



Keri Cibelli <kcibelli@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

Jennifer Morris <jmorris@akrf.com>

Thu, Aug 6, 2020 at 8:34 PM

To: scarroll@lpc.nyc.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

Dear Ms. Carroll:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

 2020-08-06_NYCLPC_Carroll.pdf
5855K



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Sarah Carroll, Chair
New York City Landmarks Preservation Commission
David N. Dinkins Municipal Building
1 Centre Street, 9th Floor, North
New York, NY 10007

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Sarah Carroll:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

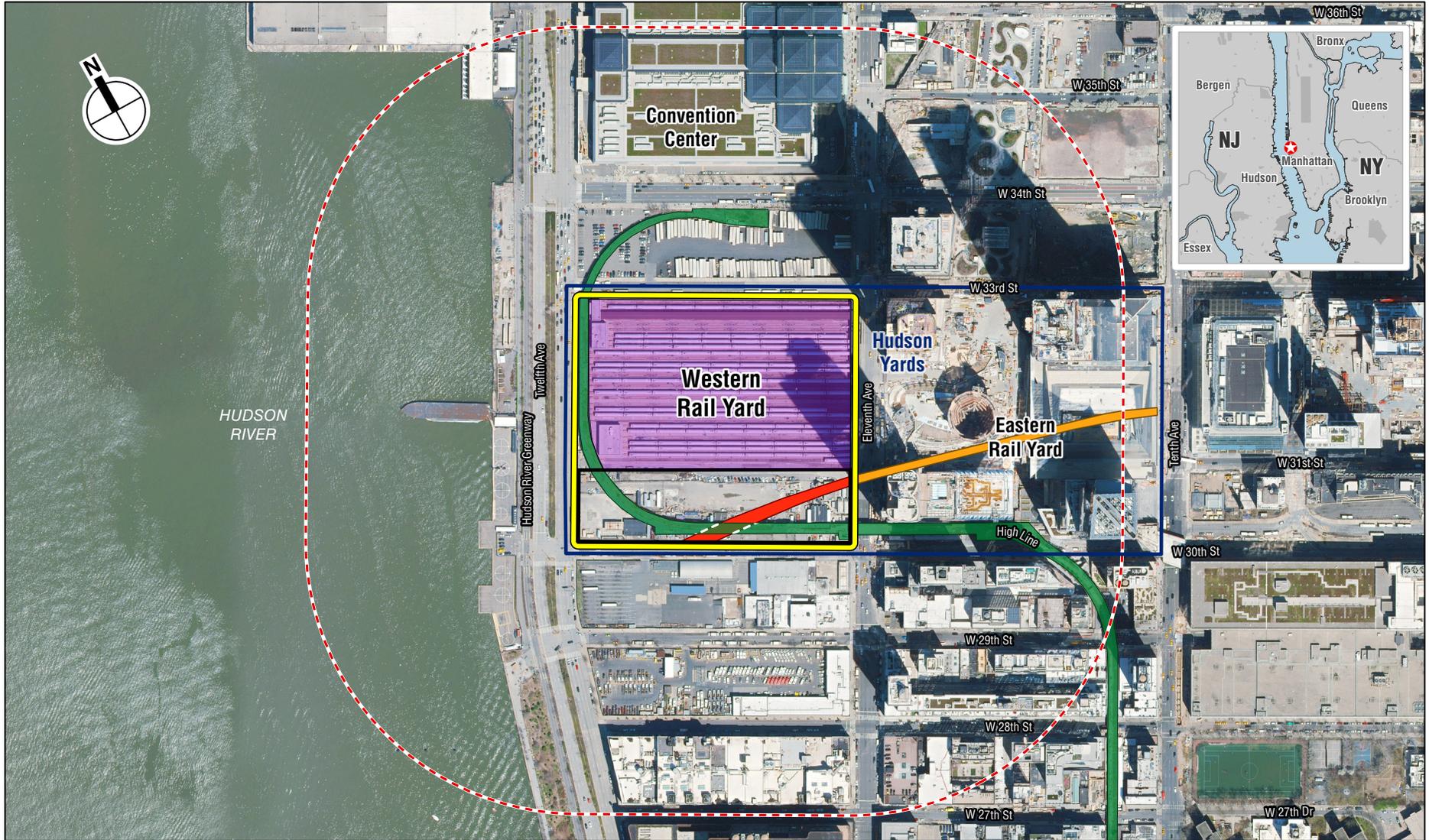
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



Keri Cibelli <kcibelli@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

Jennifer Morris <jmorris@akrf.com>

Thu, Aug 6, 2020 at 8:35 PM

To: Mitchell.silver@parks.nyc.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <niddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

Dear Mr. Silver:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

 **2020-08-06_NYCParks_Silver.pdf**
5855K



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Mitchell J. Silver, Commissioner
New York City Department of Parks and Recreation
The Arsenal - Central Park
830 Fifth Avenue
New York, NY 10065

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Mitchell J. Silver:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.⁹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

⁹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁰ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁰ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

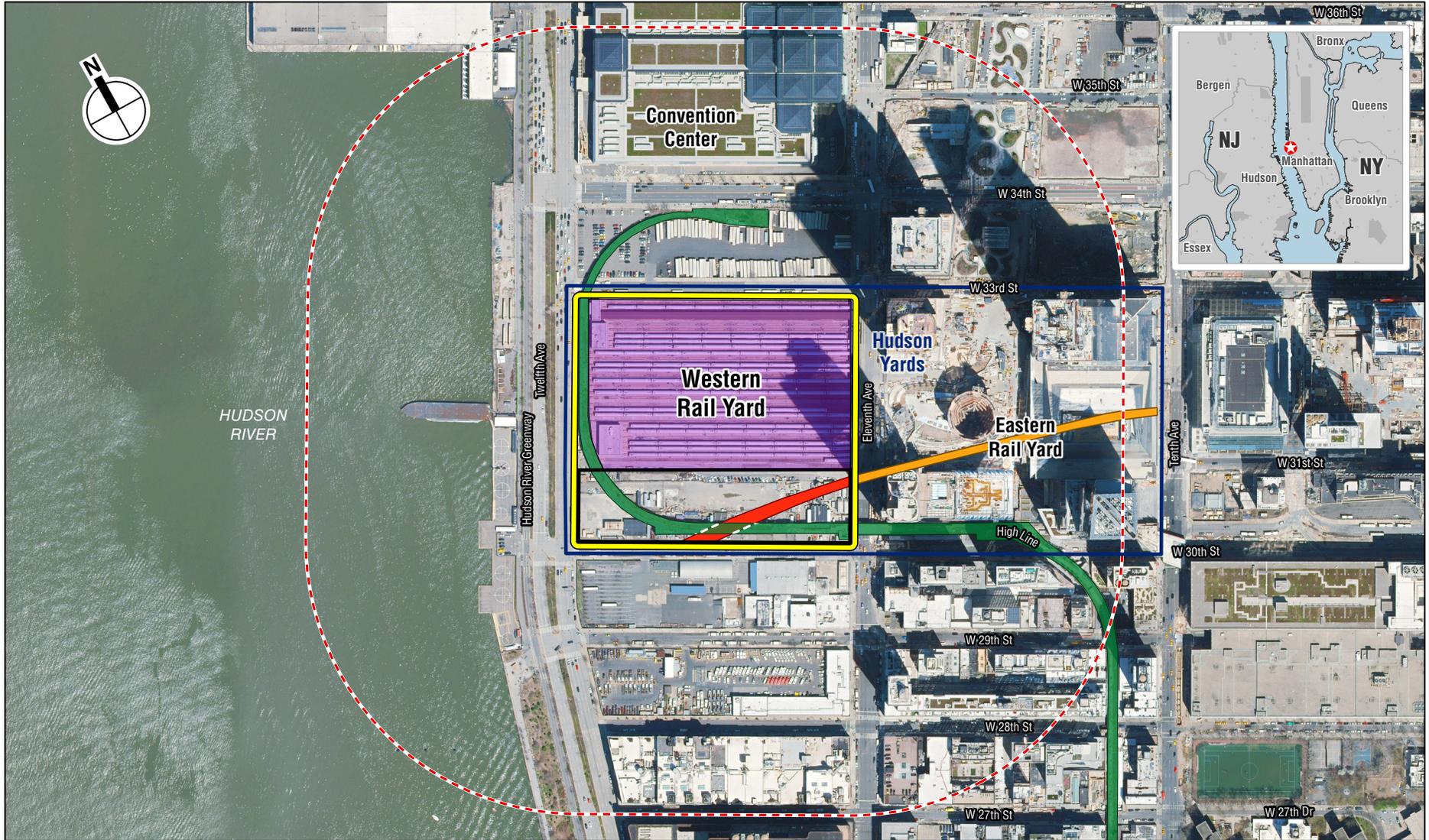
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



Keri Cibelli <kcibelli@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

Jennifer Morris <jmorris@akrf.com>

Thu, Aug 6, 2020 at 8:41 PM

To: info@panycarchaeology.org

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

Dear Ms. Spritzer:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

 2020-08-06_PANyc_Spritzer.pdf
5855K



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Professional Archaeologists of New York City (PANYC)
c/o Ms. S. Spritzer
Murray Hill Station
P.O. Box 1503
New York, NY 10156-1503

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. S. Spritzer:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

