review and shall revise the documentation according to any comments. CTDOT shall submit the revised documentation to HAER and provide CTSHPO with two copies of the documentation upon completion.
2. When track access is granted to view individual catenary structures and prior to demolition, CTDOT shall determine whether the documentation entitled "New Haven Railroad Catenary System," prepared by Historical Technologies in 2000 (the 2000 Documentation), adequately represents the catenary structures to be demolished as part of the Undertaking. If the catenary structures that were photographed and described in the 2000 Documentation are essentially identical to those proposed for demolition, CTDOT shall notify CTSHPO of this determination and no further documentation will be necessary. If the catenary structures to be demolished are unique and not adequately represented in the 2000 Documentation, CTDOT will prepare additional written and photographic documentation of the catenary structures to the professional standards of CTSHPO. CTDOT shall submit the documentation to the FTA and CTSHPO for review and revise the documentation according to any comments. CTDOT shall submit the revised documentation to CTSHPO for permanent archiving and public accessibility.
3. CTDOT shall prepare written and photographic documentation of other historic structures on the New Haven Line, within the limits of the Undertaking, to the professional standards of CTSHPO. The documentation will address the high towers, stone retaining walls, interlocking tower (South Norwalk Switch Tower Museum), Fort Point Street Railroad Bridge, and any historic trackside features such as mileposts. The documentation will also provide context views that incorporate the former Norwalk Lock Company buildings, the former Norwalk Iron Works buildings, and the buildings of the South Main and Washington Streets Historic District. CTDOT shall submit the documentation to the FTA and CTSHPO for review and revise the documentation according to any comments. Upon completion, CTDOT shall submit the revised documentation to CTSHPO for permanent archiving and public accessibility.

4. CTDOT shall implement the Archaeological Treatment Plan set forth in Appendix A attached to this MOA and hereby incorporated herein in its entirety. If it is determined that archaeological properties that are eligible for listing in the NRHP are present, CTDOT shall consult with FTA and CTSHPO regarding measures to avoid affecting the properties or to mitigate adverse effects on the properties and shall implement the agreed-upon measures.

5. CTDOT shall attempt to solicit interest in obtaining salvaged material from the Undertaking, such as the catenary structures, to be used for public education purposes, from the institutions listed in Appendix D. If it is feasible to do so, CTDOT shall use its best efforts to ensure that the salvaged material is removed in as intact a condition as possible. The recipient shall be required to accept the salvage material in its "AS-IS" condition and assume all liability, costs and expenses related to the salvaged material, including, without limitation, contamination, and storage. If CTDOT determines it is not feasible to salvage the material, CTDOT shall notify FTA and CTSHPO of the reason(s) that salvaging the material would not be feasible and CTDOT's obligation to salvage the material shall cease.

6. CTDOT shall attempt to reuse/repurpose the stone masonry from the existing bridge abutments that will be demolished in the construction of the replacement bridge. If CTDOT determines that it is not feasible to reuse/repurpose the stone, CTDOT shall notify FTA and CTSHPO of the reason(s) that reuse would not be feasible, and CTDOT's obligation to reuse the stone shall cease. Subsequently, CTDOT shall attempt to solicit interest in obtaining the stone masonry to be used for public education purposes, from the institutions listed in Appendix D. If it is feasible to do so, CTDOT shall use its best efforts to ensure that the salvaged material is removed in as intact a condition as possible. The recipient shall be required to accept the salvage material in its "AS-IS" condition and assume all liability, costs and expenses related to the salvaged material, including, without limitation, contamination, and storage. If CTDOT determines it is not feasible to salvage the stone masonry, CTDOT shall notify FTA and CTSHPO of the reason(s) that salvaging the material would not be feasible and CTDOT's obligation to salvage the material shall cease.

