



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

SHAILEN P. BHATT
SECRETARY

March 28, 2013

Mr. Tony Cho
Community Planner
U.S. Department of Transportation
Federal Transit Administration, Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103

Dear Mr. Cho:

The attached information supports the Department's Project Development Committee's environmental determination for the following project:

State Contract 201251601, Newark Regional Transportation Center

This project will be administered under our FTA stewardship for purposes of receiving TIGER IV grants that will allow the project to advance into final design and construction. Your approval in this determination is requested as per 23 CFR 771.118(d). Please provide a copy of the signed approval form to Terry Fulmer, Environmental Studies Manager at DelDOT (Terry.Fulmer@state.de.gov). Thank you

Sincerely,

A handwritten signature in blue ink that reads "Mark Tudor".

Mark Tudor, PE.
Assistant Director,
Project Development

MT/mh

Attachments

cc: Natalie Barnhart, Chief Engineer
Therese Fulmer, Manager, Environmental Studies
Michael Hahn, Environmental Studies
Dave Gula, WILMAPCO
Jerry Jannetti, Parsons Brinckerhoff
File



Hahn, Michael (DeIDOT)

From: tony.cho@dot.gov
Sent: Monday, April 01, 2013 5:46 PM
To: Hahn, Michael (DeIDOT)
Cc: Tudor, Mark (DeIDOT); Barnhart, Natalie (DeIDOT); dgula@wilmaco.org; Jannetti@pbworld.com; Cheskey@pbworld.com; Fulmer, Terry (DeIDOT); Deborah.Butler@dot.gov; jeff.price@dot.gov; samuel.snead@dot.gov; Rita.Maristch@dot.gov; Victor.Austin@dot.gov; tony.cho@dot.gov
Subject: RE: NEPA Documents for Newark Regional Transportation Center
Attachments: Newark RTC CE Determination Letter.pdf

Mark and Mike,
FTA has made the NEPA determination for the Newark Regional Transportation Center project. Please see the attached letter.
Let me know if you have any questions. A hard copy will be sent via regular mail.

Thanks,
Tony

Tony Cho
Community Planner

U.S. Department of Transportation
Federal Transit Administration, Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103

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From: Hahn, Michael (DeIDOT) [<mailto:MichaelC.Hahn@state.de.us>]
Sent: Thursday, March 28, 2013 2:58 PM
To: Cho, Donghee (FTA)
Cc: Tudor, Mark (DeIDOT); Barnhart, Natalie (DeIDOT); Hahn, Michael (DeIDOT); dgula@wilmaco.org; Jannetti, Jerry S.; 'Cheskey, Mark'
Subject: NEPA Documents for Newark Regional Transportation Center

Tony,

On behalf of Mark Tudor's cover letter and the Delaware Department of Transportation's Environmental Studies Review, we would like to formally submit the Categorical Exclusion document for the Newark Regional Transportation Center. I called and left a message to you about the status of originals but for now, please accept this electronic transmission as a formal request.

If questions please contact me directly.

Thanks,
Michael C. Hahn, AICP
DeIDOT Environmental Studies Office
302-760-2131



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

REGION III
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Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

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Mr. Mark Tudor
Assistant Director, Project Development
Delaware Department of Transportation
800 Bay Road
P.O. Box 778
Dover, Delaware 19903

APR - 1 2013

Re: Newark Regional Transportation Center
NEPA Determination – Categorical Exclusion – (d)

Dear Mr. Tudor:

The Federal Transit Administration (FTA) is in receipt of your letter and accompanying documentation dated March 28, 2013 requesting that the FTA issue a National Environmental Policy Act of 1969 (NEPA) determination for the implementation of the Newark Regional Transportation Center project in Newark, DE.

Based upon our review, the FTA has determined that the project meets the criteria of a Class II documented Categorical Exclusion as set forth in 23 CFR 771.118(d). This determination is subject to review should the nature and/or scope of the Newark Regional Transportation Center change in a manner requiring the FTA to conduct a re-evaluation of the Categorical Exclusion designation. 23 CFR 771.129(c).

FTA looks forward to working with the Delaware Department of Transportation on this project. Please contact Tony Cho, Community Planner, by telephone at (215) 656-7250 or by email at tony.cho@dot.gov if you have any questions on this subject.

Sincerely,

Vida Morkunas, Director
Office of Planning and Program Development

Via-email:
Natalie Barnhart, DelDOT
Terry Fulmer, DelDOT
Michael Hahn, DelDOT
Dave Gula, WILMAPCO
Jerry Jannetti, Parsons Brinkerhoff

Newark Regional Transportation Center

Track & Station Improvements

DOCUMENTATION FOR
A CATEGORICAL EXCLUSION
DETERMINATION

Newark, Delaware



WILMAPCO

850 Library Avenue, Suite 100
Newark, Delaware 19711

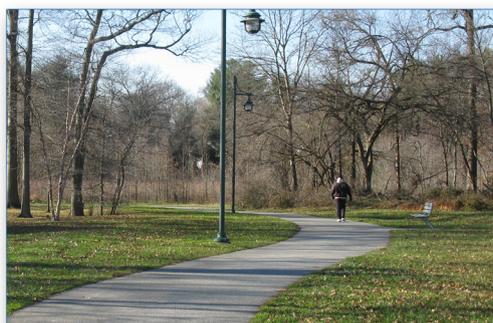


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Date _____

Grant Applicant _____

**INFORMATION REQUIRED FOR PROBABLE
CATEGORICAL EXCLUSION
(SECTION 771.118(d))**

_____A. DETAILED PROJECT DESCRIPTION:

The Newark Passenger Rail Station is located along Amtrak's Northeast Corridor (NEC) in the City of Newark, Delaware, just west of South College Avenue/SR 896 (Figure 1, Appendix B). The current station area includes a low-level platform adjacent to Track A, a 376-space parking lot, a DART First State (the State's transit provider) bus stop, a modest ticket sales booth, bike lockers, and information kiosk. Automobile and bus access is from South College Avenue via a signalized intersection with Mopar Drive.

Train service through the Newark Station operates on four tracks on Amtrak's NEC. The railroad is oriented north-south with the tracks numbered A, 1, 2, and 3 from east to west. Track A is the track closest to the Norfolk Southern (NS) Newark Yard. There are platforms on Tracks A and 3. A small, wooden walkway from the platform on Track A provides passenger access to Tracks 1 and 2.

Under the current conditions, Tracks A, 1, 2, and 3 are used by Amtrak. Track A is used by the Southern Pennsylvania Transportation Authority (SEPTA) for commuter service to Philadelphia, Pennsylvania. Tracks A and 1 are used by Norfolk Southern (NS) freight trains to travel between its Newark Yard and Harrisburg, Pennsylvania and the Port of Wilmington. The existing track configuration coupled with the extension of SEPTA service to Newark in 1997 and Amtrak's operating window for freight on the NEC inhibits freight train access to NS's Delmarva Secondary rail line. The Delmarva Secondary rail line is the primary entry point for rail movement to the Delmarva Peninsula and is accessed by Track A (Figures 2 and 3, Appendix B). The conflict between passenger and freight rail inhibits economic growth in the area and limits opportunities to expand passenger rail service at the station. In 2010, the Wilmington Area Planning Council (WILMAPCO) conducted the Newark Train Station Study, which established the physical and operational feasibility of redeveloping a passenger rail station at the former Chrysler Assembly Plant site. The scope of the feasibility study was limited to producing concepts with commuter service remaining at the existing location.

The proposed action, completion of the Newark Regional Transportation Center (NRTC) project, will improve ADA access and enhance passenger safety as well as be one more catalyst for job creation in the region. It will make the site attractive to future potential tenants for the redevelopment of the former Chrysler Assembly Plant, which will occur whether or not the station is improved. In addition, the completion of the proposed action will facilitate the ability to accommodate increased passenger train service while maintaining existing freight operations.

To accomplish this, an 850 foot long high-level platform is proposed with the access occurring at the middle of the platform. These requirements shift the pedestrian access, ticketing, and parking area south from their current location. The proposed new parking lot anticipates reusing the part of the existing manufacturing floor by adding drainage and an asphalt covering sloped to direct rainwater toward the drains. The proposed action includes the following improvements (Figure 4, Appendix B):

- Construct a new high-level platform west of South College Avenue and the existing platform location. The high-level platform will eliminate the Americans with Disabilities Act (ADA) issues associated with the existing conditions.
- Construct a grade-separated pedestrian connection between the platform and the new station building and parking area. This connection will allow passengers to access the platform without having to cross railroad tracks.
- Construct a new station building with SEPTA and DART First State ticket window, waiting area, restrooms, and vending machines. Construct a new driveway and parking lot for the station building.
- Rehabilitate the existing NS tail track between NS's Newark Yard and Otts Chapel Road.
- Rehabilitate the NS portion of the existing rail and ties over the Christina River Bridge.
- Construct a new crossover within the NS and Amtrak right-of-way just south of the proposed new platform. Construct new crossovers to connect Track A to Track O and Track NS1 to Track O.
- Reuse part of the existing manufacturing floor slab from the Chrysler Assembly Plant to create a new 465-space parking lot, including improved lighting, landscaping, ADA improvements and pedestrian connections.

_____ **B. LOCATION (INCLUDING ADDRESS): Attach a site map or diagram, which identifies the land uses and resources on the site and the adjacent or nearby land uses and resources. This is used to determine the probability of impact on sensitive receptors (such as schools, hospitals, residences) and on protected resources.**

The Newark Passenger Rail Station is located along the NEC in the City of Newark, Delaware, just west of South College Avenue/SR 896 (Figure 1, Appendix B).