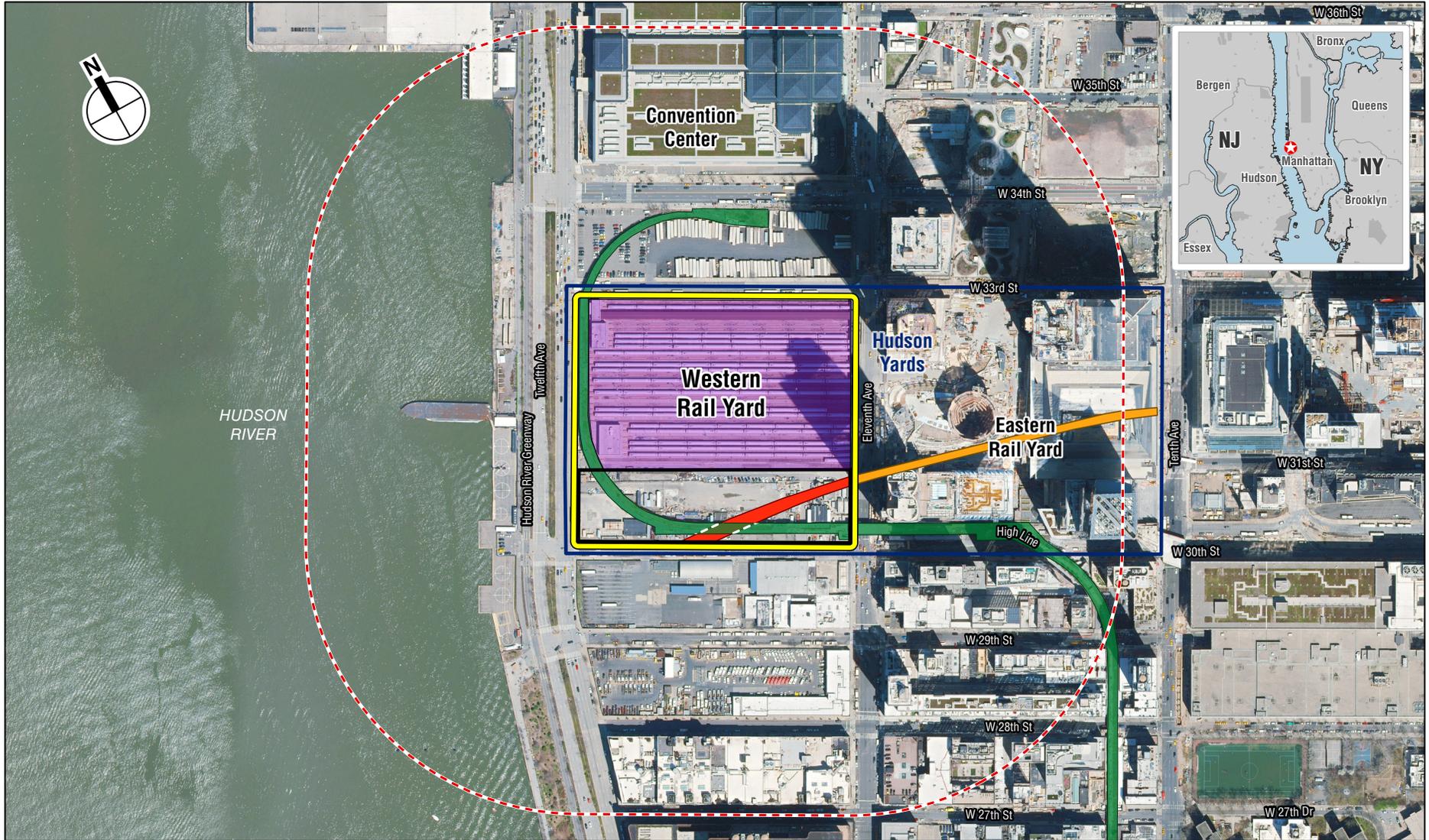
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



Keri Cibelli <kcibelli@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

Jennifer Morris <jmorris@akrf.com>

Thu, Aug 6, 2020 at 8:39 PM

To: scotsloon@gmail.com

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

Dear Mr. Needham:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

 **2020-08-06_SIA_Needham.pdf**
5855K



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Sandy Needham, President
Society for Industrial Archeology
Roebling Chapter
235 West End Avenue, Apt. 14C
New York, NY 10023-3648

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Sandy Needham:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹⁵ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹⁵ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁶ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁶ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

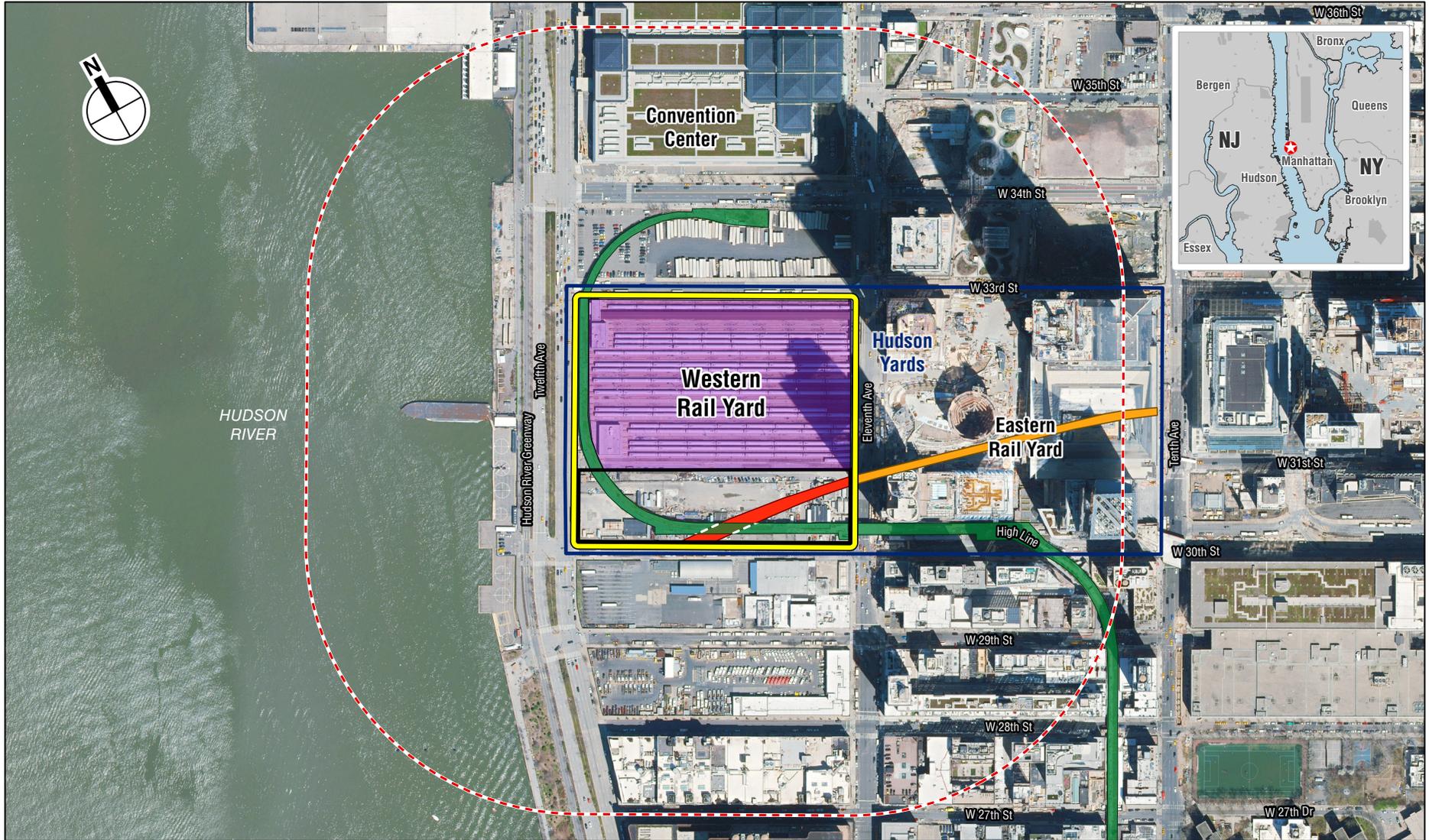
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



Keri Cibelli <kcibelli@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

Jennifer Morris <jmorris@akrf.com>

Thu, Aug 6, 2020 at 8:47 PM

To: mike@tristaterail.org

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

Dear Mr. DelVecchio:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov



2020-08-06_TSRHS_DelVecchio.pdf

5855K



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Michael DelVecchio, President
Tri-State Railway Historical Society, Inc.
P.O. Box 1217
Morristown, NJ 07962

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Michael DelVecchio:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.²⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform

²⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.²⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's

²⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

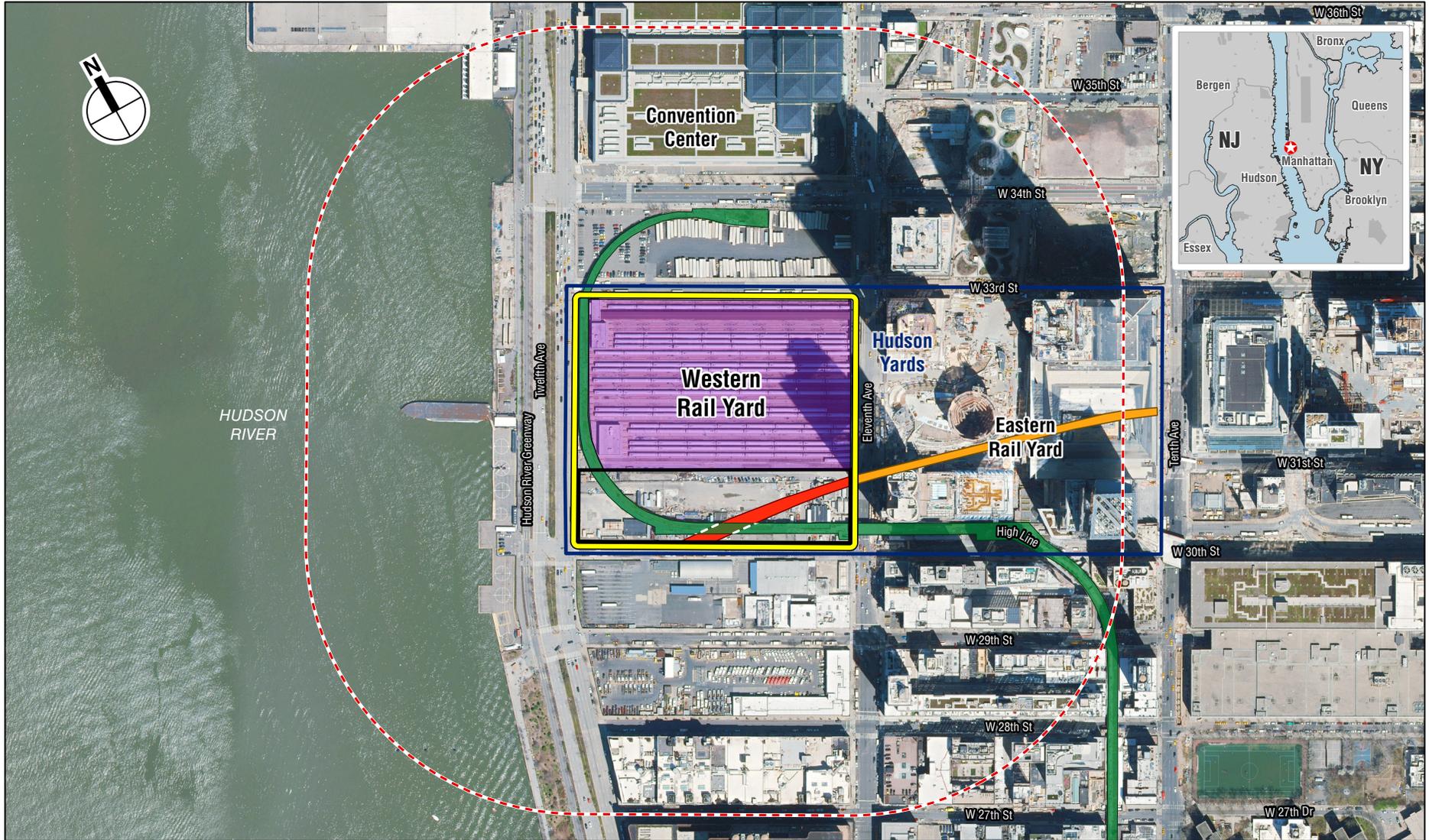
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



Jennifer Morris <jmorris@akrf.com>

Re: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Jaime Loichinger <jloichinger@achp.gov>

Fri, Aug 7, 2020 at 9:13 AM

To: Jennifer Morris <jmorris@akrf.com>

Cc: Laura Shick <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, Rebecca Blatnica <Rebecca.Blatnica@dot.gov>, Sarah Stokely <sstokely@achp.gov>

Thank you for this notification; Sarah Stokely (copied here) will be the ACHP's point of contact if you have any questions.