7. CTDOT shall develop an Historic Building Protection Plan in coordination with CTSHPO to minimize the effects of construction-period vibration upon nearby historic buildings. The historic buildings to be included in the Plan consist of the Interlocking Tower (South Norwalk Switch Tower Museum) and historic buildings on the north side of Washington Street in the South Main and Washington Streets Historic District, the Former Norwalk Lock Company, the Former Norwalk Iron Works, the circa 1910 commercial buildings at 68 Water Street, and the buildings that comprise the potentially eligible Liberty Square Historic District. The Plan shall be based on FTA's vibration threshold criteria, and shall consist of multiple elements, including (but not limited to) conducting pre-construction inspection of historic buildings, developing and implementing a vibration monitoring program, and conducting post-construction surveys of historic buildings. The plan shall include protective measures to be implemented if monitoring indicates the potential for damage to historic buildings. CTDOT shall prepare a draft technical memorandum documenting the results of the Plan's implementation and shall submit it to CTSHPO and FTA. The final technical memorandum shall be submitted to CTSHPO for permanent archiving and public accessibility.

8. CTDOT shall develop a maximum of two (2) exhibits and/or education programs for institutions and educators in the community, including the Maritime Aquarium. A maximum of \$450,000 will be allocated to the development of the two (2) exhibits and/or education programs. CTDOT shall solicit letters of interest (including scope of work and fee), select the institution(s) to develop the exhibits/education program(s), and submit the scope of work to FTA and CTSHPO for review. Following consultation with and approval by FTA and CTSHPO, CTDOT shall oversee the development and implementation of the exhibits and/or education programs.

- One exhibit will be focused on historic and current movable bridge engineering. The exhibit will include information about the extant WALK Bridge, earlier rail bridges at this location, and the new lift bridge. The public will learn about bridge operation, construction, and function. Hands-on Science, Technology, Engineering, and Math (STEM) educational components will be developed and distributed to local schools to be used in conjunction with school trips to the Maritime Aquarium. Materials will also be provided to the Aquarium to share with and educate visitors.
- A second exhibit will focus on the history of the railroad in the City of Norwalk, especially the WALK Bridge and the archaeological work conducted as part of the project. Photographs, documents, and other materials will be compiled to create the exhibit narrative and visuals. An exhibit will be developed that could be accommodated in any of the historical museums in the City. Associated classroom information will be developed, as well as electronic media that can be shared online with the public.

9. CTDOT shall provide non-federal resources for the restoration of the original iron fencing, gates, and associated masonry located in Mathews Park at the original entrance to the Lockwood-Mathews Mansion on West Avenue in Norwalk. CTDOT shall provide a maximum of \$2,500,000 for the restoration. CTDOT will work with the City of Norwalk, the Norwalk Historical Commission, and the Lockwood Mathews Mansion Museum to develop the scope, including the maximum funding amount, for the restoration of the original fencing, gates, and associated masonry.

10. CTDOT shall prepare documentation for listing the potentially eligible Liberty Square Historic District on the National Register of Historic Places. The Liberty Square Historic District to be listed consists of a row of late 19<sup>th</sup>-century and early 20<sup>th</sup>-century commercial buildings (195-201 Liberty Square, 203 Liberty Square, 205 Liberty Square, 207 Liberty Square, 209 Liberty Square, 211 Liberty Square, 213 Liberty Square, and 215 Liberty Square). CTDOT shall submit the documentation to the FTA and CTSHPD for review and revise the documentation according to any comments. Upon completion, CTDOT shall submit the revised documentation to CTSHPD for submittal to the National Park Service in accordance with the requirements of the National Register of Historic Places. The documentation shall be available for permanent archiving and public accessibility.

11. CTDOT shall prepare permanent interpretative panels for outdoor display in the city of Norwalk that will be available for viewing by the public. It is anticipated that the subject of the panels will be related to the history of Walk Bridge, the railroad, railroad engineering and transportation history in Connecticut. CTDOT shall consult with the City of Norwalk and the local historic stakeholders regarding the content and locations of the interpretative panels. CTDOT shall prepare and install a maximum of ten (10) permanent interpretive panels.

11. CTDOT will share Thirty (30), sixty (60), and ninety (90) percent design plans with CTSHPD and concurring parties who will have a thirty (30) day comment period in which to submit their comments to CTDOT. CTDOT will consider these comments as design further progresses.

