



**US Army Corps
of Engineers**
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: March 23, 2011
Comment Period Ends: May 27, 2011
File Number: NAE-2007-00698
In Reply Refer To: Alan Anacheke-Nasemann
Phone: (978) 318-8214
E-mail: SCREIS@usace.army.mil

Department of the Army Permit Application, Notice of Availability of Draft Environmental Impact Statement and Announcement of Public Hearings: Proposed South Coast Rail Project, Massachusetts Department of Transportation.

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

APPLICANT: Massachusetts Department of Transportation, 10 Park Plaza, Boston, Massachusetts 02116

ACTIVITY: Discharge fill material into waters of the United States, including adjacent wetlands. All work is incidental to installation of transportation infrastructure (rail and/or road grades) for proposed commuter passenger public transportation service. A detailed description of the proposed activity is provided below. This work is proposed in waters of the United States, including adjacent wetlands, along existing active or abandoned railroad, new track on lands currently not used as a transportation corridor, and/or highway grades between Boston and the Cities of New Bedford and Fall River, Massachusetts.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act).

The New England District, U.S. Army Corps of Engineers (Corps) has prepared a Draft Environmental Impact Statement (DEIS) to evaluate the proposed establishment of commuter passenger transit service between Boston and the cities of New Bedford and Fall River, MA. The DEIS has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality regulations (40 CFR parts 1500-1508), in response to this Department of the Army permit application.

The DEIS has also been prepared to serve as a Draft Environmental Impact Report (DEIR) to satisfy the requirements of the Massachusetts Environmental Policy Act (MEPA; 301 CMR 11.00 et seq.). The MEPA review is being conducted simultaneously with the NEPA process.

The joint DEIS/DEIR evaluated a range of alternative transportation routes. Alternative routes evaluated in detail included three principal rail routes and one bus route: (1) the "Attleboro Alternative," (2) the "Stoughton Alternative," (3) the "Whittenton Alternative," and (4) the "Rapid Bus" Alternative. A No Build/Transportation

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Surface Management alternative was also evaluated. Additional permutations, including a “Middleborough Rail – Rapid Bus Hybrid” and an “Attleboro Fourth Track” configuration were also examined.

Two Public Hearings will be held, as follows:

- 1. Wednesday, May 4, 2011, 7:00 P.M., Qualters Middle School, 240 East Street Mansfield, MA**
- 2. Thursday, May 5, 2011, 7:00 P.M., Keith Middle School, 225 Hathaway Blvd, New Bedford, MA**

Registration for each hearing will begin at 6:00 P.M. on the dates and locations listed above.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to attend one of the hearings noted above or submit written comments. **Written comments must be received no later than: Friday May 27, 2011.** Written comments can be sent to Mr. Alan Anacheka-Nasemann, Project Manager, U.S. Army Corps of Engineers, New England District, Regulatory Division, 696 Virginia Road, Concord, MA, or by email to: SCREIS@usace.army.mil. Written comments may also be turned in to Corps staff during the public hearings noted above. All comments will be considered a matter of public record. Copies of all comments will be forwarded to the applicant.

FOR FURTHER INFORMATION CONTACT: Mr. Alan Anacheka-Nasemann, (978) 318-8214, email: SCREIS@usace.army.mil.

Background. Section 404 of the Clean Water Act requires a Department of the Army (DA) permit for the discharge of dredged or fill material into waters of the United States, including adjacent wetlands. MassDOT has submitted an application for a DA permit to discharge fill material into waters of the U.S. incidental to establishment of commuter public transportation service between Boston and the cities of New Bedford and Fall River, MA, and known as “South Coast Rail.” Impacts to waters of the U.S. would range in area from approximately 10.3 acres to approximately 21.5 acres, depending on the alternative selected. The overall project purpose is to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA and to enhance regional mobility. The cities of New Bedford, Fall River and Taunton, Massachusetts are reportedly the only cities within 50 miles of Boston not currently served by commuter passenger rail service. The project envisions up to approximately 9600 passenger daily trips between Boston and New Bedford/Fall River.