_____ **C. METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY: Is the proposed project "included" in the current adopted MPO plan, either explicitly or in a grouping of projects or activities? What is the conformity status of that plan? Is the proposed project, or are appropriate phases of the project included in the TIP? What is the conformity status of the TIP?**

The NRTC is included in WILMAPCO's currently adopted transportation improvement plan, the FY 2014–2017 TIP. The NRTC and its precursor studies and public involvement have been in the TIP since at least the FY2010-2012 document. Analysis was conducted, and the FY2014-2017 TIP was found to be in conformance.

_____ **D. ZONING: Description of zoning, if applicable, and consistency with proposed use.**

The existing zoning is adequate for the proposed NRTC. There is currently an operating rail station in essentially the same location as the proposed NRTC improvements. The proposed action will not impact the existing zoning.

____ E. **TRAFFIC IMPACTS:** Describe potential traffic impacts; including whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic.

The proposed action will increase train station parking from 376 spaces to approximately 465 spaces, accommodating approximately 515 passengers, assuming that 10 percent of station patrons continue to arrive by modes other than private vehicle. The parking lot will be designed in such a way as to not preclude the construction of structured parking in the future. Some of that increased ridership is expected to occur during the morning and evening peak hours, so additional turn lanes may be required at the station entrance on South College Avenue to maintain traffic flow and minimize queuing. Excellent pedestrian access is provided via continuous sidewalks along South College Avenue throughout the project area, and bike lanes connect the station with downtown Newark. The proposed action also includes the construction of wide sidewalk that would connect the existing stair tower at S. College Avenue to the new station building.

____ F. **CO HOT SPOTS:** If there are serious traffic impacts at any affected intersection, and if the area is nonattainment for CO, demonstrate that CO hot spots will not result.

The proposed action does not have CO hot spot impacts. The project area is not within a non-attainment/maintenance area for CO. The project area is, however, within an 8-hour ozone non-attainment area.

____ G. **HISTORIC RESOURCES:** Describe any cultural, historic, or archaeological resource that is located in the immediate vicinity of the proposed project and the impact of the project on the resource.

The Delaware State Historic Preservation Office (SHPO) has concurred with DelDOT's "Finding of No Adverse Effect". This completes Section 106 compliance. The original and historic Newark Passenger Station (N-4025) is the only historic property within the Area of Potential Effects (APE). The station will not be directly impacted, but is in remote visual distance of the project area and in areas where the current (modern train station) platforms, access, and limited amenities are situated and will be removed. No other additional resources were found listed or recommended eligible to the National Register that are involved in the project's Area of Potential Effect (Figure 5, Appendix B). The SHPO's response is in Appendix C. The Newark Historical Society was informed and did not comment.

____ H. **NOISE:** Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Noise Assessment" with conclusions.

Noise screening distances for the proposed action were compared with the noise screening distances described in FTA's 2006 Transit Noise and Vibration Impact Assessment guidance. For the purpose of the comparison, this categorical exclusion determination document considers the project a commuter rail station. The screening distances for commuter rail stations vary depending on whether or not the horn is blowing. If the horn blows, the unobstructed screening

distance is 1,600 feet. If the horn does not blow, the unobstructed screening distance is 250 feet. There are noise receptors within 250 and 1,600 feet of the proposed action (as measured from the center of proposed platform). Currently train horn blows occur sporadically throughout the day; an operating condition that will not change with our proposed action. As the proposed action does not affect train horn blow frequency, further noise assessment is not required.

____ I. VIBRATION: If the proposed project involves new or relocated steel tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Vibration Assessment" with conclusions.

Vibration screening distances for the proposed action were compared with the vibration screening distances described in FTA's 2006 Transit Noise and Vibration Impact Assessment guidance. For the purpose of the comparison, the categorical exclusion determination document considers the project a commuter rail station. Typically, station projects do not have vibration impacts unless the track system will be modified. Because the proposed action includes some track work to provide connections between tracks, the screening distance was measured. For Category 2 uses (residences and buildings where people normally sleep) the critical distance from the right-of-way line or property line is 200 feet. There are no Category 2 uses within 200 feet of the new platform. There may be a few residences just inside the 200 foot screening distance of the new track work, but because the proposed action is not changing the current operating conditions, further vibration assessment is not required.

____ J. ACQUISITIONS & RELOCATIONS REQUIRED: Describe land acquisitions and displacements of residences and businesses.

The proposed action requires no displacements of residences or businesses. Amtrak, NS, 1743 Holdings and DelDOT are in the process of preparing a Landowner MOU/MOA for use and transfer of property.

____ K. HAZARDOUS MATERIALS: If real property is to be acquired, has a Phase I site assessment for contaminated soil and groundwater been performed? If a Phase II site assessment is recommended, has it been performed? What steps will be taken to ensure that the community in which the project is located is protected from contamination during construction and operation of the project? State the results of consultation with the cognizant State agency regarding the proposed remediation?

The areas of proposed action, the NEC and the tailtrack on the Christina River Bridge and further south were determined to have no hazardous materials present.

____ L. COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE: Provide a socio-economic profile of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect.

In compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 12898, Environmental Justice principles have been followed in the NRTC project. The project processes

have incorporated social, economic, environmental, public health and welfare, and public involvement into the scope of the project.

There are three census tracts in the project area: 014402, 014502, and 014803.

	<u>014402</u>	<u>014502</u>	<u>014803</u>
Population	3,220	6,439	3,927
Median Age	28.2	20.8	43
Race:			
White	76.3%	88.8%	79.3%
Black	6.2%	4.0%	8.5%
Hispanic	4.1%	4.6%	4.5%
Asian	14.2%	4.1%	7.8%
Median Home Value	\$250,000	\$250,000	\$299,600
Per Capita Income	\$28,474	\$7,601	\$39,098
Individuals Below Poverty	26%	71.7%	5.4%

The project area is mostly industrial, with residential and natural areas interspersed. It has a significant college student population spread over a number of tracts surrounding the University of Delaware campus, indicated by the high percentages of 18+ and 20-24 year olds, and the high renter-occupied housing percentages.

This project will have NO adverse effects to the community or its population. There will be NO adverse effects on any businesses, residents, or landowners. There has been public involvement in the scoping process to identify community needs and concerns (Appendix A). DelDOT has made every effort to ensure a non-discriminatory planning and public participation process. The proposed action has no identified negative impacts on low-income or minority populations.

The diverse community of students and families who live near the project area will be positively impacted by the improvements resulting from the proposed action, with increased commuter access to transit transportation, and will not experience disproportionately high and adverse impacts.

____M. **USE OF PUBLIC PARKLAND AND RECREATION AREAS:** Indicate parks and recreational areas on the site map. If the activities and purposes of these resources will be affected by the proposed project, state how.

Parks will not be affected by the proposed action.

____N. **IMPACTS ON WETLANDS:** Show potential wetlands on the site map. Describe the project's impact on on-site and adjacent wetlands.

The USFWS National Wetlands Inventory mapping shows a number of small, scattered parcels of wetland areas in the Newark region and in the proposed project area. These wetland parcels are identified and protected as Waters of the United States, defined by Act 40 CFR 122.2. The wetland parcels are scattered along the length of the project location (Figure 6, Appendix B) but all are located off railroad property and will not be affected by the proposed project construction.

____ O. **FLOODPLAIN IMPACTS:** Is the proposed project located within the 100-year floodplain? If so, address possible flooding of the proposed project site and flooding induced by proposed project due to its taking of floodplain capacity.

Review of the 100-year FEMA flood zone for the project area indicates that parts of the proposed improvements are located near or within the FEMA 100-year floodplain (Figure 7, Appendix B). The improvements on the Christina River Bridge, including rehabilitating the tailtracks, would entail work over the Christina River, which is considered a flood hazard zone. The high clearance of the Christina River Bridge indicates that this structure will not be affected by flooding, and since improvements will take place on previously developed land, with no additional development, the proposed action will not affect the Christina River or the flood elevation level.

____ P. **IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES:** If any of these are implicated, provide detailed analysis.

The proposed action will not have direct impact on the watershed, water quality, navigable waterways, and Coastal Zone.

____ Q. **IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES:** Describe any natural areas (woodlands, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed project area. If present, state the results of consultation with the state department of natural resources on the impacts to these natural areas and on threatened and endangered fauna and flora that may be affected.

The Delaware Natural Heritage Program, Division of Fish and Wildlife and the United States Department of the Interior, Fish and Wildlife Service were consulted in regards to the potential presence of threatened and endangered (T&E) species within the project location. This included an environmental review, a fish query, and a federal list request review of the surrounding natural area. The Delaware Natural Heritage Program, Division of Fish and Wildlife has responded to the fish query. The responses are in Appendix C.

____ R. **IMPACTS ON SAFETY AND SECURITY:** Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction.

The proposed action includes installing and upgrading surveillance cameras and systems. Delaware Transit Corporation (DTC) maintains security at all passenger rail stations and will continue this security policy. To prevent unauthorized people from entering the NS freight yard, the proposed action includes a provision of security fencing and a new limited access driveway in the NS Newark Yard.

____ S. **IMPACTS CAUSED BY CONSTRUCTION:** Describe the construction plan and identify impacts due to construction noise, utility disruption, debris and spoil disposal, air and water quality, safety and security, and disruptions of traffic and access to property.

Construction impacts may include noise and dust. However, the impacts on residences and businesses will be minimal because of the location of the preferred action. Immediately across the tracks from the proposed action is the City of Newark Field Operations and Warehouse and Maintenance Complex, and the land adjacent to the site is currently undeveloped.

Most construction activities will occur between the hours of 7am and 10pm, however, some work will have to occur during evening hours as to minimize operations impacts to the NE Corridor. Work that may be accomplished during night time include, the “launching” of the pedestrian bridge by crane, connections to the NE Corridor tracks and catenary switch-overs. If night work is required, noise waivers will be secured from the appropriate local jurisdiction.