Sincerely,

Jaime Loichinger*Advisory Council on Historic Preservation*

(202) 517-0219

jloichinger@achp.gov

From: Jennifer Morris <jmorris@akrf.com>**Sent:** Thursday, August 6, 2020 8:25 PM**To:** Jaime Loichinger <jloichinger@achp.gov>**Cc:** Laura Shick <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Rebecca Blatnica <Rebecca.Blatnica@dot.gov>**Subject:** [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Ms. Loichinger:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Corrado, Marie <Marie.Corrado@amtrak.com>

Mon, Aug 10, 2020 at 12:37 PM

To: "Davies, Johnette" <Johnette.Davies@amtrak.com>, Jennifer Morris <jmorris@akrf.com>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <Andrea.Poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <rebecca.blatnica@dot.gov>

Thanks, Johnette. I've made edits to my office address below in **red**, but otherwise confirm your message. And please use email instead of regular mail for 106 matters, in any case, since I will be working remotely for a while.

Marie Corrado

Senior Director, Gateway Program

2 Penn Plaza East

11th floor

Newark, NJ 07015

(973) 848-2177 (o)

(267) 290-4768 (m)

Marie.Corrado@Amtrak.com

From: Davies, Johnette <Johnette.Davies@amtrak.com>**Sent:** Monday, August 10, 2020 12:17 PM**To:** Jennifer Morris <jmorris@akrf.com>**Cc:** Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>; Corrado, Marie <Marie.Corrado@amtrak.com>**Subject:** RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

Good afternoon,

Amtrak accepts FRA's invitation to participate as a consulting party for the above referenced project. Our primary contact will be Marie Corrado (copied here), and I will support Marie in Section 106 matters. Please make Marie your primary contact and copy me on transmittals. Here is Marie's contact information:

Marie Corrado

Senior Director Gateway

Amtrak

~~41-43 Raymond Plaza West~~**2 Penn East**

11th floor

Newark, NJ 07102

Marie.corrado@amtrak.com

267-290-4768

Marie, please correct anything if needed.

Best regards,

- Johnette

Johnette Davies

Lead Historic Preservation Specialist

Amtrak | 30th Street Station | 2955 Market Street, Mailbox 41 | Philadelphia, PA 19104

Email: johnette.davies@amtrak.com | office: 215-349-1354 | ATS:728-1354



From: Jennifer Morris <jmorris@akrf.com>

Sent: Thursday, August 06, 2020 8:24 PM

To: Davies, Johnette <Johnette.Davies@amtrak.com>

Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>

Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Davies:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Davies, Johnette <Johnette.Davies@amtrak.com>

Mon, Aug 10, 2020 at 12:16 PM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <Andrea.Poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <rebecca.blatnica@dot.gov>, "Corrado, Marie" <Marie.Corrado@amtrak.com>

Good afternoon,

Amtrak accepts FRA's invitation to participate as a consulting party for the above referenced project. Our primary contact will be Marie Corrado (copied here), and I will support Marie in Section 106 matters. Please make Marie your primary contact and copy me on transmittals. Here is Marie's contact information:

Marie Corrado

Senior Director Gateway

Amtrak

[11-43 Raymond Plaza West](#)[Newark, NJ 07102](#)Marie.corrado@amtrak.com

267-290-4768

Marie, please correct anything if needed.

Best regards,

- Johnette

Johnette Davies

Lead Historic Preservation Specialist

Amtrak | 30th Street Station | 2955 Market Street, Mailbox 41 | Philadelphia, PA 19104Email: johnette.davies@amtrak.com | office: 215-349-1354 | ATS:728-1354

From: Jennifer Morris <jmorris@akrf.com>**Sent:** Thursday, August 06, 2020 8:24 PM**To:** Davies, Johnette <Johnette.Davies@amtrak.com>

Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Davies:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

RE: FW: Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Corrado, Marie <Marie.Corrado@amtrak.com>
To: Jennifer Morris <jmorris@akrf.com>
Cc: "Davies, Johnette" <Johnette.Davies@amtrak.com>

Mon, Aug 17, 2020 at 5:56 PM

I apologize I didn't know that—thanks.

Marie Corrado

Senior Director, Gateway Program

2 Penn Plaza East

11th floor

Newark, NJ 07015

(973) 848-2177 (o)

(267) 290-4768 (m)

Marie.Corrado@Amtrak.com

From: Jennifer Morris <jmorris@akrf.com>
Sent: Monday, August 17, 2020 5:21 PM
To: Corrado, Marie <Marie.Corrado@amtrak.com>
Cc: Davies, Johnette <Johnette.Davies@amtrak.com>
Subject: Re: FW: Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Ms. Corrado -

Ms. Davies also received this message directly; all consulting parties recipients were bcc'ed. You will both be copied on future correspondence.

Best,

Jennifer Morris

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants

440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Mon, Aug 17, 2020 at 2:49 PM Corrado, Marie <Marie.Corrado@amtrak.com> wrote:

Hi, Johnette—Here FRA's Section 106 Area of Potential Effects memo for Amtrak's review.

Jennifer, please copy Johnette as well as me on future correspondence.

Thanks.

Marie Corrado

Senior Director, Gateway Program

2 Penn Plaza East

11th floor

Newark, NJ 07015

(973) 848-2177 (o)

(267) 290-4768 (m)

Marie.Corrado@Amtrak.com

From: Jennifer Morris <jmorris@akrf.com>

Sent: Monday, August 17, 2020 2:56 PM

To: Shick, Laura (FRA) <Laura.Shick@dot.gov>

Cc: Stephen Holley <sholley@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; WRY Project <WRYProject@dot.gov>

Subject: Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Consulting Party:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project’s potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project’s components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of**

Potential Effects (APE) document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:55 PM

To: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>

Cc: Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, WRY Project <WRYProject@dot.gov>

Bcc: johnette.davies@amtrak.com, Marie.Corrado@amtrak.com, sstokely@achp.gov, scarroll@lpc.nyc.gov, Mitchell.silver@parks.nyc.gov, "Doyle, Noreen" <ndoyle@hrpt.ny.gov>, robert@thehighline.org, scotsloon@gmail.com, info@panycarchaeology.org, president@anthraciterailroads.org, dstart.elhs@gmail.com, nrhs-nyc@msn.com, tmeehan0421@gmail.com, mike@tristaterrail.org, corrine.remington@yahoo.com, info@lenape-nation.org

Dear Consulting Party:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:53 PM

To: nalligood@delawarenation.com, epaden@delawarenation-nsn.gov, dkelly@delawarenation-nsn.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Stephen Holley <sholley@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Ms. Alligood, Ms. Thompson-Paden, and Ms. Kelly:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:53 PM

To: bobermeyer@delawaretribe.org, cbrooks@delawaretribe.org, temple@delawaretribe.org

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Stephen Holley <sholley@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Chief Brooks, Mr. Obermeyer, and Ms. Bachor:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:54 PM

To: josephinesmith@shinnecock.org

Cc: charlotteroe@shinnecock.org, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Ms. Smith:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 **2020-07-03_WRY APE Memo.pdf**
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:55 PM

To: nathan.allison@mohican-nsn.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, shannon.holsey@mohican-nsn.gov, WRY Project <WRYProject@dot.gov>

Dear Mr. Allison:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Consulting Parties

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Sep 21, 2020 at 11:03 AM

To: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>

Cc: Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, WRY Project <WRYProject@dot.gov>

Bcc: scarroll@lpc.nyc.gov, Mitchell.silver@parks.nyc.gov, "Doyle, Noreen" <ndoyle@hrpt.ny.gov>, robert@thehighline.org, scotsloon@gmail.com, info@panycarchaeology.org, president@anthraciterailroads.org, dstart.elhs@gmail.com, nrhs-nyc@msn.com, tmeehan0421@gmail.com, mike@tristaterail.org, mjconnor_rr@hotmail.com

On behalf of the Federal Railroad Administration (FRA), this is a follow up to the email correspondence we sent on August 6, 2020, regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project (Project) in New York County, New York.

FRA is interested in hearing back from your organization concerning your interest in participating as a Section 106 Consulting Party for this Project. Please do not hesitate to reach out to the project team via email to WRYProject@dot.gov with any questions, as well as to notify us of your desire to accept or decline FRA's Consulting Party invitation. We look forward to hearing from you.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Consulting Parties

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Sep 21, 2020 at 11:05 AM

To: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>

Cc: Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, WRY Project <WRYProject@dot.gov>

Bcc: corrine.remington@yahoo.com, info@lenape-nation.org

On behalf of the Federal Railroad Administration (FRA), this is a follow up to the email correspondence we sent on August 6, 2020, regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project (Project) in New York County, New York.

FRA is interested in hearing back from your tribe concerning your interest in participating as a Section 106 Consulting Party for this Project. Please do not hesitate to reach out to the project team via email to WRYProject@dot.gov with any questions, as well as to notify us of your desire to accept or decline FRA's Consulting Party invitation. We look forward to hearing from you.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

Re: Western Rail Yard Infrastructure Project: Transmittal of Draft Agency Coordination Plan

1 message

Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Tue, Sep 22, 2020 at 12:42 PM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Gina Santucci (LPC)" <GSantucci@lpc.nyc.gov>, Stephen Holley <sholley@akrf.com>

Hi Jennifer.

Thanks for clarifying. Yes, LPC is interested in participating as a consulting party.

Best,

Tim

Please note LPC staff is working remotely. The best way to reach me by phone is to call (646) 659-4972.



Timothy Frye

Director of Special Projects and Strategic Planning

1 Centre St., 9th Floor | New York, NY 10007
p: 212.669.1917 | tfrye@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Date: Tuesday, September 22, 2020 at 12:31 PM

To: "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>

Cc: "Gina Santucci (LPC)" <GSantucci@lpc.nyc.gov>, Stephen Holley <sholley@akrf.com>
Subject: Re: FW: Western Rail Yard Infrastructure Project: Transmittal of Draft Agency Coordination Plan

Hi Tim -

Thanks for your message. The consulting parties invitation was circulated on 8/6, subsequent to LPC's 8/4 response on the agency coordination plan. I've confirmed that we are seeking a separate response regarding LPC's interest in being a Section 106 consulting party for this project. Please call with any questions.

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Tue, Sep 22, 2020 at 8:10 AM Timothy Frye (LPC) <TFrye@lpc.nyc.gov> wrote:

Hi Jennifer.

We recently received another inquiry regarding this project. Gina Santucci is out of the office this week, however, I'm forwarding our email response from August 4th regarding the project. Please let me know if this is the response in question.

Best,

Tim

Please note LPC staff is working remotely. The best way to reach me by phone is to call (646) 659-4972.