## 12. Administrative Stipulations

### A. Dispute Resolution

If at any time during the implementation of this MOA, CTDOT or CTSHPD objects to any action proposed or the manner in which the terms of this MOA are implemented and cannot resolve the issue between them, both parties shall immediately notify and consult with FTA in order to resolve the objection. If, within thirty (30) days of such written notice, FTA determines that such objection(s) cannot be resolved, FTA will forward all documentation relevant to the dispute to the Council. Within thirty (30)

days after receipt of all pertinent documentation, the Council will provide FTA with recommendations, which FTA will take into account in reaching a final decision regarding the dispute.

If the Council does not provide comments regarding the dispute within thirty (30) days after receipt of adequate documentation, FTA may render a decision regarding the dispute. In reaching its decision, FTA will take into account all comments regarding the dispute from the parties to this MOA.

Any recommendations or comments provided by the Council will be understood to pertain only to the subject of the dispute; FTA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remains unchanged.

FTA will notify all parties of its decision in writing before implementation of that portion of the Undertaking that was subject to dispute. FTA's decision will be final.

#### B. Amendments and Noncompliance

If any signatory to this MOA determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other signatories to develop an amendment to this MOA pursuant to 36 C.F.R. §§ 800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend this MOA, any signatory may terminate this MOA in accordance with Stipulation 12.C.

#### C. Termination

If this MOA is not amended following the consultation set out in Stipulation 12.B, it may be terminated by any signatory. Within thirty (30) days following termination, FTA shall notify the signatories if it will initiate consultation to execute a new MOA with the signatories under 36 C.F.R. § 800.6(c)(1) or request the comments of the Council under 36 C.F.R. § 800.7(a) and proceed accordingly.

#### D. Duration

If the terms of this MOA have not been implemented within fifteen (15) years of its execution, this MOA shall be considered null and void. In such event, FTA shall so notify the parties to this MOA and, if FTA chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 C.F.R. Part 800, et. seq.

#### E. Timely Review

Materials provided by CTDOT to FTA and CTSHPO under Stipulations 1 through 4 shall be reviewed in a timely fashion by FTA and CTSHPO. FTA and CTSHPO will provide CTDOT with requests for revision and any other comments within thirty (30) days of receiving a draft document. CTDOT will revise the materials accordingly and re-submit to FTA and CTSHPO for approval. Disputes regarding revisions shall be resolved as in Stipulation 12.A. If no response is received within the thirty (30) day period, the document will be considered to be approved by the non-responding party.

#### F. Unanticipated Discoveries

After the execution of this MOA if previously unidentified properties other than those discussed in this MOA are discovered that are eligible for the NRHP or that unanticipated effects on historic properties are found during the implementation of this MOA, CTDOT shall notify FTA, CTSHPO and appropriate concurring parties, and FTA shall follow the procedure specified in 36 C.F.R. 800.13.

G. Execution

Execution of this MOA by FTA, CTDOT, and CTSHPO and implementation of its terms are evidence that FTA has taken into account the effects of the Undertaking on the Historic Properties.

H. Counterparts

This MOA may be signed in counterpart copies, all of which, taken together, shall constitute but one and the same document.

I. Monitoring and Reporting

Each year following the execution of this MOA until it expires, is terminated, or the Stipulations have been fulfilled, CTDOT, on behalf of FTA, shall provide all parties and signatories to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include, as applicable, status of mitigation activities, actions and accomplishments over the past year, any scheduling changes proposed, any problems encountered, and any disputes and/or objections received regarding CTDOT and FTA's efforts to carry out the terms of this MOA.

SIGNATORY PAGE

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
AND  
THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Federal Transit Administration

By: Mary Beth Mello  
Mary Beth Mello, Regional Administrator, Region 1

Date: 5/25/17

Concur: Charles J. Dyer  
Charles J. Dyer, Regional Counsel

Date: 5/25/2017

SIGNATORY PAGE

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
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REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Connecticut Department of Transportation

By: Thomas J. Maziarz  
Thomas J. Maziarz, Bureau Chief, Bureau of Policy and Planning

Date: 5-15-2017



SIGNATORY PAGE

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WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Connecticut State Historic Preservation Officer

By:   
Catherine Labadia, Deputy State Historic Preservation Officer

Date: 5/16/17

**CONCURRING PARTY**

**MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
AND  
THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176**