The contractor will be responsible for controlling dust generated by his or her construction activities. Access to the construction site will be maintained throughout the construction duration and be limited to UD, State of Delaware, and NS land. All permits requirements will be obtained in advance with the exception of those that specified in the contract specifications. All property access agreements will be obtained prior to advertisement.

____ T. **SECONDARY AND CUMULATIVE EFFECTS**

The Council on Environmental Quality (CEQ) regulations set forth in 40 CFR § 1500 et. Seq., require federal agencies to also consider the potential for indirect and cumulative effects from a proposed project. The CEQ regulations define the impacts and effects that must be addressed and considered to meet the National Environmental Policy Act (NEPA) requirements, as follows:

- Direct effects are caused by the action and occur at the same time and place (40 CFR § 1508.8(a))
- Indirect (secondary) effects are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems (40 CFR § 1508.8(b)).
- Cumulative effect is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR § 1508.7).

Resources considered for secondary and cumulative effects resulting from the proposed action include those socioeconomic, cultural, and natural resources directly affected by the project. The proposed project will result in no direct effects to resources as described herein, and would not result in additional secondary and cumulative effects within the study area or beyond. The primary purpose of the proposed action is to improve ADA access and enhance passenger safety. The proposed action does not allow for an increase in peak period train service (although it does facilitate the ability to accommodate increased off-peak passenger train service), and the expanded station platform and parking is approximately 1,000 feet south of their current locations. However, considerations in the project and in moving forward could enable further

expansion of passenger rail services including Amtrak, SEPTA, and MARC as well as future downstate intercity or commuter rail service. However, designs and/or accommodations for them as well as creating opportunities for expanding statewide rail freight operations are not included. Those independent actions would have to be evaluated on their own since this project does not increase or hinder access or opportunities to the station area.

The approximate 270-acre former Chrysler Assembly Plant, now owned by UD for a technology-focused research campus, is adjacent to the station area. This site has a campus master plan in place and several parcels are currently under lease and development. The lease and development of these parcels and the construction of the science and technology vision for site are also not dependent on the proposed action, and will proceed with or without the proposed action. Similarly, the proposed action has independent utility and is needed regardless of implementation of the UD master plan. Nonetheless, even though the proposed action and the UD master plan development have independent utility, steps are being taken to coordinate the two projects in the areas of station location, parking design, and development access to maximize benefits to each.

The action described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.118(d) _____.

Michael C. Hahn

Applicant's Environmental Reviewer

03/28/2013

Date

FTA Grant Representative

Date

Appendices

Appendix A: Project Background

- Existing Conditions and Project History
- Purpose and Need for Action
- Public and Agency Outreach

I. Existing Conditions and Project History

A. Existing Conditions

The Newark Passenger Rail Station is located along Amtrak's Northeast Corridor (NEC) in the City of Newark, Delaware, just west of South College Avenue/SR 896 (Figure 1, Appendix B). The station area includes a low-level platform adjacent to Track A, a 376-space parking lot, a DART First State bus stop (DART is Delaware's transit provider), a modest ticket sales booth, bike lockers, and information kiosks. Automobile and bus access is from South College Avenue via a signalized intersection with Mopar Drive.

Train service through the Newark Station operates on four tracks on Amtrak's NEC. Tracks 1, 2, and 3 are used by Amtrak. Amtrak's high-speed Acela trains operate on Tracks 2 and 3 (northbound and southbound, respectively). Most Amtrak regional and long distance trains also use Tracks 2 and 3. Northbound Amtrak Regional trains stopping at Newark generally use either Track 1 or Track 2. Track 1 is sometimes used by Amtrak long-distance trains when they need to be passed or "overtaken" by faster Acela Express or Regional trains. On average, Amtrak operates two northbound Acela and Northeast Regional trains per hour, with two Northeast Regional trains in each direction stopping at Newark daily. In addition, Amtrak operates six northbound and six southbound long distance trains per day. They do not stop at the Newark station.

Track A is used by Southeastern Pennsylvania Transportation Authority (SEPTA) during the a.m. and p.m. peak periods for commuter service to Philadelphia, Pennsylvania. SEPTA trains use the Track A platform at Newark Station as the layover point for southbound trains that arrive at the station from Wilmington and Philadelphia and then change direction for subsequent departing northbound trains. The Delaware Transit Corporation (DTC) contracts with SEPTA to operate nine commuter train round trips on the Wilmington-Newark Line between Newark and Philadelphia on weekdays, with 17 trains serving the Newark Station each weekday.

Tracks A and 1 are also used by Norfolk Southern (NS) freight trains to travel between their Newark Yard and Harrisburg, Pennsylvania and also to access the Port of Wilmington. Per Amtrak regulations, freight service is constrained to operating between 10 p.m. and 6 a.m. on the two-track section of the NEC between Perryville, Maryland and the town of North East, Maryland (Bacon Interlocking).

The station currently functions as a four-track operation used by both the commuter trains of Southeast Pennsylvania Transportation Authority (SEPTA) and Amtrak Regional trains. The railroad is oriented north-south with the tracks numbered A, 1, 2, and 3 from east to west. Track A is the track closest to the NS Newark Yard. There are platforms on Tracks A and 3. A small, wooden walkway from the platform on Track A provides passenger access to Tracks 1 and 2.

Handicapped access is provided on Track A by means of a short, high level, ramped platform commonly called a "mini-high." All SEPTA trains use the Track A platform at Newark. Typically, two Amtrak trains a day (one in each direction) stop at Newark. On Fridays, there are two trains in each direction. Northbound Amtrak trains typically use Tracks 1 or 2, although Track A may be used if there are no conflicting freight or passenger movements. Passengers use the wooden walkway to cross the tracks on to board the trains on Tracks 1 or 2. The single southbound Amtrak train (two on Fridays) is the only train to stop at the short, low-level platform on Track 3.

The Maryland Transit Administration (MTA) MARC commuter rail service currently does not serve the Newark Station. However, the 2007 MARC Growth and Investment Plan proposed extending peak service north from Perryville, Maryland to a new station at Elkton, Maryland and on to Newark. DTC and the MTA have been having ongoing discussions about how and when MARC service could be provided at Newark.

B. Project History

The existing track configuration coupled with the extension of SEPTA service to Newark in 1997 and Amtrak's operating window for freight operations on the NEC inhibits freight train access to NS's Delmarva Secondary rail line. The Delmarva Secondary rail line is the primary entry point for rail movement to the Delmarva Peninsula and is accessed by Track A (Figures 2 and 3, Appendix B). The conflict between passenger and freight rail inhibits economic growth in the area and limits opportunities to expand passenger rail service at the station.

Previous studies conducted to examine these conflicts found that there was no room on site for expansion of services and no room to expand off-site because of the University of Delaware's (UD) agricultural complex to the east and the Chrysler Assembly Plant to the west. Therefore, in 2004, DelDOT conducted a study to move the Newark train station from its current location to the site of a concrete plant along SR 72. This new location would eliminate conflicts with NS and allow for passenger rail growth.

However, in 2009, the Chrysler Assembly Plant ceased operations, which made it possible to reconsider an expanded and improved Newark station near its current location. UD purchased the Chrysler Assembly Plant site and created a plan for a new Science, Technology and Advanced Research Campus (STAR). At 272 acres, the STAR campus represents one of the largest contiguous developable land parcels adjacent to a rail station on the entire NEC. Close to residential neighborhoods and existing university facilities, the site is also within walking distance of the downtown district of the City of Newark. UD is developing this large parcel as a regional asset. Part of the plan includes Transit-Oriented Development (TOD) and land was set aside to allow for the expansion and improvements of the station.

In 2010, the Wilmington Area Planning Council (WILMAPCO) conducted the Newark Train Station Study, which established the physical and operational feasibility of redeveloping a passenger rail station at the former Chrysler Assembly Plant site. The scope of the feasibility study was limited to producing concepts with commuter service remaining at the existing location.

In order to be considered feasible, the station would need to meet the following objectives:

- a. Create a regional rail center consistent with the State of Delaware's transportation and economic development objectives;
- b. Resolve the existing operating conflicts between freight and commuter rail while expanding passenger services at the station;
- c. Enable expansion of passenger rail services including Amtrak, SEPTA, MARC as well as future downstate intercity or commuter rail service; and
- d. Preserve and create opportunities for expanding statewide rail freight operations.

The study found that it would be feasible to meet the objectives and keep the station in the general vicinity.

At the completion of the feasibility study, the project stakeholders worked with WILMAPCO to apply for a TIGER II Planning Grant to advance the NRTC project at the existing location. Letters from project stakeholders were included in the TIGER II grant application demonstrating support to expand the Newark Station in or near its current location. The grant was awarded in late 2010.

Preliminary engineering and environmental efforts began in September 2011 and included stakeholder interviews, initiation of National Environmental Policy Act (NEPA) documentation and coordination, and refinement of the proposed action. Under DelDOT's direction, in June 2012, the project team was successful in receiving a TIGER IV grant that will allow the project to advance into final design and construction.

II. Purpose and Need for Action

A. Project Purpose

The Newark Station is located along the busiest rail corridor in the United States, Amtrak's NEC. Situated 124 miles south of New York and 105 miles north of Washington DC, the site also benefits from major metropolitan areas in close proximity, such as Baltimore (56 miles south) and Philadelphia (47 miles north). The station sits west of South College Avenue/SR 896, in close proximity to residential neighborhoods, UD facilities, and the downtown district of the City of Newark, Delaware. However, the existing Newark station and track configuration has passenger safety and ADA accessibility problems.

NS's Newark Yard plays a strategically important role supporting efficient freight deliveries to the region. The yard is situated where the NEC intersects with the Delmarva Secondary, which is the primary freight route serving the Delmarva Peninsula. The facility's function is to support operations for NS's Delmarva Business Unit. Train crews operating out of Newark Yard serve a number of important industries in the New Castle County region including the Port of Wilmington and the growing AutoPort facility. NS plans to expand operations at the Newark Yard as shipping demand grows in this area.