Timothy Frye

Director of Special Projects and Strategic Planning

1 Centre St., 9th Floor | New York, NY 10007
p: 212.669.1917 | tfrye@lpc.nyc.gov

www.nyc.gov/landmarks



From: "Gina Santucci (LPC)" <GSantucci@lpc.nyc.gov>
Date: Tuesday, August 4, 2020 at 9:28 AM
To: WRY Project <WRYProject@dot.gov>
Cc: "kcibelli@akrf.com" <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Semel, Hilary" <HSemel@cityhall.nyc.gov>, "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>, "Brazee, Olivia (PARKS)" <Olivia.Brazee@parks.ny.gov>, "Cumming, Beth (PEB)" <Beth.Cumming@parks.ny.gov>
Subject: RE: Western Rail Yard Infrastructure Project: Transmittal of Draft Agency Coordination Plan

Hello Ms. Poole,

Please find attached LPC's concurrence with the draft plan.

Thank you,

Gina Santucci

From: WRY Project <WRYProject@dot.gov>
Sent: Monday, August 03, 2020 6:16 PM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: WRY Project <WRYProject@dot.gov>; kcibelli@akrf.com; Rebecca Kriss <rkriss@akrf.com>
Subject: Western Rail Yard Infrastructure Project: Transmittal of Draft Agency Coordination Plan

Ms. Santucci,

The Federal Railroad Administration (FRA) is conducting the environmental analysis to evaluate the Western Rail Yard Infrastructure Project in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et seq.), and will prepare an Environmental Impact Statement (EIS) in compliance with NEPA, 23 U.S.C. § 139, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), and 23 CFR part 771. WRY Tenant LLC (an affiliate of The Related Companies, LP) and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, a loan program administered by the Build America Bureau (Bureau) of the U.S. Department of Transportation (USDOT).

The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) to allow for privately-funded mixed-use development (Overbuild) and public open space above the Platform. The Overbuild has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan. The Tunnel Encasement would preserve the right-of-way for new rail infrastructure to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

Consistent with Section 11503 of the Fixing America's Surface Transportation Act of 2015 (FAST Act), the EIS will also be prepared in accordance with 23 U.S.C. § 139 "Efficient Environmental Reviews for Project Decisionmaking." Your agency is a Participating Agency for this EIS.

Section 139 identifies requirements for coordination with permitting and resource agencies that may have an interest in the Project. Specifically, 23 U.S.C. § 139(g)(1)(A) requires the lead agency to establish a plan for coordinating public and agency participation in and comment on the environmental review process, and 23 U.S.C. § 139(g)(1)(B) permits the lead agency to establish a schedule for completion of environmental review after consultation with and the concurrence of each participating agency for the project. A draft of the Coordination Plan is attached, which includes a summary of the schedule for the environmental review in Chapter 4, "Coordination Points and Anticipated Completion Dates," of the Coordination Plan (see Table 4, "Schedule of Key Milestone Dates").

As your agency is a Participating Agency, **we are seeking your comments on the Public and Agency Coordination Plan (Coordination Plan) and your concurrence with the schedule for the environmental review.** Please provide your comments and/or concurrence by **August 25, 2020** to me, Andrea Poole, at WRYProject@dot.gov. If no response is received by this date, we will assume your agency has no comments on the Coordination Plan and concurs with the schedule.

Once there is concurrence on the schedule, it will be made available to the public and agencies via the Permitting Dashboard for Federal Infrastructure Projects consistent with 23 U.S.C. § 139(g)(1)(E), which states the schedule, and any modifications to it, shall be provided to participating agencies and made available to the public.

Attached to this email are the Coordination Plan and FRAs meeting notes from our agency coordination meeting on July 21, 2020. We look forward receiving any comments your agency may have on the Coordination Plan, and to receiving your agency's concurrence on the schedule for the Western Rail Yard Infrastructure Project environmental review. FRA also looks forward to continuing to work with the New York City Landmarks Preservation Commission to advance this critical infrastructure project. If you have questions regarding the Coordination Plan or schedule, please contact me, Andrea Poole by email (WRYProject@dot.gov) or at (202) 868-1221.

Sincerely,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

[1200 New Jersey Avenue, SE](#)

[Washington, DC 20590](#)

(202) 868-1221



Jennifer Morris <jmorris@akrf.com>

RE: [External] RE: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Shick, Laura (FRA) <Laura.Shick@dot.gov>

Wed, Sep 23, 2020 at 11:51 AM

To: Sarah Stokely <sstokely@achp.gov>

Cc: "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Jennifer Morris <jmorris@akrf.com>

Thanks, Sarah! That is what I was assuming, but wanted to check.

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

From: Sarah Stokely [mailto:sstokely@achp.gov]

Sent: Wednesday, September 23, 2020 11:45 AM

To: Shick, Laura (FRA) <Laura.Shick@dot.gov>

Cc: Poole, Andrea (FRA) <andrea.poole@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Jennifer Morris <jmorris@akrf.com>

Subject: RE: [External] RE: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Laura,

I apologize that I haven't responded earlier.

The ACHP prefers to wait until FRA has made an adverse effect finding and then decide if we participate or not at that point of your consultation.

Please let me know if you need additional information.

Thank you,

Sarah

From: Shick, Laura (FRA) [<mailto:Laura.Shick@dot.gov>]
Sent: Wednesday, September 23, 2020 11:24 AM
To: Sarah Stokely
Cc: Poole, Andrea (FRA); Rebecca Blatnica; Jennifer Morris
Subject: [External] RE: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Sarah –

Would ACHP like to participate at this time? Or wait until we have an understanding of the potential effects to historic properties?

Thank you,

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

From: Jaime Loichinger [<mailto:jloichinger@achp.gov>]
Sent: Friday, August 07, 2020 9:14 AM
To: Jennifer Morris <jmorris@akrf.com>
Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Sarah Stokely <sstokely@achp.gov>
Subject: Re: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you for this notification; Sarah Stokely (copied here) will be the ACHP's point of contact if you have any questions.

Sincerely,

Jaime Loichinger

Advisory Council on Historic Preservation

(202) 517-0219

jloichinger@achp.gov

From: Jennifer Morris <jmorris@akrf.com>

Sent: Thursday, August 6, 2020 8:25 PM

To: Jaime Loichinger <jloichinger@achp.gov>

Cc: Laura Shick <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkiss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Rebecca Blatnica <Rebecca.Blatnica@dot.gov>

Subject: [External] Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Ms. Loichinger:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

October 15, 2020

Mr. Daniel Mackay, Deputy Commissioner
Division for Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**Re: Western Rail Yard Infrastructure Project, New York County, NY (20PR03990)
Historic Architectural Resources Background Study / Effects Determination**

Dear Mr. Mackay:

This letter continues Federal Railroad Administration's (FRA) consultation with your office pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) for the Western Rail Yard Infrastructure Project (20PR03990). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the "Proposed Action," also referred to here as the "Project") to allow for privately-funded mixed-use development and public open space above the Platform.

FRA initiated Section 106 consultation on July 03, 2020, via an online submission to your office's Cultural Resource Information System; our submission included the proposed Area of Potential Effects (APE) for the undertaking, and a list of potential Consulting Parties. On August 03, 2020, your office concurred with FRA's definition of the APE, which consists of the Western Rail Yard plus an area 800 feet in all directions from its boundaries, and with FRA's proposed list of consulting parties.

The Project consultant, AKRF, has prepared a Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA) for the Project. This report identifies historic properties, as defined in 36 CFR 800.16(l), within the APE, the methodology used for identifying those properties, and provides an assessment of the Project's potential effects to identified historic properties. The findings from the HARBS/EA report are summarized below. The full report is enclosed for your review and comment.

Identification of Historic Properties

As detailed in the HARBS/EA report, AKRF identified five historic properties eligible for listing in the National Register of Historic Places (NRHP-eligible) in the APE: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), the High Line, Hudson River Bulkhead, the former W & J Sloane Warehouse and Garage, and the West Chelsea Historic District. No NRHP-listed historic properties were identified in the APE. One of the NRHP-eligible historic properties, the West Chelsea Historic District, is locally

designated by the City of New York.

In its letter to FRA dated August 3, 2020, NYSHPO noted that it has no archaeological concerns with the proposed undertaking due to the heavily disturbed nature of the APE.

Assessment of Effects

In accordance with 36 CFR 800.5(a), FRA has applied the criteria of effects to the undertaking. FRA has determined that the undertaking will have no adverse effect on historic properties within the APE, in accordance with 36 CFR 800.5(b).

In reaching this finding, FRA considered physical, auditory, and visual effects. FRA has determined that the project will have no physical effect on historic properties. As noted in the HARBS/EA “The Hudson Yards neighborhood is experiencing a wave of development of new tall and modern skyscraper buildings.” FRA has taken into consideration that the historic properties in the APE exist in a mixed built context of smaller, older and masonry clad buildings and taller buildings of recent construction with metal and glass curtain walls. FRA has determined that the Project will have no adverse visual or auditory effect on historic properties.

Request for Review and Comment

FRA respectfully requests that your office provide comments on FRA’s efforts to identify historic properties in the APE and its finding that the proposed undertaking will have “No Adverse Effect” on historic properties. FRA staff are working remotely and therefore we request that you please reply via email within 30 days of receipt of this submittal.

By copy of this letter, FRA is also providing the HARBS/EA report to Consulting Parties for their review and comment concurrent with your office.

If you have any questions please contact Laura Shick at WRYProject@dot.gov, or (202) 366-0340. FRA looks forward to continuing consultation with your office on this Project and receiving your comments on the HARBS/EA report and determination of effects.

Sincerely,



Stephanie B. Perez, PG
Supervisory Environmental Protection Specialist
Environmental & Project Engineering Division
Office of Railroad Policy & Development

Enclosures

cc: Nathan Allison, Tribal Historic Preservation Office, Stockbridge-Munsee Mohican Tribe
Marie Corrado, Senior Director, Gateway Program, Amtrak
Timothy Frye, Director of Special Projects & Strategic Planning NYC Landmarks
Preservation Commission



Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Jennifer Morris <jmorris@akrf.com>

Thu, Oct 15, 2020 at 4:44 PM

To: nathan.allison@mohican-nsn.gov, "Corrado, Marie" <Marie.Corrado@amtrak.com>, "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>

Cc: Stephen Holley <sholley@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, WRY Project <WRYProject@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, Nathan Riddle <nriddle@akrf.com>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

[Please Note: Username and Password are cAsE sEnSItive]

2. A window should appear where you can:
 - o Select extranet files to transfer to your computer; or
 - o Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone, you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](mailto:us).

 **2020-10-15_WRYIP_HARBS EA Submission Letter to NYSHPO.pdf**
182K



Jennifer Morris <jmorris@akrf.com>

RE: SHPO Unrequested Submission Accepted for Consultation Project: 20PR03990

1 message

Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Thu, Oct 15, 2020 at 5:04 PM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Laura.Shick@dot.gov" <Laura.Shick@dot.gov>, "sholley@akrf.com" <sholley@akrf.com>, "Amanda Sutphin (LPC)" <ASutphin@lpc.nyc.gov>, "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>, "Cumming, Beth (PEB)" <Beth.Cumming@parks.ny.gov>, "Mackey, Linda (PARKS)" <Linda.Mackey@parks.ny.gov>

Thanks, please cc: me directly on those submissions as I am responsible for data entry and circulation to staff.