**Tribal Historic Preservation Officer, Mashantucket Pequot Tribal Nation**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Marissa Turnbull, Tribal Historic Preservation Officer

**CONCURRING PARTY**

**MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
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REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176**

**Tribal Historic Preservation Officer, Mohegan Tribe of Indians of Connecticut**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
James Quinn, Tribal Historic Preservation Officer

CONCURRING PARTY

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
AND  
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REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Norwalk Historical Commission

By:   
David Westmoreland, Chairman

Date: 5/23/17

CONCURRING PARTY

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
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REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Norwalk Historical Society

By: *Diane M. Jellerette*  
Diane Jellerette, Executive Director

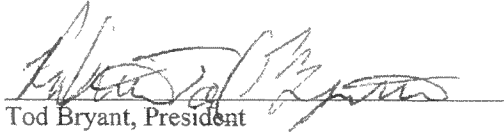
Date: *May 22, 2017*

CONCURRING PARTY

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
AND  
THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

Norwalk Preservation Trust

By:

  
\_\_\_\_\_  
Tod Bryant, President

Date: 5/19/2017

CONCURRING PARTY

MEMORANDUM OF AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
THE CONNECTICUT DEPARTMENT OF TRANSPORTATION,  
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REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176

SONO Switch Tower Museum

By: Anthony White  
Anthony White, President

Date: 5/15/2017

**MEMORANDUM OF AGREEMENT**  
**REGARDING THE**  
**WALK BRIDGE REPLACEMENT PROJECT**  
**NORWALK, CONNECTICUT**  
**STATE PROJECT 301-176**

**APPENDIX A**  
**ARCHAEOLOGICAL TREATMENT PLAN**

**I. INTRODUCTION**

The Connecticut Department of Transportation (CTDOT) proposes the replacement of the Norwalk River Railroad Bridge (State Bridge 04288R), also known as the Walk Bridge, across the Norwalk River in Norwalk, Connecticut (the Undertaking). The plans for the Undertaking involve numerous actions that may affect buried archaeological sites which may be eligible for listing in the National Register of Historic Places (NRHP). The actions include the acquisition of at least twenty (20) parcels for use as construction easements, access and staging areas, as well as shoreline, intertidal and underwater actions related to the erection of new bridge footings, submarine electric cables, and construction-related structures.

An archaeological sensitivity assessment (Phase IA) was undertaken of the terrestrial, intertidal and underwater areas that will be affected by the Undertaking. The assessment included review of historic maps, archaeological site files, local histories, census records, environmental data and bathymetric data, as well as a walkover survey. Twenty (20) terrestrial parcels were assessed as having the potential for containing intact buried archaeological remains. Most of the terrestrial parcels are sensitive for historic-period resources based on the land-use history and 19<sup>th</sup> century development on both sides of the Norwalk River. However, the survival of pre-colonial Native American site remains cannot be ruled out, because substantial portions of the project area were formerly marshlands, inclusive of a mapped “ancient Indian fort” within a current marina formed by filling in the marsh around the fort site. Intertidal and underwater portions of the Area of Potential Effect (APE), outside of the deep regularly-dredged channel, were also assessed as having archaeological sensitivity for pre-colonial Native American sites.

A combination of geoprobe investigation, machine-assisted and manual testing, and archaeological monitoring is recommended for terrestrial parcels to determine whether potentially significant archaeological resources have survived. A combination of vibracores and hand cores is recommended to determine whether potentially significant submerged archaeological resources have survived in intertidal and underwater portions of the APE.

Additional evaluation of areas of archaeological sensitivity will occur as outlined below.



## II. EVALUATION OF AREAS OF ARCHAEOLOGICAL POTENTIAL

### A. Further Analysis of Archaeological Sensitivity

Additional geotechnical information may become available that indicates that areas designated as archaeologically sensitive in the project-wide archaeological sensitivity report have little or no potential for containing intact archaeological resources. CTDOT shall notify the U.S. Department of Transportation, Federal Transit Administration (FTA) and the Connecticut State Historic Preservation Office (CTSHPO) of these findings. No further archaeological investigations will be undertaken for these areas.