Freight/passenger rail conflicts prevent freight from operating at Newark and on the Delmarva Secondary independent of passenger operations at Newark. Tail tracks in the Newark Yard are available for NS access to the NEC at any time, but NS cannot work the east end of the yard while SEPTA trains occupy Track A at the station. Furthermore, Amtrak limits freight service to only the overnight hours.

Through the Preliminary Engineering (PE) and NEPA efforts, the following series of project goals was developed to reflect the interests of the project stakeholders:

- Achieve ADA access for passengers using the station.
- Maintain the existing operating windows between freight and commuter rail while preserving peak passenger service levels at the station.
- Provide Amtrak access to the platform with little or no NS impact.
- Enable future expansion of passenger rail services including Amtrak, SEPTA and MARC, as well as future downstate intercity service.

- Preserve and create opportunities for expanding statewide rail freight operations.
- Be supportive of the State of Delaware’s transportation and economic development objectives.

B. Project Need

Passenger train operations through Newark are numerous and congested. Over 1.25 million travelers use the rail system annually in Delaware, a figure which has grown by 53.4 percent since 2003. Amtrak stops at Newark Station four times a day, with SEPTA serving the station with 17 trips each weekday. The MARC Growth and Investment Plan (2007) recommends providing peak MARC service to Newark.

The current SEPTA train platform at Newark is a single-sided, low-level platform located under the South College Avenue bridge. The platform serves one track, and passengers need to climb up onto the trains. A separate, “mini-high” platform is available for passengers in wheelchairs. There is a historic station building owned by the City of Newark on the northernmost track, but it is not in use and is not part of the current project.

Along with passenger service, NS’s Newark Yard plays a strategically important role in supporting efficient freight deliveries to the region, including the Port of Wilmington, the PBF Energy refinery in Delaware City, and the Delmarva Peninsula. However, Amtrak limits freight service on the NEC to the overnight hours between 10 p.m. and 6 a.m. to avoid conflict with passenger trains.

The resulting volume of this rail activity creates a bottleneck for freight and passenger trains in Newark, and the station configuration is not optimal for current or future passenger demands. Adding to this demand, while not integral to the project need, is the opportunity for growth at UD’s STAR Campus, advancing redevelopment plans in keeping with surrounding neighborhoods and transportation plans.

In addition to the operational challenges, SEPTA ridership at the station is also growing. The December 2012 NRTC Ridership Forecasting Modeling Methodology and Results report shows a 34% growth from the base year to the opening year in 2015. There is a base year ridership of 580, which is forecast to be 780 in 2015 and 1,630 in 2040.

For all Delaware Wilmington/Newark Line stations an overall ridership growth of about 18% (800 new riders) is forecast for 2015 and 87% (3,800 new riders) in 2040. Table shows 2008 ridership and forecast ridership in 2015 and 2040.

Table 1: SEPTA Ridership at Newark and along Wilmington/Newark Line

Station	2008 Ridership	2015 Ridership	2040 Ridership	Annual Rate (2008 to 2015)	Total	Annual Rate (2008 to 2040)	Total
Newark	580	780	1,630	4.8%	33.8%	5.7%	181.2%
W/N Line	4,380	5,180	8,190	2.6%	18.4%	2.7%	87.3%

There are also parking implications to be considered with the increase in ridership. Between 85 and 90 percent of all ridership was assumed to be drive trips to the station. This is consistent with 2011

observations at the Newark station, where approximately 300 occupied parking spaces correlated to 660 daily trips (or 330 people). It is also consistent with anecdotal information from DART staff. The remaining patrons would arrive in carpools, walk, bike, or take the bus to the station. The following Table 2 summarizes this demand.

Table 2: Parking Demand at Newark Station: 2011, 2015, 2040

	2011 Actual	2015 Forecast	2040 Forecast
Ridership	660	780	1,630
Parking demand (spaces)	300	330 – 350	700 – 740
Parking supply (spaces)	376	376	740 (proposed)

The proposed NRTC project is needed to improve ADA accessibility to the trains, enhance passenger safety, accommodate system ridership growth, and maintain freight operations.

III. Public and Agency Outreach

The NRTC is not a new project; it has been discussed since 2004. Below is a summary of the various public and agency outreach that has been conducted since the project's inception.

A. 2004 Wilmington to Newark Commuter Rail Project Outreach Efforts

DTC's 2004 report, the Wilmington to Newark Commuter Rail Project, documented comments provided on the Draft FY 2005-07 Transportation Improvement Program (TIP) related to the Newark Train Station. These included 19 statements received from the public as well as the working group's proceedings which resulted in the Purpose and Need for a new Newark station location.

B. 2010 Feasibility Study Public Outreach Efforts

The Newark Train Station Study (feasibility study), completed in July 2010, involved input from a variety of public and private entities through regular meetings of a stakeholder group to review progress and obtain input on various track and platform configurations at the vicinity of the current station. These stakeholders included:

- City of Newark
- DelDOT/Delaware Transit Corporation
- Delaware Economic Development Office
- New Castle County
- Norfolk Southern
- University of Delaware
- WILMAPCO
- Amtrak
- MTA/MARC
- SEPTA

Given the wide-reaching impacts of this project, some additional project supporters include:

- Cecil College
- Cecil County Elected Officials
- The Chesapeake Science and Security Corridor (CSSC)

At the conclusion of the feasibility study, project stakeholders agreed that UD's redevelopment of the former Chrysler Assembly Plant presents a unique opportunity to maximize opportunities for transit-oriented development and capitalizes on a train station location close to the downtown/historic district of the City of Newark. Consensus for expanding the station at its current location was further demonstrated as part of the successful 2010 TIGER II Planning Grant application, which included letters of support from the project supporters.

C. Newark Regional Transportation Center Project Public Outreach Efforts

At the initiation of the NRTC project in 2011, interviews were conducted with each feasibility study stakeholder to help define their desired benefit, contribution, and role. Throughout the advancement of the NRTC project, stakeholder coordination continued with a focus on each stakeholder realizing a benefit from their contributions to the project while also remaining whole.

The project was also developed in the context of coordinating with other rail efforts advancing in the region, including:

- Amtrak's Northeast Corridor Master Plan
- Delmarva Intercity Rail Study
- Chesapeake Connector
- Northeast Corridor High-Speed Rail/Next Generation Rail

To advance the preliminary engineering efforts additional coordination was provided through meetings of smaller group of stakeholders that comprised the Technical Working Group consisting of representatives from NS, Amtrak, UD, DelDOT/DTC, and WILMAPCO.

Continued coordination with public and private stakeholders, as well as elected officials occurred during this phase of the project to assist in evaluating alternatives that would improve the ADA accessibility and allow for additional passenger trains to access the site. These efforts also included briefings with federal entities including the U.S. Department of Transportation, U.S. Department of Housing and Urban Development, and U.S. Environmental Protection Agency to share information on the project. Additional efforts to solicit feedback and build consensus for the NRTC will continue as the engineering and environmental efforts progress. These activities have been outlined in a Public Outreach Plan for the project and include:

- Stakeholder database with levels of engagement and anticipated issues identified
- Meetings and outreach
 - Interviews
 - Stakeholder Advisory Committee meetings
 - Speakers' bureau
 - Public outreach event
 - Media relations

- Presentation materials
- Public outreach documentation

Most recently, WILMAPCO's "Our Town" event held on November 14, 2012, provided an opportunity to share the NRTC project progress and highlights with a broader audience.

With preliminary engineering and environmental efforts advancing through TIGER II funding, this project is moving ahead to final design and construction through the assistance of the TIGER IV program. As the partnership among multiple stakeholders evolves, this project continues to be a strong example of how multiple public and private entities can work together to keep a project focused and moving forward.

Appendix B: Figures

- Figure 1: Region Map With Project Location
- Figure 2: Existing Conditions (Freight and Passenger Rail Operations)
- Figure 3: Existing Track Configuration
- Figure 4: Proposed Action
- Figure 5: Cultural Resources
- Figure 6: Wetlands
- Figure 7: FEMA 100-year Floodplain

Figure 1: Region Map With Project Location



Figure 2: Existing Conditions
(Freight and Passenger Rail Operations)