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Sent: Thursday, October 15, 2020 5:01 PM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Cc: Laura.Shick@dot.gov; sholley@akrf.com; Amanda Sutphin (LPC) <ASutphin@lpc.nyc.gov>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>; Cumming, Beth (PEB) <Beth.Cumming@parks.ny.gov>; Mackey, Linda (PARKS) <Linda.Mackey@parks.ny.gov>

Subject: Re: SHPO Unrequested Submission Accepted for Consultation Project: 20PR03990

Hi Gina -

The CRIS submission was emailed to Tim Frye. Please let me know if you have any trouble downloading the file (which is large) from the file transfer site.

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Thu, Oct 15, 2020 at 3:49 PM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi all,

Please include LPC on the mailing list for these documents as well.

Thanks,

Gina Santucci



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: New York State Parks CRIS Application <cris.web@parks.ny.gov>

Sent: Thursday, October 15, 2020 4:38 PM

To: jmorris@akrf.com; Laura.Shick@dot.gov; sholley@akrf.com; Amanda Sutphin (LPC) <ASutphin@lpc.nyc.gov>; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Subject: SHPO Unrequested Submission Accepted for Consultation Project: 20PR03990

This message is a notification from the New York State Historic Preservation Office (SHPO) through its Cultural Resource Information System (CRIS). Unrequested submission P76NTU2FHOJC has been accepted for project 20PR03990 (Western Rail Yard Platform Project). Its new submission number is 20PR03990.003. Below is the submission description provided by the submitter:

Historic Architectural Resources Background Study and Effects Assessment

No action on your part is required at this time. SHPO review of the submission is currently in progress, and you will receive updates by email.

If you have any questions about CRIS, please contact CRIS Help at CRISHelp@parks.ny.gov. For any other questions, please call 518-237-8643.

Sincerely,

New York State Historic Preservation Office

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-237-8643 | <https://parks.ny.gov/shpo>

CRIS: <https://cris.parks.ny.gov>

Are you registered to vote? [Register to vote online today](#). Moved recently? Update your information with the NYS Board of Elections. Not sure if you're registered to vote? [Search your voter registration status](#).

You are receiving this email as part of an online service administered by New York State Parks, Recreation and Historic Preservation's Division for Historic Preservation, also known as the New York State Historic Preservation Office (SHPO). The Cultural Resource Information System (CRIS) is an advanced Geographic Information System application that provides access to New York State's vast historic and cultural resource databases and digitized paper records. In addition, CRIS serves as an interactive portal for agencies, municipalities and the public who use or require consultation with our agency on historic preservation programs or issues.

Our email to you is in direct response to material that was submitted to our office regarding a project for which you were identified as a contact. Such projects include actions that are reviewable by our agency under the National Historic Preservation Act of 1966 (Section 106), the New York State Historic Preservation Act (Section 14.09 NYSPRHPL), or the State Environmental Quality Review Act (SEQRA).

If you did not enter this project directly into CRIS, you are receiving this notification as SHPO or another project contact has entered it in our system. You will receive future correspondence for this project via email.

You may access the project in CRIS at <https://cris.parks.ny.gov/>. If you are a registered CRIS user, the project will appear in the **My Projects** tab on your Home dashboard. If you are a guest user, you may view the project details using the **Find My Project** form on the CRIS Home page after you click **Proceed as Guest**, or by entering the submission token (P76NTU2FHOJC) in the Lookup tab on the Search page.

**Historic Architectural Resources Background
Study/Effects Assessment Report
Western Rail Yard Infrastructure Project
New York, NY**



Prepared for:
United States Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590



440 Park Avenue South
New York, NY 10016
www.akrf.com

October 15, 2020

Historic Architectural Resources Background Study/Effects Assessment Report

Western Rail Yard Infrastructure Project

New York, NY

NYSHPO Number: 20PR03990

Principal Investigator: Jennifer Morris, AICP

Prepared by: AKRF, Inc.
440 Park Avenue South
New York, NY 10016

Prepared for: United States Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Date: October 15, 2020

EXECUTIVE SUMMARY

AKRF, Inc. completed a Historic Architectural Resources Background Study and Effects Assessment in the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project (the Project) in the City of New York, New York.

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program—which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau)—to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site, located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard in New York County, New York. The USDOT's Federal Railroad Administration (FRA) is the lead federal agency performing the environmental review for the Project, and has determined the Project constitutes an undertaking under Section 106 of National Historic Preservation Act (NHPA) of 1966, as amended, and the Advisory Council on Historic Preservation's (ACHP) Section 106 implementing regulations at 36 Code of Federal Regulations (CFR) Part 800 (Section 106). FRA is preparing an EIS for the Project in compliance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. § 139, and 23 CFR part 771 and 774. FRA is integrating the Section 106 process with the NEPA compliance process for the Project in accordance with the Section 106 regulations at 36 (CFR Part 800.8 and the ACHP's guidance document entitled *NHPA: A Handbook for Integrating NEPA and Section 106* (March 2013). This report documents AKRF's efforts, on behalf of FRA, to identify historic architectural properties in the APE and to assess the Project's potential effects on identified historic properties pursuant to Section 106.

The Historic Architectural Resources Background Study and Effects Assessment identified five historic properties eligible for listing in the National Register of Historic Places (NRHP-eligible) in the APE: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), the High Line, Hudson River Bulkhead, former W & J Sloane Warehouse and Garage, and the West Chelsea Historic District. No NRHP listed historic properties were identified in the APE. One of the NRHP-eligible historic properties is locally designated by the City of New York: the West Chelsea Historic District.

AKRF has concluded that the Project would not result in adverse effects to historic properties.

TABLE OF CONTENTS

1.0	INTRODUCTION	1-1
1.1	REGULATORY CONTEXT	1-1
1.2	PROJECT DESCRIPTION	1-2
	PLATFORM.....	1-3
	TUNNEL ENCASEMENT	1-4
1.3	AREA OF POTENTIAL EFFECTS	1-5
2.0	PROJECT GOALS AND METHODOLOGY	2-1
2.1	RESEARCH.....	2-1
2.2	HISTORIC ARCHITECTURE FIELD RECONNAISSANCE.....	2-1
2.3	CONSULTING PARTY AND PUBLIC INVOLVEMENT	2-1
3.0	BACKGROUND RESEARCH.....	3-1
3.1	HISTORIC CONTEXT.....	3-1
3.2	SUMMARY OF PRIOR HISTORIC PROPERTY INVESTIGATIONS.....	3-2
	PREVIOUS SURVEYS	3-2
	KNOWN HISTORIC PROPERTIES.....	3-4
4.0	HISTORIC ARCHITECTURAL RESOURCES BACKGROUND STUDY.....	4-1
4.1	SURVEY OF HISTORIC PROPERTIES.....	4-1
4.2	DESCRIPTION OF EXISTING HISTORIC PROPERTIES	4-1
	New York Improvements and Tunnel Extension of the Pennsylvania Railroad (#1)	4-1
	High Line (#2).....	4-2
	Hudson River Bulkhead (#3).....	4-3
	W & J Sloane Warehouse and Garage (#4).....	4-3
	West Chelsea Historic District (#5).....	4-4
5.0	ASSESSMENT OF EFFECTS.....	5-1
5.1	CONSTRUCTION- AND OPERATIONAL-RELATED EFFECTS	5-1
5.2	INDIRECT EFFECTS	5-2
5.3	SUMMARY OF EFFECTS ASSESSMENT	5-3
6.0	CONCLUSIONS AND RECOMMENDATIONS.....	6-1
7.0	SOURCES.....	7-1

TABLES:

Table 4-1:	Historic Properties in the Area of Potential Effects (APE).....	4-1
-------------------	---	------------

Table 5-1:	Historic Properties in the Area of Potential Effects (APE) and Effects Assessment	5-2
-------------------	---	------------

LIST OF FIGURES

Figure 1	Area of Potential Effects
Figure 2	Area of Potential Effects and Location of Historic Properties
Figures 3a/3b	Historic Properties: High Line Photographs
Figure 4	Historic Properties: Hudson River Bulkhead Photographs
Figures 5a/5b	Historic Properties: Former W & J Sloane Warehouse and Garage Photographs
Figure 6	Historic Properties: West Chelsea Historic District Photographs
Figure 7	Platform
Figure 8	Tunnel Encasement

LIST OF APPENDICES

Appendix A	Qualifications of the Principal Investigator
Appendix B	Project Documents Appendix B-1: Agency Correspondence Appendix B-2: Proposed Area of Potential Effects
Appendix C	National Register Criteria & Criteria of Adverse Effect
Appendix D	Record of Public Consultation
Appendix E	Project Drawings
Appendix F	Previous Inventory Forms & National Register Eligibility Determinations

1.0 INTRODUCTION

AKRF, Inc. completed a Historic Architectural Resources Background Study and Effects Assessment within the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project (the “Project”, synonymous in this document with the “Proposed Action” and the “undertaking”) in the City of New York, New York.