### B. Standards for Archaeological Documentation

All archaeological survey, assessment, documentation and mitigation will be conducted according to the CTSHPO's *Environmental Review Primer for Connecticut's Archaeological Resources* and the United States Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation*.

### C. Assessment of Additional Sensitive Areas

Additional areas of archaeological sensitivity may also be identified as part of ongoing actions associated with the Undertaking. Specific areas of the Undertaking impact identified after completion of the Undertaking-wide archaeological sensitivity assessment survey will be evaluated for their potential to contain NRHP-eligible subsurface terrestrial, intertidal and underwater resources. The assessment survey for additional areas will include documentary research, walkover survey, and evaluation of historical, environmental and bathymetric data. Sensitive areas will undergo testing as per Section II.D. below.

### D. Field Testing to Determine Presence or Absence of Archaeological Resources

In areas determined to have terrestrial, intertidal and underwater sensitivity, CTDOT, in consultation with CTSHPO and FTA, shall undertake field testing to identify the presence or absence of archaeological resources (Phase Phase IB) as follows:

1. Phase IB testing will begin with geoprobe, vibracore and hand-testing in terrestrial and intertidal areas already identified as sensitive in the Phase IA survey. This testing will rule out certain areas as too disturbed to contain intact archaeological deposits and will help guide development of a focused, more intensive Phase IB testing plan that will conclusively determine the presence or absence of archaeological resources. These determinations will be included in the Phase IB testing plan identified in section D.2.
2. Prior to intensive Phase IB field testing, CTDOT will submit a plan outlining the proposed methodology for CTSHPO's concurrence. The plan will likely include machine-stripping followed by manual shovel testing, expanded shovel testing in non-paved areas, and underwater archaeological investigation.
3. Subsequent to field testing in sensitive areas, CTDOT shall provide a technical memorandum to FTA, CTSHPO, and local stakeholders in which one of the following conclusions is reached:

- a) The APE does not appear to contain potentially significant NRHP-eligible archaeological resources; or
- b) The APE does contain potentially significant NRHP-eligible archaeological resources.

**E. Field Testing to Determine Significance and Extent of Archaeological Resources**

If Phase IB testing determines that potentially significant archaeological resources exist in areas that will be impacted by the Undertaking, Phase II field investigations shall be undertaken immediately in order to identify the physical extent of such resources and to determine their significance.

Subsequent to Phase II field testing in sensitive areas, CTDOT shall provide a combined Phase I/II survey technical report to FTA and CTSHPO in which one of the following conclusions is reached:

- 1. The APE contains significant NRHP-eligible archaeological resources; or
- 2. The APE does not contain significant NRHP-eligible archaeological resources.