The DEIS is intended to provide the information needed for the Corps to perform a public interest review for the Section 404 permit decision. Evaluation of impacts of the various alternatives will include application of the guidelines of Section 404(b) of the Clean Water Act. Issues analyzed in the DEIS include impacts to waters of the U.S. (including vernal pools and other wetlands); transportation, land use; socioeconomic, environmental justice, visual effects, noise, vibration, cultural resources; air quality; open space; farmland, hazardous materials, biodiversity; threatened and endangered species; and water resources. Several alternatives were evaluated for comparative purposes, including the No Action Alternative under which no new transportation infrastructure would be built.

Alternatives. The “Attleboro Alternative” would add new service via the existing AMTRAK® Northeast Corridor, with added capacity, new track and existing freight lines, from Boston via Attleboro and Norton to Taunton. The new track (“Attleboro bypass”) would be laid in the Town of Attleboro, near Chartley Pond in

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the vicinity of an existing National Grid electrical line right-of-way. This alternative would add approximately 20 new trains to the existing Northeast Corridor between Attleboro and Boston. Eight new commuter rail stations would be constructed (Barrowsville, Downtown Taunton, Taunton Depot, King's Highway, Whale's Tooth, Freetown, Fall River Depot, and Battleship Cove) and major reconstruction would occur at three existing commuter rail stations (Canton Junction, Sharon, Mansfield).

The "Stoughton Alternative" would extend the existing Stoughton commuter rail line from its current terminus in Stoughton along presently abandoned railroad rights-of-way through Easton and Raynham to Taunton. This would follow an existing, abandoned railroad grade that crosses Hockomock Swamp and Pine Swamp to the east side of Taunton. This alternative would add 4 new trains and would otherwise extend existing trains farther south from Stoughton to New Bedford and Fall River. Ten new commuter rail stations would be constructed (North Easton, Easton Village, Raynham Place, Taunton, Taunton Depot, King's Highway, Whale's Tooth, Freetown, Fall River Depot, and Battleship Cove) and major reconstruction would occur at two existing commuter rail stations (Canton Center and Stoughton).

The "Whittenton Alternative" is a variant of the Stoughton Alternative, and would extend the existing Stoughton commuter rail line from its current terminus in Stoughton along presently abandoned railroad rights-of-way through Easton and Raynham to Taunton. This would follow the existing, abandoned railroad grade that crosses Hockomock Swamp and then an abandoned, serpentine (winding) railroad grade to the west side of Taunton. This alternative would add 4 new trains and would otherwise extend existing trains farther south from Stoughton to New Bedford and Fall River. Ten new commuter rail stations would be constructed (North Easton, Easton Village, Raynham Place, Downtown Taunton, Taunton Depot, King's Highway, Whale's Tooth, Freetown, Fall River Depot, and Battleship Cove) and major reconstruction would occur at two existing commuter rail stations (Canton Center and Stoughton). The Whittenton Alternative was the most recent route for passenger rail service between Stoughton and Taunton, last used in ca. 1958.

Continuation of all three rail alternatives from Taunton would follow existing, active freight lines through Lakeville and Freetown to New Bedford and Fall River. These links between Taunton and New Bedford/Fall River are common to all three rail alternatives identified above.

The "Rapid Bus" Alternative would provide commuter bus service, in lieu of rail, from New Bedford, Fall River and Taunton to South Station via I-93, Route 24, and Route 140. North of I-495, buses would use a combination of new zipper bus lanes, new reversible bus lanes, two-way bus lanes, existing zipper HOV lanes, and existing HOV lanes, along with a short section in mixed traffic. South of the I-495 interchange in Raynham, buses would travel in the general purpose lanes with mixed traffic. Bus Stations would be located at Whale's Tooth and King's Highway in New Bedford, and in Fall River, Freetown, Downtown Taunton and Galleria (Taunton).