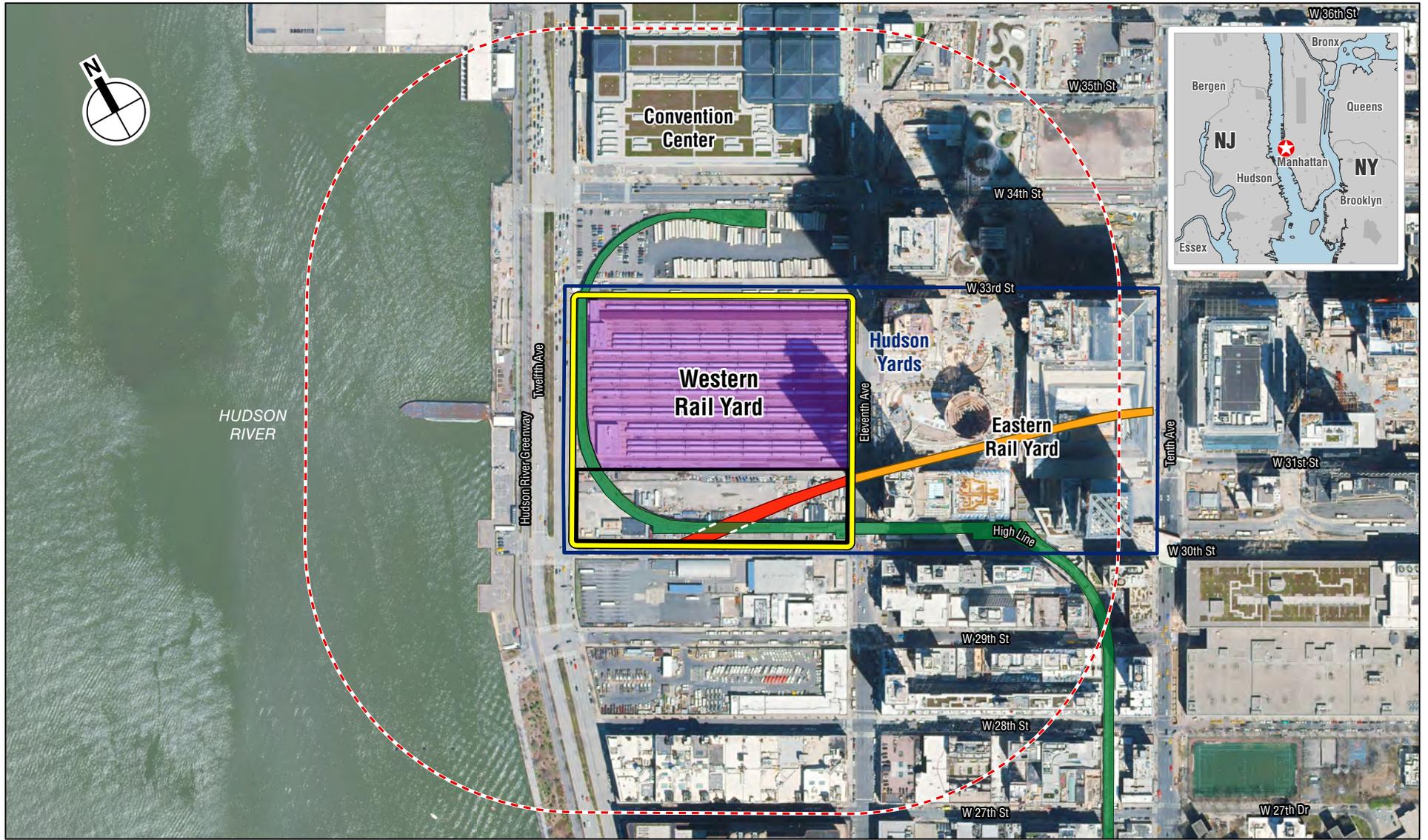
Jennifer Morris served as the Principal Investigator for historic properties, and meets the professional qualifications standards of 36 CFR 61 set forth by the National Park Service (see **Appendix A**). Amy Crader conducted the photography for this report. Eunice Inquimboy and Danny Goodman prepared report graphics. Stephen Holley and Nathan Riddle served as report editors.

1.1 REGULATORY CONTEXT

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site (the Project Site) located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The purpose of the Proposed Action is to (1) cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the joint venture can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive Platform ventilation system; and (2) preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. The USDOT’s Federal Railroad Administration (FRA) is the lead federal agency performing the environmental review for the Project, and has determined the Project constitutes an undertaking under Section 106 of National Historic Preservation Act (NHPA) of 1966, as amended, and the Advisory Council on Historic Preservation’s (ACHP) Section 106 implementing regulations at 36 Code of Federal Regulations (CFR) Part 800 (Section 106).

Section 106 (36 CFR 800) mandates federal agencies to take into account the effects of their undertakings on historic properties, including historic architectural resources and archaeological resources, and afford the ACHP a reasonable opportunity to comment on such undertakings. Section 106 requires consultation with the appropriate State Historic Preservation Officers (SHPOs), in this case the New York State Office of Parks, Recreation and Historic Preservation (OPRHP/New York State Historic Preservation Office [NYSHPO]); Federally recognized Indian tribes that might attach religious and cultural significance to historic properties affected by the Project; and additional consulting parties with a demonstrated interest in the Project based on a legal or economic relation to affected properties, or an interest in the Project’s effects on historic properties. The lead federal agency, in consultation with the SHPO and consulting parties, must determine whether a proposed action would have any adverse effects on historic properties within the APE and seek ways to avoid, minimize or mitigate any adverse effects.

FRA is preparing an EIS for the Project in compliance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. § 139, and 23 CFR part 771 and 774. FRA is integrating the Section 106 process with the NEPA compliance process for the Project in accordance with the Section 106 regulations at 36 CFR Part 800.8 and the ACHP’s guidance document entitled *NHPA: A Handbook for Integrating NEPA and Section 106* (March 2013). There may be historic properties identified during the Section 106 process that are also subject to review under Section 4(f) of the U.S. Department of Transportation Act of 1966.



- Project Site (Western Rail Yard)
- Area of Potential Effects
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- High Line

0 400 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Area of Potential Effects

Figure 1

When a project is being reviewed pursuant to Section 106, the procedures of Section 14.09 of the New York State Historic Preservation Act (SHPA) do not apply, and any review and comment by NYSHPO must be within the framework of Section 106 regulations (New York State Historic Preservation Act § 14.09[2]). The cultural resources study for the Project will fulfill cultural resource compliance obligations under NEPA and Section 106. FRA will consult with NYSHPO and other consulting parties to identify historic properties that have the potential to be affected by the No Action Alternative and Proposed Action and determine the nature of the potential effects on those properties.

This report documents AKRF's efforts, on behalf of FRA, to identify historic properties in the APE and to assess the Project's potential effects on identified historic properties pursuant to Section 106. Specifically, this Historic Architectural Resources Background Study/Effects Assessment Report: 1) identifies the Project's APE, which is the geographic area within which the Project may affect a historic property; 2) identifies historic properties within the APE; and 3) assesses the potential effects of the Project on identified historic properties, which consist of properties that are listed in the National Register of Historic Places (NRHP) or are eligible for listing in the NRHP (NRHP-eligible).

With regard to archaeological resources, NYSHPO and the New York City Landmarks Preservation Commission (LPC) have previously reviewed the two components of the Project, and the Western Rail Yard site has been determined not to be an archaeologically sensitive area. The Platform (and the Overbuild mixed-use development) were reviewed in accordance with Section 14.09 during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not sensitive for archaeological resources. The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews led by FRA, which included reviews in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and its implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. In a letter to FRA dated August 3, 2020, NYSHPO noted that it has no archaeological concerns with the proposed undertaking (see **Appendix B-1**). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and the 2013 *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York* (2013 Concrete Casing EA), show that the shoreline prior to approximately 1850 was further east than the location of the present Project Site. Furthermore, the Project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

1.2 PROJECT DESCRIPTION

The Proposed Action includes a structural Platform (Platform), and a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement). The purpose of the Proposed Action is to (1) cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the joint venture can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive Platform ventilation system; and (2) preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

The Platform is needed to support the provision of developable land area that would generate revenue for the MTA and its subsidiary agencies and modernize state-of-the-art life safety systems for the entire

Western Rail Yard.¹ MTA has sought to maximize the revenue generation potential of its real estate assets, and when Hudson Yards was redeveloped in 1986, the tracks and other facilities were laid out to accommodate the columns that would be required for future development. Currently, there is no capacity for development over the Western Rail Yard without construction of the Platform. The 2005 Hudson Yards rezoning included the extension of the No. 7 IRT Flushing Line subway to 34th Street and Eleventh Avenue, providing new and closer access to the subway system in this area, which made private development considerably more attractive and viable in this part of Manhattan. The 2005 Hudson Yards rezoning also provided for the development of a mix of uses and densities, including a provision for open space.

Construction of the Tunnel Encasement is necessary to maintain the ability to preserve passenger rail service in and out of New York Penn Station.² New rail infrastructure is part of the multi-state and multi-agency effort by Amtrak and others to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued.

The objectives of the Proposed Action include:

- Maintain safe, continuous, and uninterrupted LIRR operations, construct critical life safety and ventilation systems, and modernize operational facilities within the Western Rail Yard;
- Support the ability to meet the revenue-generation goals of the MTA, the owner of the Western Rail Yard;
- Provide support for the economic, social, and recreational life of the Hudson Yards area and the City; and
- Preserve opportunities to enable future growth of passenger rail service and to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station.

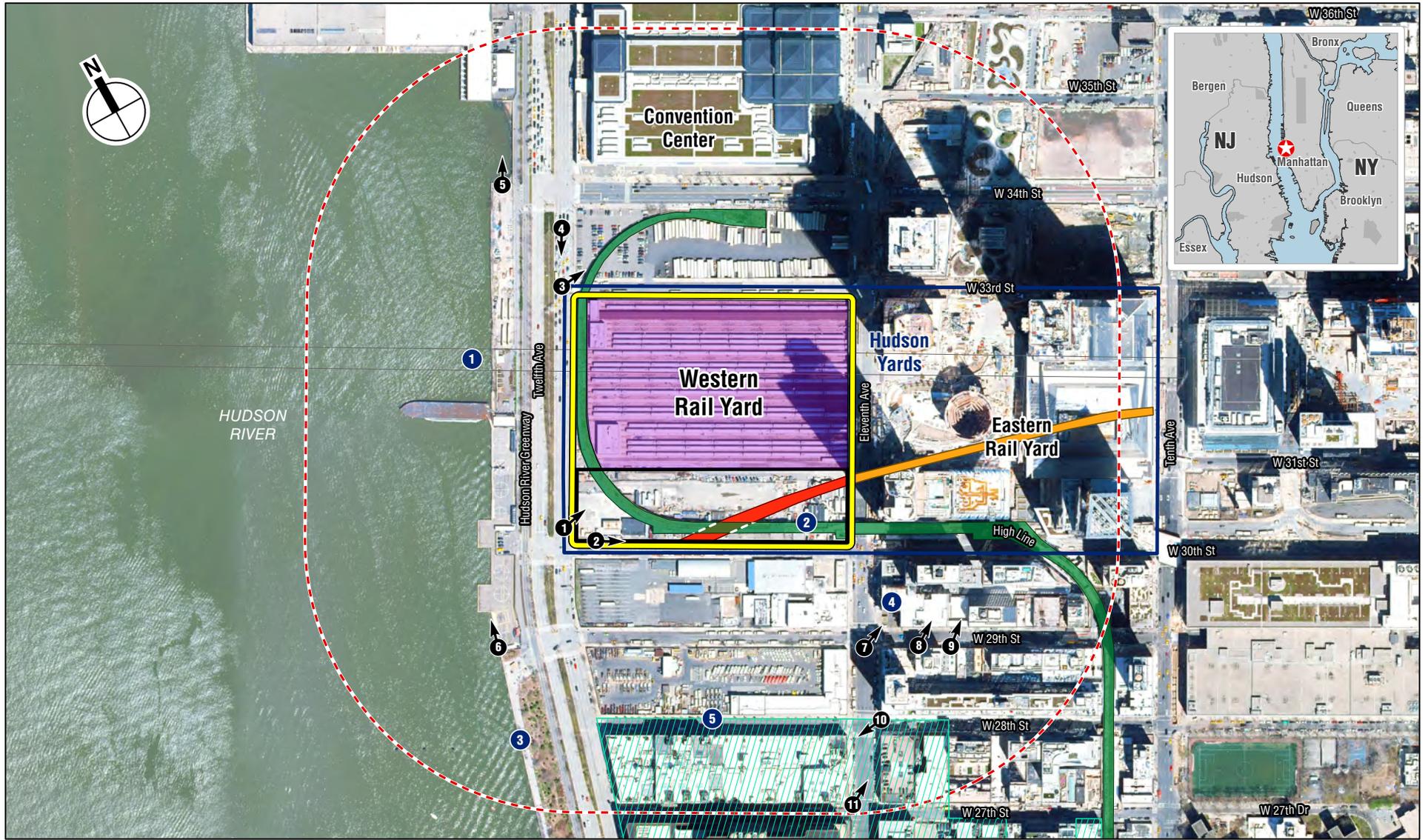
PLATFORM

The Proposed Action would construct a new approximately 425,000 square foot (9.8-acre) Platform spanning the Western Rail Yard, to cover the active rail yard below and to support the privately-funded as-of-right mixed-use development and public open space above (the Overbuild development) (**Figures 1 and 7**). The Platform would serve as the support for the as-of-right Overbuild of approximately 5.7 million gross square feet of new commercial, residential, and school uses and public open space. To support the Overbuild, the Platform would require deep footings, reinforced building foundations, and a concrete slab to transfer the building loads to the bedrock below. Approximately four hundred (400) caissons (i.e., watertight columns) would be drilled through the water table and soil and into the bedrock that is up to 120 feet below the surface in certain locations.