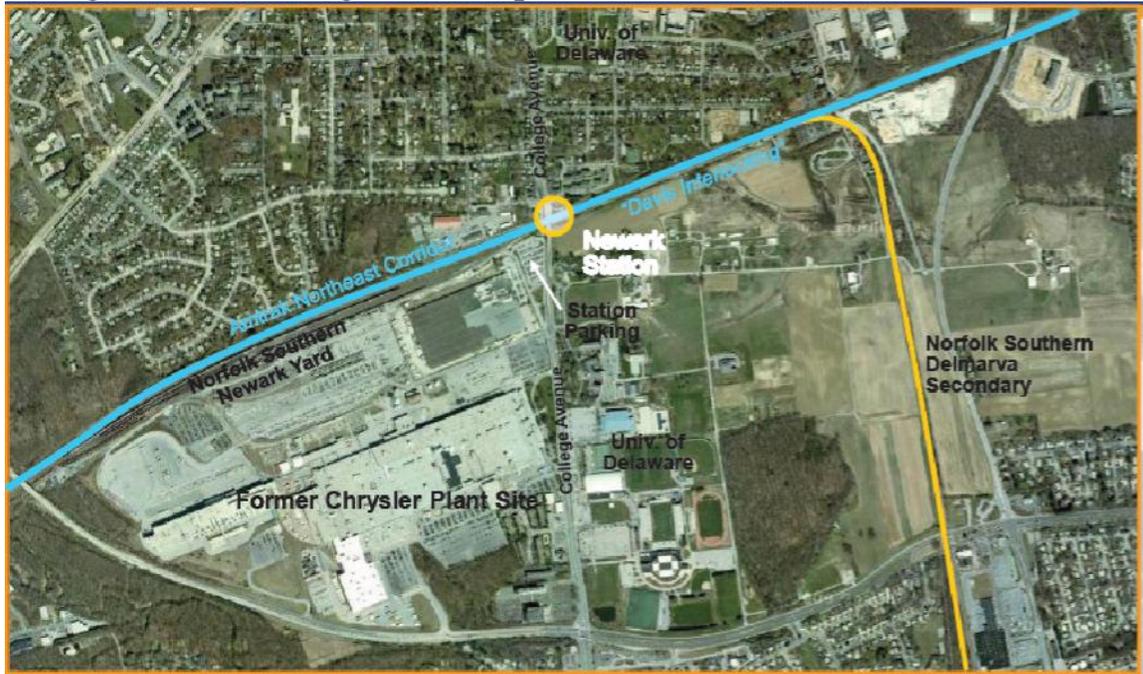


Figure 3: Existing Track Configuration

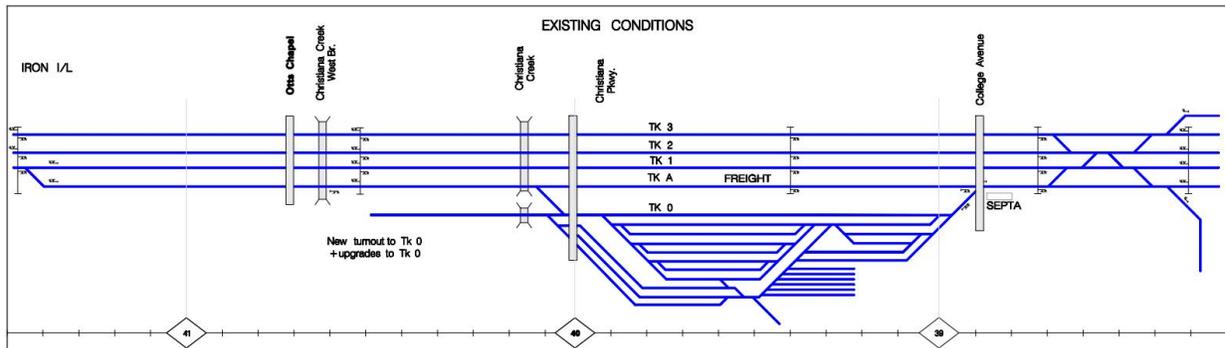
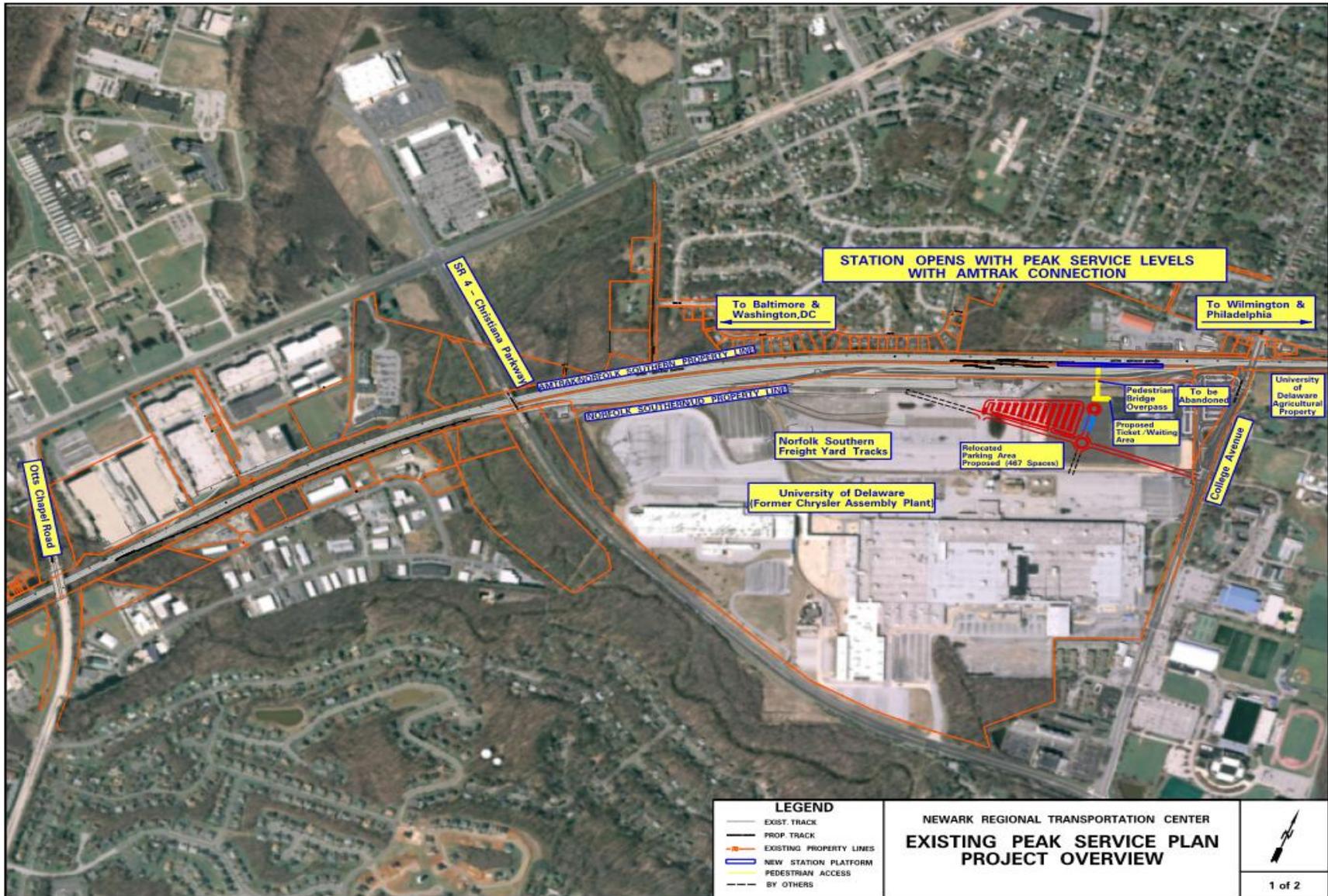