The approximate locations of the proposed build alternative transportation alignments and rail station locations are shown on the enclosed plan entitled "Figure 4.15-11: South Coast Rail Project Alternative Alignments," and details of the proposed impacts to waters of the United States are identified in the DEIS/DEIR, Chapter 4.16 (Wetlands).

The No-Build Alternative would provide enhancements to existing bus services with limited improvements to the existing transit and roadway system, but otherwise no major infrastructure improvements.

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The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments received will be addressed in the Final Environmental Impact Statement and considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. Comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Mitigation: Implementation of a mitigation plan to compensate for unavoidable losses to aquatic resource functions will be required if a permit is issued. The DEIS/DEIR provides a conceptual outline of MassDOT's proposed mitigation program; however specific mitigation measures have not been identified at this point.

Section 106 Coordination: All of the proposed alternative routes would affect historic and cultural resources, including properties eligible for listing on the National Register of Historic Places, National Historic Landmarks, and historic districts that have cultural importance in the affected communities. Consultation with the State and Tribal Historic Preservation Offices on the extent of the impacts on these resources is ongoing as part of the NEPA and §404 review processes, pursuant to Section 106 of the National Historic Preservation Act, as amended.

Endangered Species Consultation: The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

Coastal Zone Management Act: The State of Massachusetts has an approved Coastal Zone Management Program. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State's concurrence or objection to the applicant's consistency statement.

Availability of the DEIS/DEIR: Interested parties may view and download the DEIS/DEIR online at: <http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/southcoastrail.htm>. A printed copy of the document is also available to review at each of the following locations:

1. State Transportation Library of Massachusetts 10 Park Plaza, 2nd Floor, Boston, MA
2. Russell Memorial Library, 88 Main Street, Acushnet, MA.