The Platform's support columns would be threaded between the existing railroad tracks and associated infrastructure in Western Rail Yard. When Hudson Yards was redeveloped in 1986 the tracks and other facilities were reconfigured, and laid out to accommodate the columns that future development would

¹ MTA's subsidiary agencies include LIRR, Metro-North Railroad, New York City Transit (NYCT), Capital Construction Company, Staten Island Railway, Regional Bus Operations, and Bridges and Tunnels.

² *Hudson Tunnel Project, Draft Environmental Impact Statement and Draft Section 4(f) Evaluation*, June 2017, includes a Preferred Alternative consisting of the construction of a new rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the Northeast Corridor and into New York Penn Station.



- | | | | |
|---|--|--|---|
|  Project Site (Western Rail Yard) |  Proposed Platform |  1 New York Improvements and Tunnel Extension of the Pennsylvania Railroad |  |
|  Area of Potential Effects |  Existing Concrete Encasement |  2 High Line | |
|  Hudson Yards |  Proposed Tunnel Encasement |  3 Hudson River Bulkhead | |
|  Approximate Terra Firma Area |  |  4 W & J Sloane Warehouse and Garage | |
| |  Photograph View Direction and Reference Number |  5 West Chelsea Historic District | |

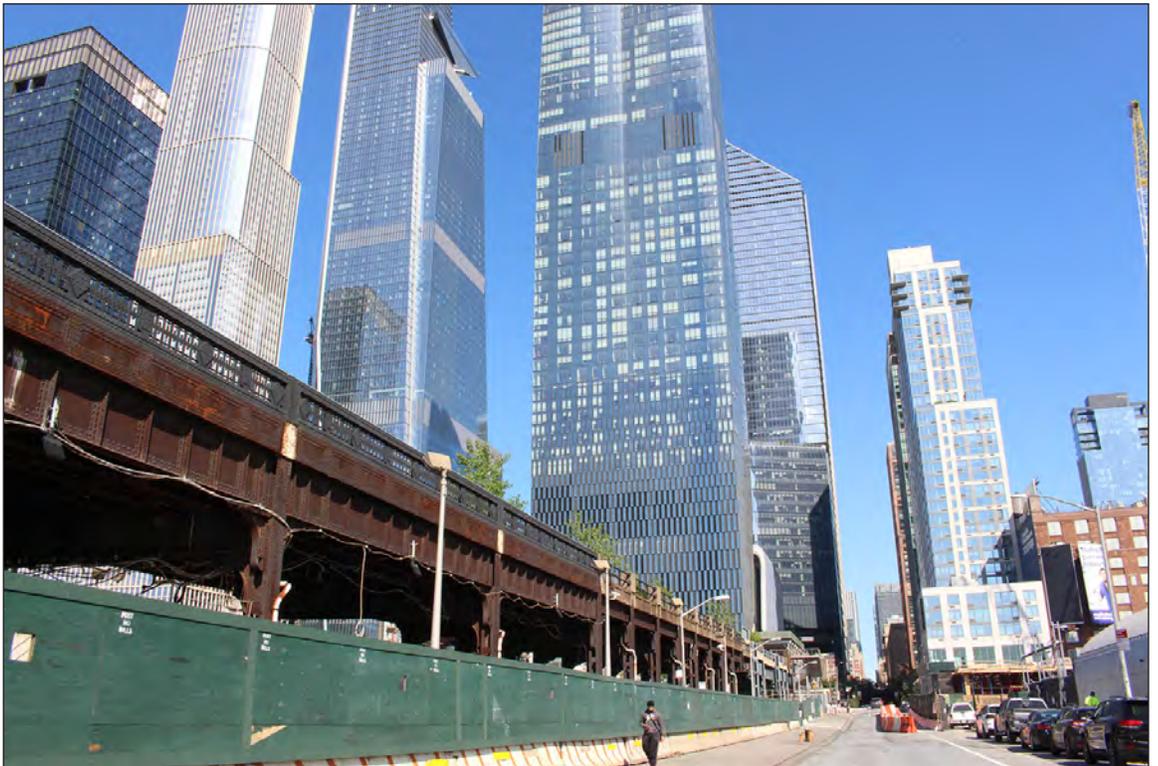
WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Location of Historic Properties

Figure 2



View northeast to High Line from Twelfth Avenue/Route 9A and West 30th Street 1



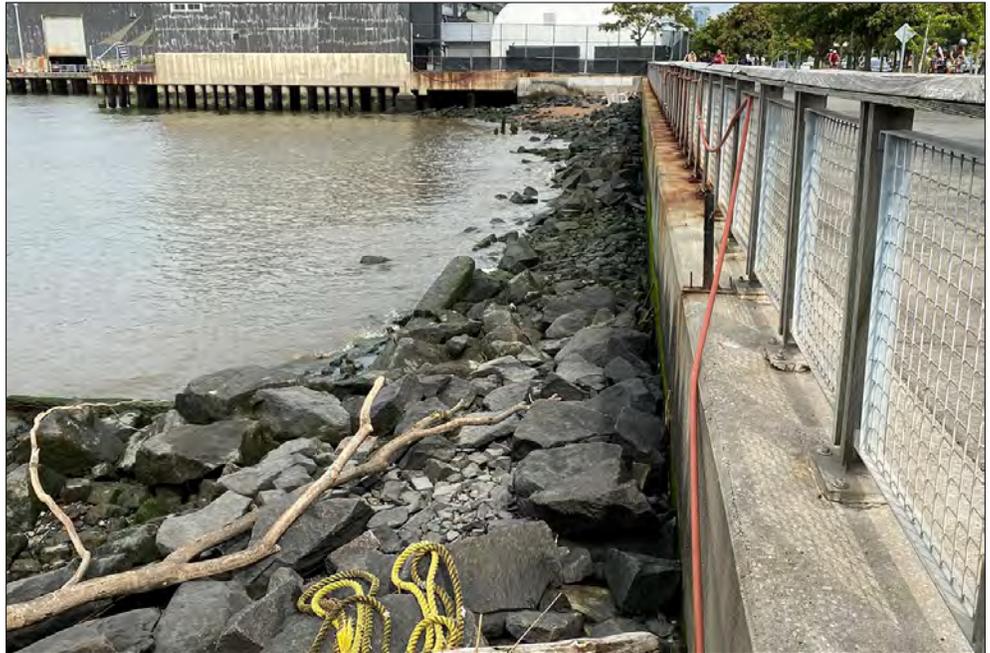
View to High Line, looking east on West 30th Street near Twelfth Avenue/Route 9A 2



View east to High Line from Twelfth Avenue/Route 9A and West 33rd Street 3



View south to High Line from Twelfth Avenue/Route 9A and West 33rd Street 4



Hudson River Bulkhead, view north at Hudson River and West 34th Street 5

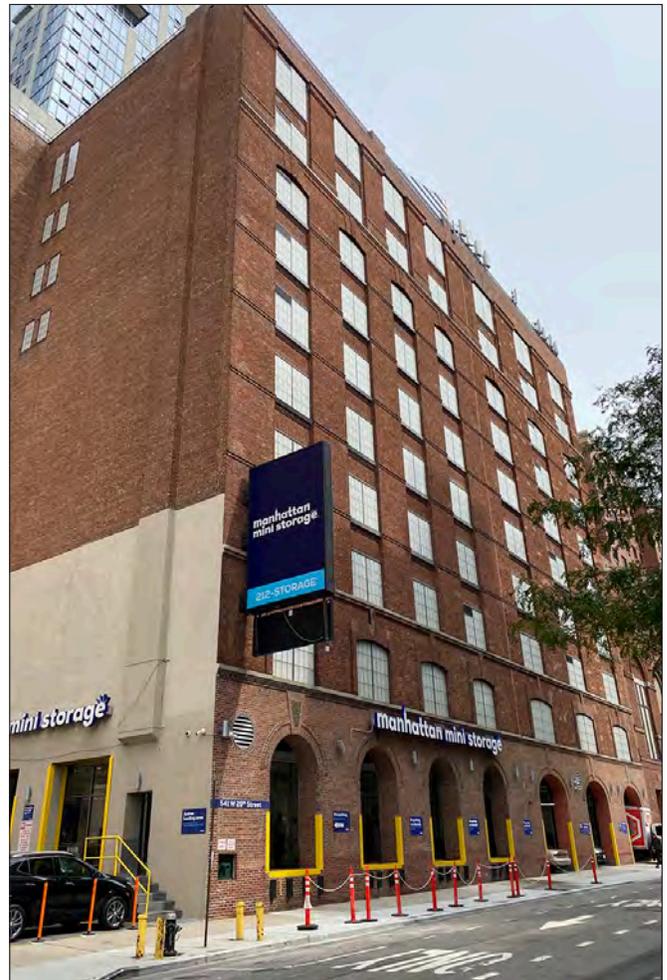


Hudson River Bulkhead, view north at Hudson River and West 29th Street 6

Historic Properties—Hudson River Bulkhead Photographs Figure 4



View northeast at Eleventh Avenue and West 29th Street 7



View northeast on West 29th Street, east of Eleventh Avenue 8

Historic Properties—Former W & J Sloane Warehouse and Garage Photographs Figure 5a