**F. Mitigation Data Recovery and Curation**

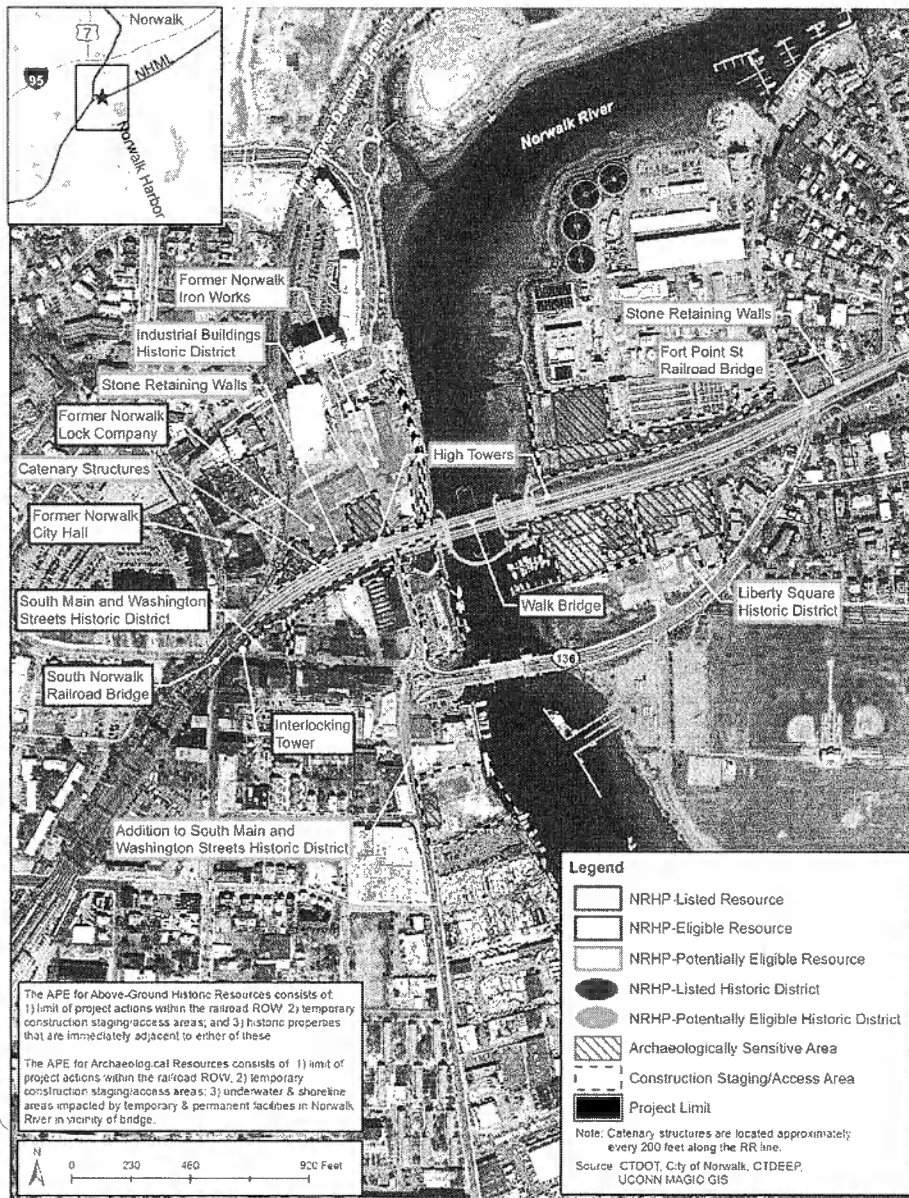
If Phase II field testing determines that significant archaeological resources exist in areas that will be impacted by the Undertaking and that such impacts cannot be avoided, CTDOT, in consultation with FTA and CTSHPO, shall develop and implement appropriate measures to minimize and/or mitigate adverse effects on archaeological resources in the APE. These measures will be implemented prior to any construction or demolition of the area of significant archaeological resources.

- 1. CTDOT and FTA, in consultation with CTSHPO, shall consider measures, such as design modification, for avoidance of significant archaeological resources.
- 2. Should mitigation of an unavoidable archaeological site be required, stipulations may be amended to the MOA to address the mitigation, if deemed necessary by CTDOT and FTA in consultation with CTSHPO.
- 3. In advance of any mitigation or data recovery efforts undertaken for significant archaeological sites in the APE, CTDOT, in consultation with CTSHPO and in coordination with local stakeholders, will develop, in accordance with 36 CFR Part 79, an Analysis and Curation of Material and Records Plan for any archaeological excavations. CTDOT shall be responsible for the implementation of such plan.

**MEMORANDUM OF AGREEMENT  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176**

**APPENDIX B:**

**Area of Potential Effect Map**



**MEMORANDUM OF AGREEMENT  
REGARDING THE  
WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
STATE PROJECT 301-176**