Figure 4: Proposed Action



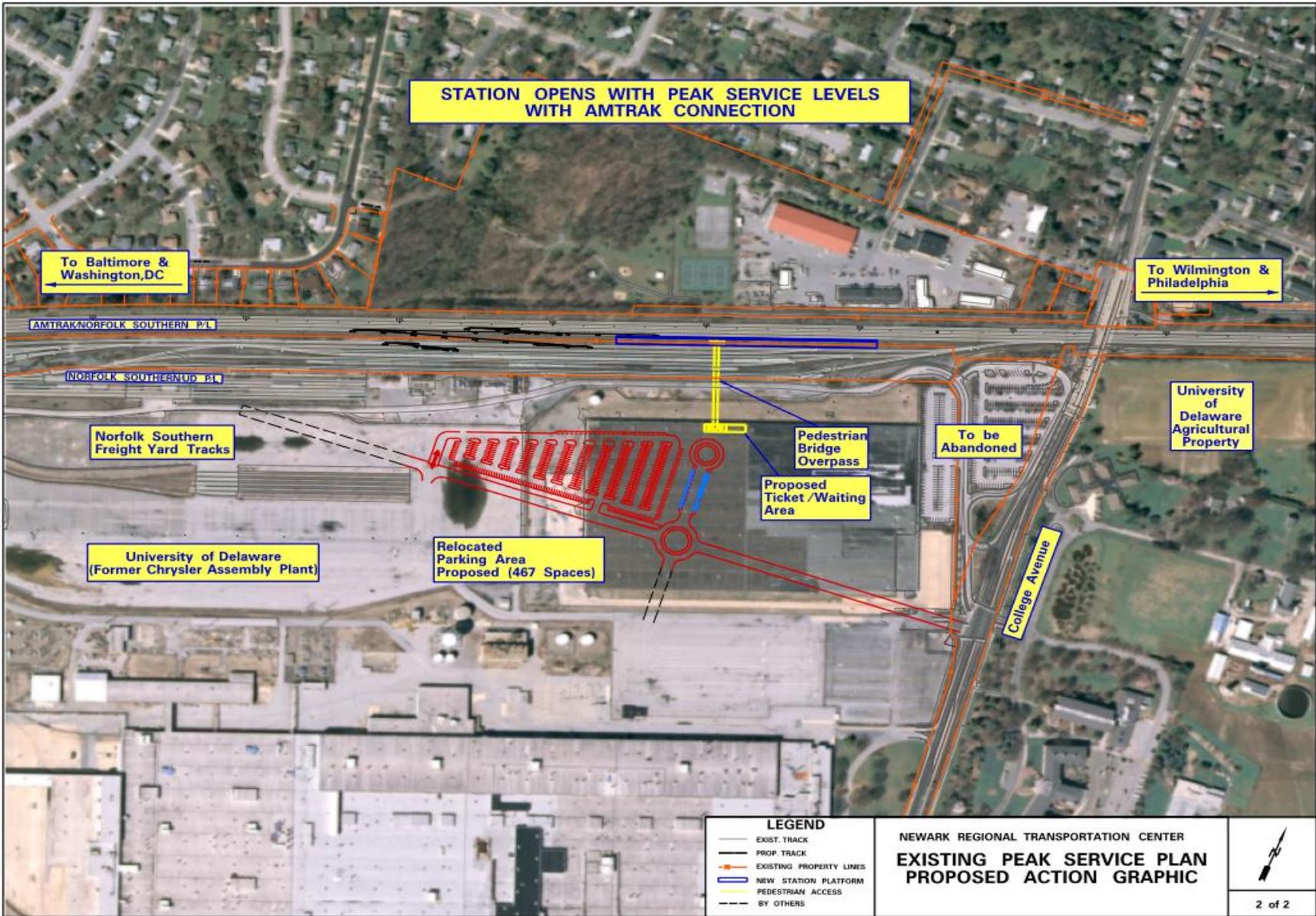


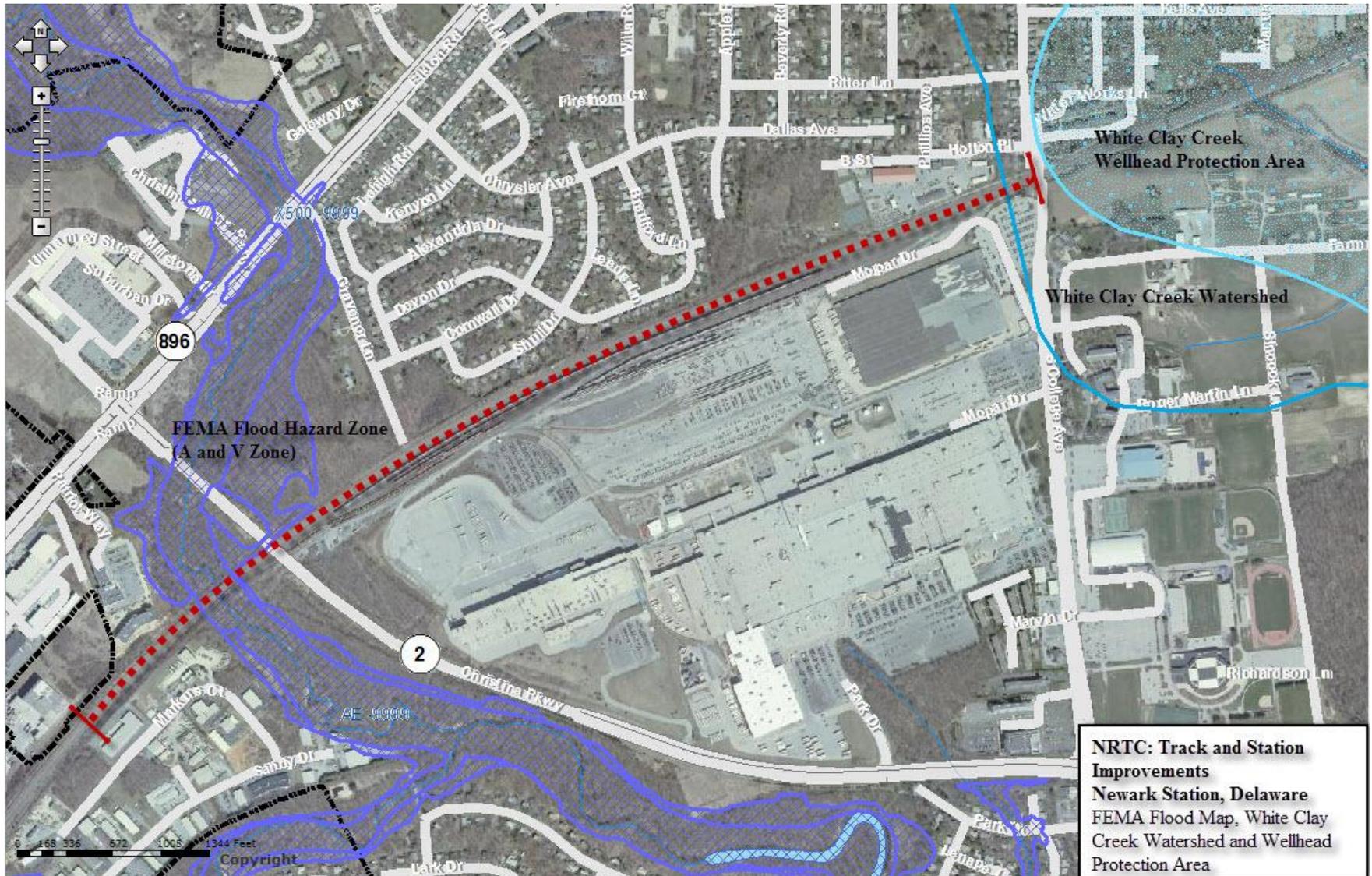
Figure 5: Cultural Resources



Figure 6: Wetlands



Figure 7: FEMA 100-year Floodplain



Appendix C: Agency Coordination

- NRTC Project Letter to SHPO (December 26 2012)
- SHPO Concurrence letter (March 6, 2013)
- SHPO Parking Lot Change Correspondence (March 25, 2013)
- Newark's Response on NRTC Proposed Action (January 2, 2013)

- NRTC Fish Query Letter to DNREC (December 20, 2012)
- DNREC Fish Query Response (January 2, 2013)
- NRTC Threatened and Endangered Query Letter to Delaware Natural Heritage Program (December 20, 2012)
- Delaware Natural Heritage Program Response (January 15, 2013)

- NRTC Endangered Species List Request Review Letter to US Fish and Wildlife Service (December 28, 2012)
- US Fish and Wildlife Service Endangered Species List Request Review Response (February 25, 2013)



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

REGION III
Delaware, District of
Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

1760 Market Street
Suite 500
Philadelphia, PA 19103-4124
215-656-7100
215-656-7260 (fax)

Mr. Timothy Slavin, Director
Division of Historic and Cultural Affairs
The Green, Suite 21A
Dover, DE 19901

DEC 26 2012

Re: Newark Regional Transportation Center Project Section 106 Initiation and Compliance

Dear Mr. Slavin:

The Delaware Department of Transportation (DelDOT) in cooperation with the the Federal Transit Administration (FTA), is preparing environmental documentation in accordance with the National Environmental Policy Act (NEPA) for the Newark Regional Transportation Center (NRTC) project in New Castle County, DE.

DelDOT is proposing the following improvements:

- Construction of a center, high level passenger rail platform with a grade separated pedestrian connection, including elevators and stairs, improving passenger safety and Americans with Disabilities (ADA) compliance
- Construction of an expandable station building with Southeastern Pennsylvania Transportation Authority (SEPTA) and Delaware Authority for Regional Transit (DART) First State ticket window and vending machines
- Revisions to the existing parking lot with bus-only access lanes for station patrons and other access improvements
- Associated modifications to the adjacent Norfolk Southern Newark Yard to maintain existing freight operations impacted by the improved passenger rail facilities. Modifications could include changes to freight tracks, turnouts, rail signals, security fencing, and access

As the lead Federal agency for this project, the FTA is responsible for compliance with all Federal legislation, including NEPA and the National Historic Preservation Act (Section 106). This letter is intended to provide early coordination on the evaluation of potential project effects on historic architectural and archaeological resources, listed on or eligible for the National Register of Historic Places (NRHP).

DelDOT and FTA are not aware of other individuals and/or organizations that have a demonstrated interest in this project and the potential effects on historic resources. We are requesting the SHPO's assistance in identifying any individuals or organizations that may wish to be invited to be consulting

parties on the project. If additional parties are identified, FTA and DelDOT will immediately begin to involve the public in the Section 106 process regarding specific project development plans and schedules.

Please respond to this letter by January 18, 2013 so that FTA and DelDOT can move forward with the NRTC project in a timely manner.

FTA looks forward to working with DelDOT and the Delaware SHPO on this project. Please contact Tony Cho, Community Planner, by telephone at (215) 656-7250 or by email at tony.cho@dot.gov if you have any questions on this subject.

Sincerely,



for Brigid Hynes-Cherin
Regional Administrator

Cc:

Gwen Davis, DE SHPO
Joan Larrivee, DE SHPO
Robert McCleary, DelDOT
Mark Tudor, DelDOT
Therese Fulmer, DelDOT
Michael Hahn, DelDOT
David Clarke, DelDOT
Dave Gula, WILMAPCO
Jerry Jannetti, Parsons Brinckerhoff

State of Delaware
Historical and Cultural Affairs

21 The Green
Dover, DE 19901-3611

Phone: (302) 736.7400

Fax: (302) 739.5660

Review Code: 2012.12.26.01

March 6, 2013

Ms. Therese M. Fulmer, Manager
Environmental Studies
Delaware Department of Transportation
800 Bay Road, P.O. Box 778
Dover, DE 19904

Re: **NEWARK REGIONAL TRANSPORTATION CENTER, NEW CASTLE COUNTY, DELAWARE**
Federal Transit Administration, Delaware Department of Transportation, and the
Wilmington Area Planning Council

Dear Ms. Fulmer:

The above undertaking was reviewed for compliance with Section 106 of the National Historic Preservation Act and its implementing regulations under 36 CFR Part 800. From the materials submitted, the above undertaking will involve the construction a center platform, a grade-separated pedestrian connection with elevators, a new one-story station building, a new track crossover, and to create a new 740-space parking lot.

We find that adequate steps have been taken to identify and evaluate historical properties in or adjacent to the Area of Potential Effect. The Northeast Rail Corridor, the South College Avenue Bridge, the 1952 Christina Creek Bridge are not eligible for the National Register of Historic Places (NRHP). As the soils in the project area have been disturbed by modern construction, no intact archaeological resources are expected.

Located adjacent to the new construction activity, the Newark Passenger Station (N04025) is listed on the NRHP. We find the undertaking will not diminish the existing visual aesthetics through either the elimination of open space, nor will it add a visual or auditory element that is notably incompatible to the historical characteristics a railway station. Therefore, we find the undertaking will have no adverse effect on historic properties listed on or eligible for the National Register of Historic Places.

If you have any questions, I can be reaches at craig.lukezic@state.de.us.

Sincerely,


Craig Lukezic
Archaeologist

cc: Gwen Davis, Deputy State Historic Preservation Officer



From: [Lukezic, Craig \(DOS\)](#)
To: tony.cho@dot.gov
Cc: [Tudor, Mark \(DelDOT\)](#); [Hahn, Michael \(DelDOT\)](#); vida.morkunas@dot.gov; dgula@wilmapco.org
Subject: RE: Newark Regional Transportation Center Section 106
Date: Monday, March 25, 2013 3:10:24 PM

Mr. Cho,

The only possible historical resource that would be impacted by this design shift is an archaeological site. Given the degree of industrial development on the site, it is very unlikely an intact site would have survived. Therefore, the design shift does not alter the findings in my letter of March 6, 2013.