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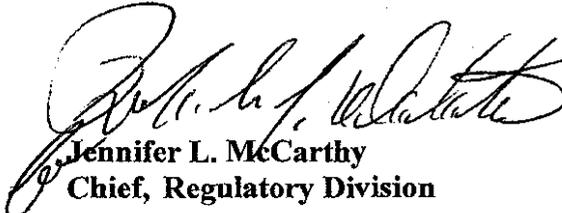
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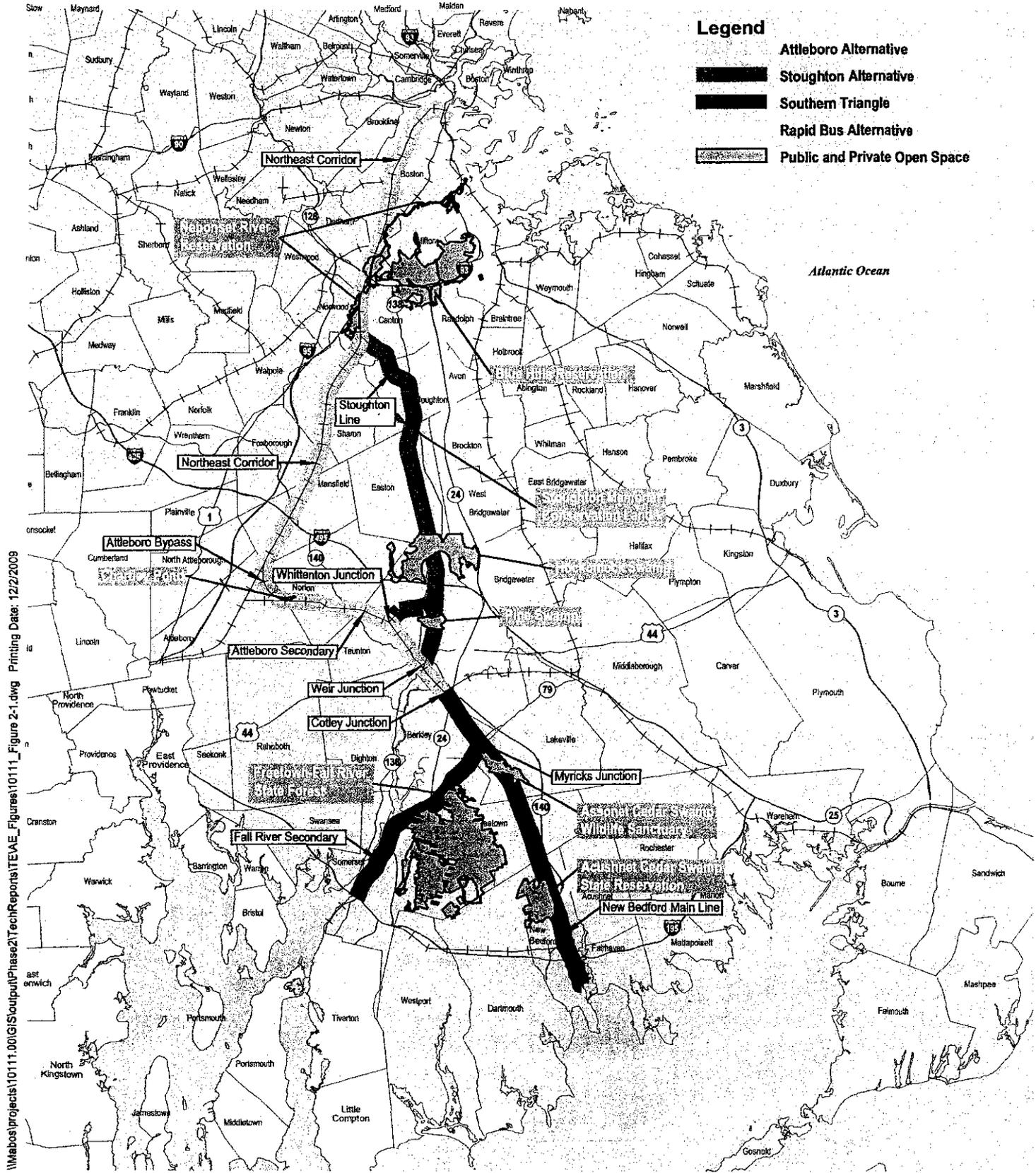
3. Attleboro Public Library, 74 North Main Street, Attleboro, MA.
4. Berkley Public Library, 3 North Main Street, Berkley, MA.
5. Boston Public Library, Central Library, 700 Boylston Street, Boston, MA.
6. Thayer Public Library, 798 Washington Street, Braintree, MA.
7. Canton Public Library, 786 Washington Street, Canton, MA.
8. Dedham Public Library, 43 Church St, Dedham, MA.
9. Ames Free Library, 15 Barrows Street, North Easton, MA.
10. Fall River Public Library, 104 North Main Street, Fall River, MA.
11. Boyden Library, 10 Bird Street, Foxborough, MA.
12. James White Memorial Library, 5 Washburn Rd., East Freetown, MA.
13. Lakeville Public Library, 4 Precinct Street, Lakeville, MA.
14. Mansfield Public Library, 255 Hope Street, Mansfield, MA.
15. Milton Public Library, 476 Canton Avenue, Milton, MA
16. New Bedford Free Public Library, 613 Pleasant Street New Bedford, MA.
17. Norton Public Library, 68 East Main Street, Norton, MA.
18. Thomas Crane Public Library, 40 Washington St., Quincy, MA.
19. Turner Free Library, 2 North Main Street, Randolph, MA
20. Raynham Public Library, 760 South Main Street, Raynham, MA.
21. Sharon Public Library, 11 North Main Street, Sharon, MA.
22. Stoughton Library, 84 Park Street, Stoughton, MA.
23. Taunton Public Library, 12 Pleasant Street, Taunton, MA.
24. West Bridgewater Public Library, 80 Howard Street, West Bridgewater, MA.

The following authorizations have been applied for, or have been, or will be obtained:

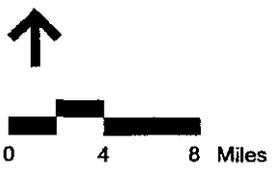
- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Jennifer L. McCarthy
Chief, Regulatory Division



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