**APPENDIX C:**

**Historic Properties Adversely Affected by the Undertaking**

<b>Property</b>	<b>National Register Status</b>	<b>Effects</b>
Norwalk River Railroad Bridge (Walk Bridge)	Listed	To be replaced: Adverse Effect.
High Towers	Contributing to an eligible linear historic district	To be removed: Adverse Effect.
Catenary Support Structures	Contributing to an eligible linear historic district	Some or all of the existing catenary support structures will be removed: Adverse Effect.
Stone Retaining Walls	Contributing to an eligible linear historic district	To be removed: Adverse Effect.
Fort Point Street Railroad Bridge	Contributing to an eligible linear historic district	To be removed: Adverse Effect.
South Main and Washington Streets Historic District	Listed	Removal/replacement of bridge and high towers will have a visual impact on the district's setting: indirect (visual) Adverse Effect.
Industrial Buildings Historic District	Eligible	Removal of the high towers and removal and replacement of the Walk Bridge, catenary support structures, and stone retaining walls will have a visual impact on the setting of the potentially eligible historic district: Indirect (Visual) Adverse Effect.
Former Norwalk Lock Company, 18 Marshall St.	Eligible	Removal of the high towers and removal and replacement of the Walk Bridge, catenary support structures, and stone retaining walls will have a visual impact on the building's setting: Indirect (Visual) Adverse Effect.
Former Norwalk Iron Works (Maritime Aquarium), 10 North Water St.	Contributing to an eligible historic district	Removal of the high towers and removal and replacement of the Walk Bridge, catenary support structures, and stone retaining walls will have a visual impact on the building's setting: Indirect (Visual) Adverse Effect.

**MEMORANDUM OF AGREEMENT  
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WALK BRIDGE REPLACEMENT PROJECT  
NORWALK, CONNECTICUT  
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**APPENDIX D**

**INSTITUTIONS THAT MAY BE INTERESTED IN OBTAINING SALVAGED MATERIALS  
FROM THE WALK BRIDGE REPLACEMENT PROJECT**

City of Norwalk Norwalk City Hall 125 East Avenue Norwalk, CT 06851-5125	Connecticut Eastern Railway Museum Eastern CT Chapter, National Railway Historical Society P.O. Box 665 Willimantic, CT 06226-0665
SONO Switch Tower Museum 77 Washington Street Norwalk, CT 06854	Connecticut Trolley Museum P.O. Box 360 East Windsor, CT 06088
Norwalk Historical Society Mill Hill Historic Park 2 East Wall Street, P. O. Box 1640 Norwalk, CT 06851	Danbury Railway Museum 120 White Street Danbury, CT 06810
Lockwood-Mathews Mansion Museum 295 West Avenue Norwalk, CT 06851	Railroad Museum of New England P.O. Box 400 Thomaston, CT 06787-0400
Maritime Aquarium at Norwalk 10 North Water Street Norwalk, CT 06854	The Shoreline Trolley Museum 17 River Street East Haven, CT 06512
	The Valley Railroad Company One Railroad Avenue P.O. Box 452 Essex, CT 06426
	Vernon Depot Park Vernon Parks and Recreation Department 14 Park Place Vernon, CT 06066



**Appendix 3      Permits and Approvals**

**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

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**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

**Federal Requirements for Project Construction and Operation**

<b>Federal Regulation</b>	<b>Issuing Agency</b>	<b>Approval/Permit</b>
National Environmental Policy Act (42 USC 4321 et seq)	FTA	Review and Finding
Section 4(f), U.S. Department of Transportation Act (49 USC 303)	FTA	Individual Evaluation and Finding for potential use of Section 4(f) properties
Executive Order 11988, Floodplain Protection, as amended by Executive Order 13690, Federal Flood Risk Management	FTA	Review for impact to floodplain
Executive Order 11990, Wetlands Protection	FTA	Review for impact to wetlands
Executive Order 12898, Environmental Justice	FTA	Review for assessment of impact to EJ communities
Clean Air Act (42 USC 7401 et seq)	FTA	Conformity Determination
Section 106, National Historic Preservation Act (36 CFR 800)	FTA	Memorandum of Agreement
Section 7, Endangered Species Act (16 USC 1531 et seq)	NOAA/NMFS	Biological Evaluation
Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801 et seq)	NOAA/NMFS	Essential Fish Habitat Assessment
Coastal Zone Management Act/Connecticut Coastal Management Act (16 USC 1451 et seq)	CTDEEP	Consistency Review
Section 9 of the Rivers and Harbors Act (33 USC 491)	USCG	Permit for construction of new bridge
Section 10 of the Rivers and Harbors Act (33 USC 403)	USACE	Permit for dredging and filling in navigable waters/ impacts to waters and wetlands of the U.S.
Section 404 of the Clean Water Act (33 USC 1344)		
Section 14 of the Rivers and Harbors Act (33 USC 408)	USACE	Permit for impact to federal navigation channel (USACE civil works project)
49 CFR 77: Safe, Efficient Use and Preservation of the Navigable Airspace	FAA	Notice of Proposed Construction or Alteration