Sincerely,

Craig Lukezic
Archaeologist
DE SHPO

From: tony.cho@dot.gov [mailto:tony.cho@dot.gov]
Sent: Friday, March 08, 2013 5:05 PM
To: Lukezic, Craig (DOS)
Cc: Tudor, Mark (DelDOT); Hahn, Michael (DelDOT); vida.morkunas@dot.gov; dgula@wilmapco.org; tony.cho@dot.gov
Subject: Newark Regional Transportation Center Section 106

Dear Mr. Lukezic,

Thank you for your response to our correspondence on the Newark Regional Transportation Center (NRTC) project. We received a copy of your March 6th letter which recommended a finding that the NRTC project will have no adverse effect on historic properties.

DelDOT informed us today that the parking lot portion of the project has shifted slightly to the west, and is now partially outside the APE.

Your letter states, "We find that adequate steps have been taken to identify and evaluate historical properties in ***or adjacent to*** the Area of Potential Effect."

Does the new footprint of the parking lot qualify under the area adjacent to the APE that you had mentioned in your letter? Please see the attached map. Do you think this will change will have any adverse effect on historic properties? An email response would suffice.

Your prompt response to this matter is much appreciated.

Regards,
Tony Cho

Tony Cho
Community Planner

U.S. Department of Transportation
Federal Transit Administration, Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103

p: 215.656.7250
f: 215.656.7260
tony.cho@dot.gov

www.fta.dot.gov

From: [Maureen Feeney Roser](#)
To: [Hahn Michael \(DeIDOT\)](#)
Cc: [Roy Simonson](#); [Thomas Coleman](#); [Maiura Thomas \(CJ\)](#); [Carol Houck](#); [Rich Lapointe](#); [Michael Fortner](#)
Subject: RE: Newark Regional Transportation Center Project Section 106
Date: Wednesday, January 02, 2013 5:15:25 PM

Dear Mr. Hahn:

Thank you for providing the Section 106 initiation letter for our review. The City of Newark does not believe that the proposed Newark Regional Transportation Center Project will have an impact on the historic train station building located east of S. College Avenue.

Please let us know if additional information or assistance is needed. Thanks.

Maureen Feeney Roser, CMSM
Director of Planning & Development
City of Newark, DE
mfroser@newark.de.us
302-366-7030

From: Hahn Michael (DeIDOT) [<mailto:MichaelC.Hahn@state.de.us>]
Sent: Thursday, December 27, 2012 9:17 AM
To: Davis Gwen (DOS); McCleary Robert (DeIDOT); Jannetti, Jerry S.; Fulmer Terry (DeIDOT); Larrivee Joan (DOS); Cunningham Kevin (DeIDOT); Rich Lapointe
Cc: Tudor Mark (DeIDOT); dgula@wilmapco.org; 'tony.cho@dot.gov'; Lukezic Craig (DOS)
Subject: RE: Newark Regional Transportation Center Project Section 106

All,

Under coordination with FTA, I am forwarding over the Section 106 initiation letter to those cc'ed in, or relevant towards any interests in potential impacts upon historic properties. As such, City of Newark representative for the train station (the original east of S. College Ave) is included.

As far as I can determine, our section will be going over the overall project proposal with SHPO to demonstrate the realistic APE. Along with our field notes/pictures, we will also verify any added level of effort to identify any new historic properties that could be involved?

Thanks,
Mike Hahn, AICP
DeIDOT Environmental Studies
302-760-2131

From: tony.cho@dot.gov [<mailto:tony.cho@dot.gov>]
Sent: Wednesday, December 26, 2012 3:44 PM
To: Slavin Timothy A (DOS)
Cc: tony.cho@dot.gov; Tudor Mark (DeIDOT); dgula@wilmapco.org; Deborah.Butler@dot.gov; tzegeye@wilmapco.org; Cheskey@pbworld.com; Hahn Michael (DeIDOT); Lukezic Craig (DOS)
Subject: Newark Regional Transportation Center Project Section 106

Dear Mr. Slavin,

Attached is a letter, re: the Newark Regional Transportation Center Project Section 106 Initiation and Compliance.

A hard copy will be sent in the mail. Please do not hesitate to contact me if you have any questions.

Thanks,

Tony

Tony Cho
Community Planner

U.S. Department of Transportation
Federal Transit Administration, Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103

p: 215.656.7250
f: 215.656.7260
tony.cho@dot.gov

www.fta.dot.gov

Catherine Martin
Delaware Natural Heritage Program
Division of Fish and Wildlife
4876 Hay Point Landing Road
Smyrna, DE 19977

December 20, 2012

Dear Ms. Martin

This document is submitted for your information regarding an upcoming project under the authorization of Delaware Department of Transportation (DelDOT) in conjunction with the Federal Transit Administration. A brief description of the proposed work to occur at this location is as follows:

Newark Regional Transit Center (maps attached). DelDOT in conjunction with the Delaware Transit Corporation (DTC) and the Wilmington Area Planning Council (WILMAPCO) are pursuing a project to improve ADA access and enhance passenger safety and comfort at the Newark, Delaware Amtrak/SEPTA train station. The station area is west of South College Avenue/SR 896 in proximity to residential neighborhoods on the north side of the tracks, University of Delaware facilities, and the downtown business district of the City of Newark, Delaware.

The current SEPTA train platform at Newark, DE is a single-sided, low platform located north of College Avenue. The platform serves one track, and passengers need to climb onto the trains. A high block at one end of the platform is available for passengers in wheelchairs. Amtrak passengers do not have a platform and must walk across the tracks to board the trains. There is a historic station building near the platform, but it is not in use and is not part of this proposed improvements.

The Newark Regional Transportation Center (NRTC) project seeks to make the following improvements:

- A. Construct a high, center platform just south of College Avenue. The high platform will eliminate the ADA issues associated with the low platform that is currently used for SEPTA service at the station. SEPTA and Amtrak service will use the west side of the platform. The east side of the platform will be for freight operations and will include a temporary fence to prevent unauthorized access. So that the platform does not need to be relocated or rebuilt should Amtrak track centers be shifted, the west side of the platform will include a knockout panel that could be removed if needed.
- B. Construct a grade-separated pedestrian connection between the platform and the station building and parking area. This connection will allow passengers to access the platform without having to cross railroad tracks.
- C. Construct a new station building with SEPTA and DART First State ticket

window, waiting area, rest rooms and vending machines.

- D. Rehabilitate existing Norfolk Southern (NS) tailtrack between the NS Newark Yard and Otts Chapel Road.
- E. Rehabilitate the NS portion of the existing rail and ties over Christina River Bridge.
- F. Construct new cross over within the NS and Amtrak right-of-way just south of the proposed new platform to connect Track A to Track O and Track NS1 to Track O.
- G. Provide security fencing and a new access driveway for the Norfolk Southern Newark Yard.
- H. Provide new parking lot at ticketing and station area utilizing the existing manufacturing floor with drainage improvements. Parking area will include lighting, ADA accessibility, and pedestrian connections.

Please forward any information or records that you may have in regards to fish species native to the upper Christina River watershed, and any other pertinent information from the Delaware Natural Estuarine Research Reserves.

If you have any questions or require additional information please do not hesitate to call Mark Cheskey at (410) 752-9626. Thank you for your assistance; we look forward to working with your agency to successfully complete this project.

Sincerely,



Mark Cheskey
Senior Supervising Planner

Enclosure

cc: Mark Tudor, DeIDOT
Anna Smith, DeIDOT
Dave Gula, WILMAPCO
Tony Cho, FTA

From: Martin Catherine (DNREC)
Sent: Wednesday, January 02, 2013 10:13 AM
To: Smith Anna (DelDOT)
Subject: Newark Regional Transit Center improvements

Anna,

I have reviewed the information sent by Mark Cheskey of Parsons Brinckerhoff re improvements to the Newark Amtrak/SEPTA train station. As we discussed, planned work does not currently impact any waterways. Therefore, no seasonal fisheries restriction is necessary at this time. In the event that changes in the construction activities will require some in-water work, there may be a need for a seasonal fisheries restriction so another fisheries review would be necessary.

Thank you for allowing us to review this project and for forwarding the information to Mr. Cheskey.

Catherine Martin, Fisheries Biologist

DE Division of Fish & Wildlife
4876 Hay Point Landing Rd
Smyrna, DE 19977

New telephone: 302-735-8658

Fax: 302-653-3431



Celebrating Delaware's Fish & Wildlife Federal Funding Partnership

Mr. Matthew Bailey
Environmental Review/Information Request
Delaware Natural Heritage Program
Division of Fish and Wildlife
4876 Hay Point Landing Road
Smyrna, DE 19977

December 20, 2012

Dear Mr. Bailey

This document is submitted for your information regarding an upcoming project under the authorization of Delaware Department of Transportation (DelDOT) in conjunction with the Federal Transit Administration. A brief description of the proposed work to occur at this location is as follows:

Newark Regional Transit Center (maps attached). DelDOT in conjunction with the Delaware Transit Corporation (DTC) and the Wilmington Area Planning Council (WILMAPCO) are pursuing a project to improve ADA access and enhance passenger safety and comfort at the Newark, Delaware Amtrak/SEPTA train station. The station area is west of South College Avenue/SR 896 in proximity to residential neighborhoods on the north side of the tracks, University of Delaware facilities, and the downtown business district of the City of Newark, Delaware.