**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

**State Requirements for Project Construction and Operation**

<b>Federal/State Regulation</b>	<b>Issuing Agency</b>	<b>Approval/Permit</b>
Connecticut Environmental Policy Act (CGS Section 22a-1-22a-1h)	CTDOT/CT Office of Policy and Management	Record of Decision/Review and Concurrence
Title VI Program/FTA Circular 4702.1B of October 1, 2012	CTDOT	Environmental Equity Review
Connecticut Endangered Species Act (CGS Section 26-303)	CTDEEP	Natural Diversity Database Review
Connecticut Coastal Management Act; and Tidal Wetlands Regulations (CGS Section 22a-30-1)	CTDEEP	Structures, Dredge and Fill, and Tidal Wetlands Permit
Section 401 of the Clean Water Act (33 USC 1341); Connecticut Surface Water Quality Standards (CGS Section 221-426)	CTDEEP	Water Quality Certification
Connecticut Flood Management Program (CGS Sections 25-68b - 25-68h)	CTDEEP	Flood Management Certification
CGS Section 22a-36 to 22a-45	CTDEEP	Inland Wetlands General Permit
Section 402 of the Clean Water Act (33 USC 1342); General Conditions Applicable to Water Discharge Permits and Procedures and Criteria for Issuing Water Discharge Permits(CGS Section 22a-430b)	CTDEEP	General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activity
Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (42 USC 4601 et seq); Uniform Relocation Assistance Act (CGS Section 8-266 et seq)	CTDOT	Review/relocation assistance
CGS Section 22a-134, Hazardous Materials	CTDEEP	Review of potential for hazardous material impacts, including identification of high-risk sites, site investigations, and environmental audits
CGS Section 22a-133z and 22a-208a	CTDEEP	General Permit for Contaminated Soil and/or Sediment Management
CGS Chapter 446d and 446k, RCSA Sections 22a-208a-1, 22a-209-1, and 22a-209-8	CTDEEP	Authorization for Disposal of Special Waste
CGS Section 22a-430(b)	CTDEEP	General Permit for the Discharge of Groundwater Remediation Wastewater




# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

OFFICE OF THE SECRETARY

**TO:** James Redeker  
Commissioner  
Department of Transportation

**FROM:** Susan Weisselberg, Deputy Secretary  
Office of Policy and Management 

**DATE:** July 6, 2017

**SUBJECT:** Environmental Impact Evaluation (EIE) for the Replacement of Walk Bridge and Record of Decision (ROD)

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Based on a review of the subject environmental impact evaluation conducted pursuant to C.G.S. 22a-1e, I am herewith advising you of my finding that this evaluation satisfies the requirements of the Connecticut Environmental Policy Act (CEPA).

OPM notes that, in proceeding from CEPA Scoping to the EIE, DOT chose to elevate maritime access above other economic and social considerations. OPM challenged that decision in its EIE comments and a number of commenters continued to raise other concerns. In reviewing this ROD, OPM considered DOT's interest in maritime access to carry no more weight than other concerns.

OPM's determination of adequacy is based on a finding that the cost and benefits of maintaining or even improving maritime access by means of a new movable bridge can justify other local impacts, particularly the new bridge structure's aesthetic impacts, but DOT must make every effort to mitigate such impacts.

Given the very limited amount of maritime activity impacted by the choice of bridge for this location, DOT's determination that it can complete the movable bridge project at a cost comparable to rehabilitating and locking the existing bridge in place, with long-term operational costs not being higher, played a key role in OPM determining the environmental review to be adequate.

The state and its infrastructure face various economic, environmental and other challenges, so it is important that potentially reasonable and cost-effective alternatives are considered prior to committing state funding.

Please contact Bruce Wittchen (860-418-6323) if there are any questions with regard to this finding.

cc: Paul Potamianos, OPM  
Frederick Riese, DEEP  
Karl Wagener, CEQ