The current SEPTA train platform at Newark, DE is a single-sided, low platform located north of College Avenue. The platform serves one track, and passengers need to climb onto the trains. A high block at one end of the platform is available for passengers in wheelchairs. Amtrak passengers do not have a platform and must walk across the tracks to board the trains. There is a historic station building near the platform, but it is not in use and is not part of this proposed improvements.

The Newark Regional Transportation Center (NRTC) project seeks to make the following improvements:

- A. Construct a high, center platform just south of College Avenue. The high platform will eliminate the ADA issues associated with the low platform that is currently used for SEPTA service at the station. SEPTA and Amtrak service will use the west side of the platform. The east side of the platform will be for freight operations and will include a temporary fence to prevent unauthorized access. So

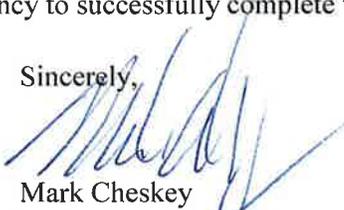
that the platform does not need to be relocated or rebuilt should Amtrak track centers be shifted, the west side of the platform will include a knockout panel that could be removed if needed.

- B. Construct a grade-separated pedestrian connection between the platform and the station building and parking area. This connection will allow passengers to access the platform without having to cross railroad tracks.
- C. Construct a new station building with SEPTA and DART First State ticket window, waiting area, rest rooms and vending machines.
- D. Rehabilitate existing Norfolk Southern (NS) tailtrack between the NS Newark Yard and Otts Chapel Road.
- E. Rehabilitate the NS portion of the existing rail and ties over Christina River Bridge.
- F. Construct new cross over within the NS and Amtrak right-of-way just south of the proposed new platform to connect Track A to Track O and Track NS1 to Track O.
- G. Provide security fencing and a new access driveway for the Norfolk Southern Newark Yard.
- H. Provide new parking lot at ticketing and station area utilizing the existing manufacturing floor with drainage improvements. Parking area will include lighting, ADA accessibility, and pedestrian connections.

Please forward any information or records that you may have regarding the presence of rare, threatened or endangered species, within the project area to the above address. In addition to the rare species information, please forward any information from the State Natural Heritage Sites and Delaware Natural Estuarine Research Reserves.

If you have any questions or require additional information please do not hesitate to call Mark Cheskey at (410) 752-9626. We are aware of the cost recovery process and prepared to pay any dues associated with this environmental review. Thank you for your assistance; we look forward to working with your agency to successfully complete this project.

Sincerely,



Mark Cheskey
Senior Supervising Planner

Enclosure

cc: Mark Tudor, DelDOT
Anna Smith, DelDOT
Dave Gula, WILMAPCO
Tony Cho, FTA

January 15, 2013

Ms. Therese Fulmer
800 Bay Road
PO Box 778
Dover, DE 19903

Re: Newark Regional Transit Center

Dear Ms. Fulmer:

Thank you for contacting the Delaware Natural Heritage and Endangered Species Program (NHESP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the proposed upgrades to the Newark Regional Transit Center.

A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information. Feel free to get in touch with me if you have any questions or require additional information.

Sincerely,

Matthew Bailey
DeIDOT Environmental Review Coordinator
(302) 735-8677
(302) 382-4151 cell
(302) 653-3431 fax
matthew.bailey@state.de.us



Celebrating Delaware's Fish & Wildlife Federal Funding Partnership

Trevor Clark
Endangered Species List Review
United States Department of the Interior
U.S. Fish & Wildlife Service
177 Admiral Cochrane Drive
Annapolis, MD 21401

December 28, 2012

RE: Newark Regional Transportation Center, Section 7 Consultation

Dear Mr. Clark,

This document is submitted for your information regarding an upcoming project under the authorization of Delaware Department of Transportation (DelDOT) in conjunction with the Federal Transit Administration. Our project is *not* located on one of the quad maps on the Chesapeake Bay Field Office website, therefore we are sending you this letter requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the proposed project area described below and shown on the attached project location maps.

A brief description of the proposed work to occur at this location is as follows:

Newark Regional Transit Center (map attached). DelDOT in conjunction with the Delaware Transit Corporation (DTC) and the Wilmington Area Planning Council (WILMAPCO) are pursuing a project to improve ADA access and enhance passenger safety and comfort at the Newark, Delaware Amtrak/SEPTA train station. The station area is west of South College Avenue/SR 896 in proximity to residential neighborhoods on the north side of the tracks, University of Delaware facilities, and the downtown business district of the City of Newark, Delaware.

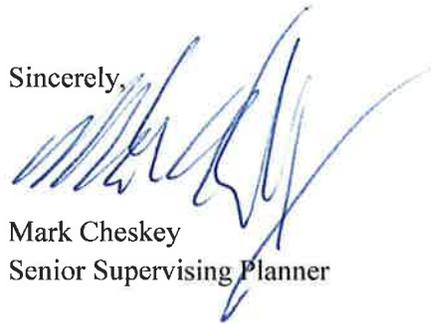
The current SEPTA train platform at Newark, DE is a single-sided, low platform located north of College Avenue. The platform serves one track, and passengers need to climb onto the trains. A high block at one end of the platform is available for passengers in wheelchairs. Amtrak passengers do not have a platform and must walk across the tracks to board the trains. There is a historic station building near the platform, but it is not in use and is not part of this proposed improvements.

The Newark Regional Transportation Center (NRTC) project seeks to make the following improvements:

- A. Construct a high, center platform just south of College Avenue. The high platform will eliminate the ADA issues associated with the low platform that is currently used for SEPTA service at the station. SEPTA and Amtrak service will use the west side of the platform. The east side of the platform will be for freight operations and will include a temporary fence to prevent unauthorized access. So that the platform does not need to be relocated or rebuilt should Amtrak track centers be shifted, the west side of the platform will include a knockout panel that could be removed if needed.
- B. Construct a grade-separated pedestrian connection between the platform and the station building and parking area. This connection will allow passengers to access the platform without having to cross railroad tracks.
- C. Construct a new station building with SEPTA and DART First State ticket window, waiting area, rest rooms and vending machines.
- D. Rehabilitate existing Norfolk Southern (NS) tailtrack between the NS Newark Yard and Otts Chapel Road.
- E. Rehabilitate the NS portion of the existing rail and ties over Christina River Bridge.
- F. Construct new cross over within the NS and Amtrak right-of-way just south of the proposed new platform to connect Track A to Track O and Track NS1 to Track O.
- G. Provide security fencing and a new access driveway for the Norfolk Southern Newark Yard.
- H. Provide new parking lot at ticketing and station area utilizing the existing manufacturing floor with drainage improvements. Parking area will include lighting, ADA accessibility, and pedestrian connections.

Please send any relevant information to me at either the above address or email me at Cheskey@pbworld.com . If additional information is required, please call me at 410-752-9626. Supplemental project location information is as follows: Amtrak/SEPTA Newark train station, just west of South College Avenue/SR 896 along the Northeast Corridor, Newark, Delaware (New Castle County). The project area is situated within the *Newark West* quadrangle boundary.

Sincerely,



Mark Cheskey
Senior Supervising Planner

Enclosure: Project Location Map

CC: Mark Tudor, DelDOT
Anna Smith, DelDOT
Dave Gula, WILMAPCO
Tony Cho, FTA



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, Maryland 21401
<http://www.fws.gov/chesapeakebay>

February 25, 2013

Mr. Mark A. Cheskey
Senior Supervising Planner
Parsons Brinckerhoff
100 South Charles Street
Tower 1, 10th Floor
Baltimore, MD 21201

RE: Newark Regional Transportation Center in New Castle County, Delaware

Dear Mr. Cheskey:

This responds to your letter, received December 28, 2012, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the above referenced project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Except for occasional transient individuals, no proposed or federally listed endangered or threatened species are known to exist within the project impact area. Therefore, no Biological Assessment or further Section 7 Consultation with the U.S. Fish and Wildlife Service is required. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Edna Stetzar, of the Delaware Natural Heritage and Endangered Species Program, at (302) 653-2883 ext. 126. You may also obtain information on how to make such a request by visiting the Program website at www.dnrec.state.de.us/nhp.

Effective August 8, 2007, under the authority of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (Service) removed (delist) the bald eagle in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife. However, the bald eagle will still be protected by the Bald and Golden Eagle Protection Act, Lacey Act and the Migratory Bird Treaty Act. As a result, starting on August 8, 2007, if your project may cause "disturbance" to the bald eagle, please consult the



“National Bald Eagle Management Guidelines” dated May 2007.

If any planned or ongoing activities cannot be conducted in compliance with the National Bald Eagle Management Guidelines (Eagle Management Guidelines), please contact the Chesapeake Bay Ecological Services Field Office at 410-573-4573 for technical assistance. The Eagle Management Guidelines can be found at:

<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

In the future, if your project can not avoid disturbance to the bald eagle by complying with the Eagle Management Guidelines, you will be able to apply for a permit that authorizes the take of bald and golden eagles under the Bald and Golden Eagle Protection Act, generally where the take to be authorized is associated with otherwise lawful activities.

An additional concern of the Service is wetlands protection. The Service’s wetlands policy has the interim goal of no overall net loss of Delaware Bay’s remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin’s wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands proposed, the U.S. Army Corps of Engineers, Philadelphia District should be contacted for permit requirements. They can be reached at (215) 656-6728.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interest in these resources. If you have any questions or need further assistance, please contact Trevor Clark at (410) 573-4527.

Sincerely,



Genevieve LaRouche
Supervisor

Appendix D: Photograph Plates



Plate 1: Existing Platform (looking south)



Plate 2: Existing Handicapped Access – “Mini-High” Platform



Plate 3: Existing Station/Ticketing Building



Plate 4: Proposed New Parking Area – former Chrysler Assembly Plant (NS Newark Yard in background)



Plate 5: NS Tailtrack Rehabilitation Area (looking north)



Plate 6: Existing Christina River NS Crossing (looking south)