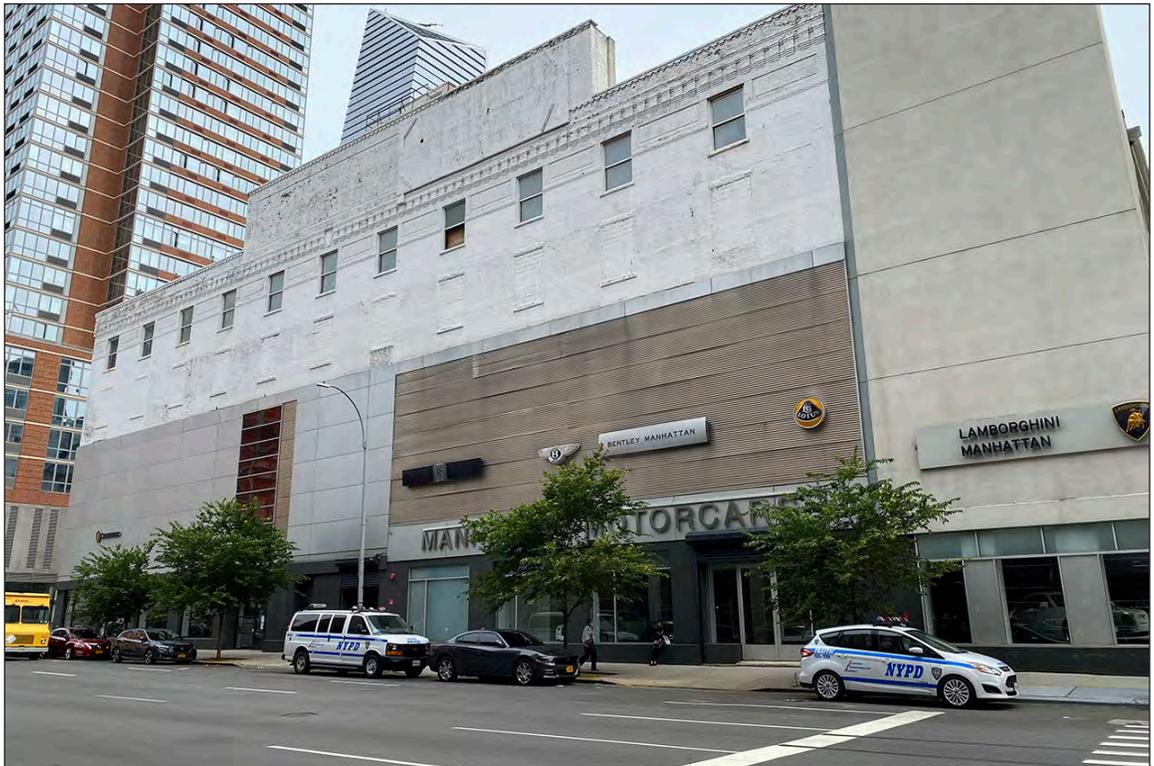


View northeast on West 29th Street, east of Eleventh Avenue 9

Historic Properties—Former W & J Sloane
Warehouse and Garage Photographs
Figure 5b

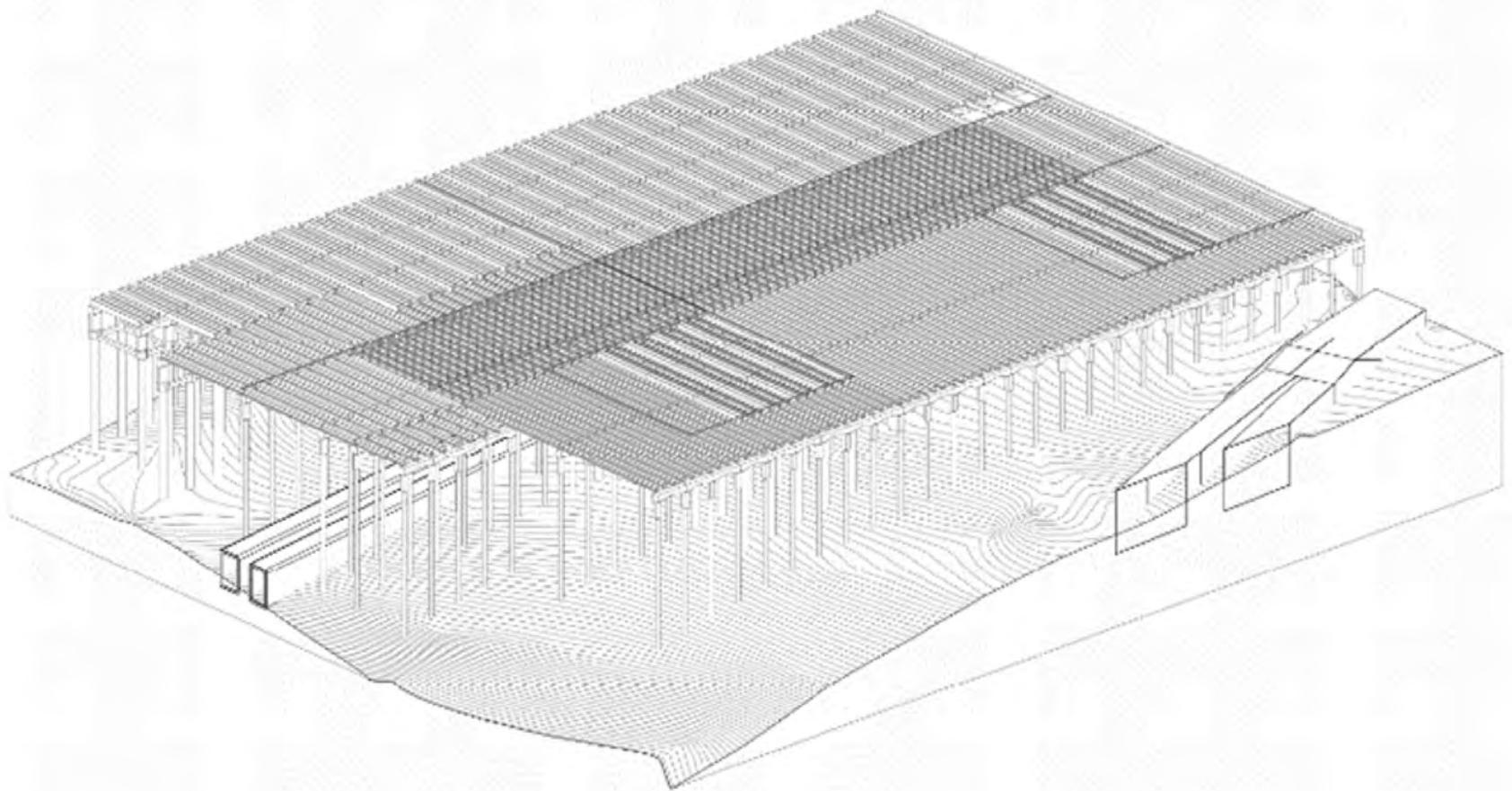


New York Terminal Warehouse Company, Central Stores, in West Chelsea Historic District—view southwest at Eleventh Avenue and West 28th Street 10



West Chelsea Historic District, view east at Eleventh Avenue and West 27th Street 11

Historic Properties—West Chelsea
Historic District Photographs
Figure 6



Source: WRY Tenant LLC

require. As a result, no existing storage tracks would be displaced and train service would be maintained during the construction of the Platform.

The Platform would cover the railroad storage tracks and maintenance facilities in MTA's rail yard, which LIRR uses and operates. The construction of the Platform would require the reconstruction and modernization of other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. The proposed Platform would house critical life safety and mechanical, electrical, and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard.

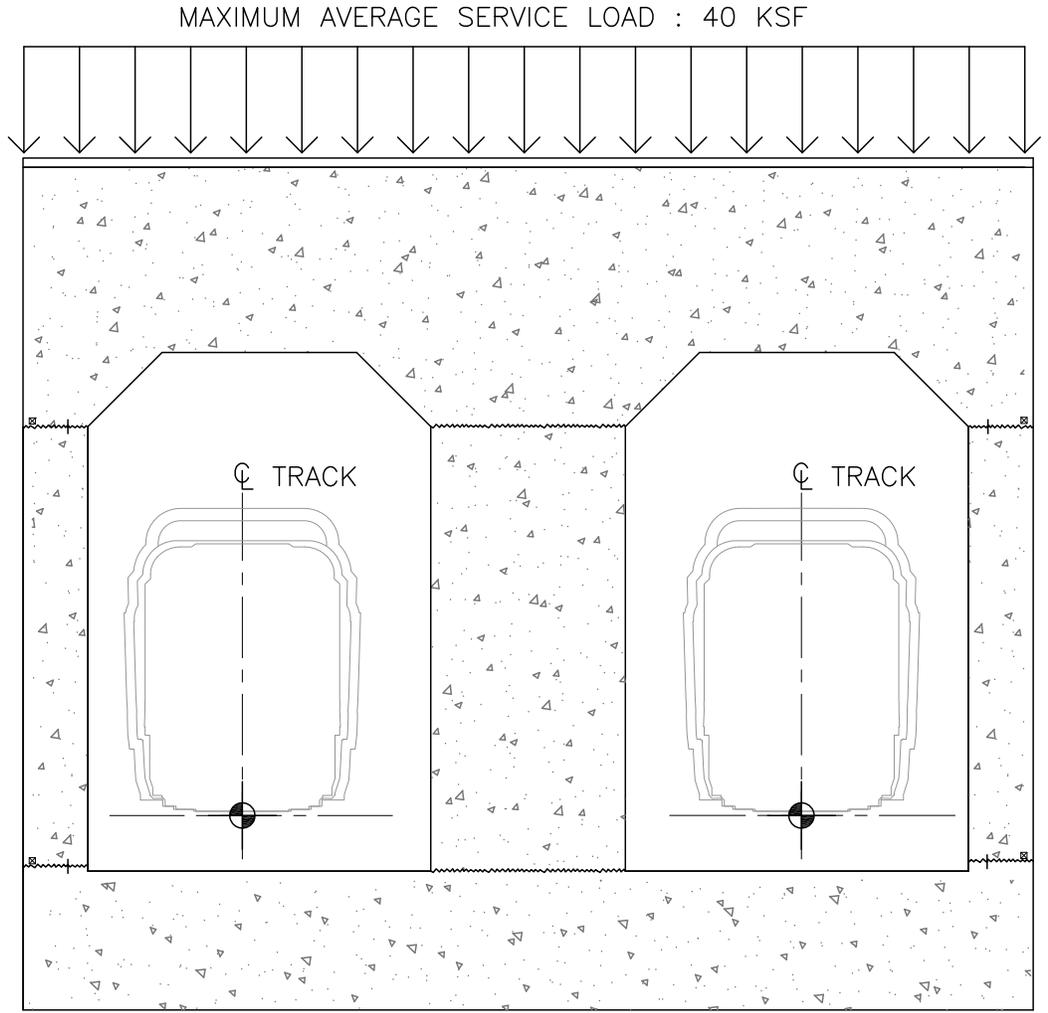
At its northern end, the Western Rail Yard contains a 12-car cleaning platform, formerly used to service and clean railroad equipment. This platform is currently not in use because operations were moved offsite before construction of the adjacent Eastern Rail Yard. The cleaning platform and three LIRR service buildings on the western edge of the Western Rail Yard will be demolished to allow for the Platform construction. These structures have been built since the rail yard was reconstructed in 1986 and are not historic. Once construction of the Platform is completed, the cleaning platform will be reconstructed in its former location. Interim service buildings will be constructed on the western end of the *terra firma* (at grade solid ground) portion of the site, adjacent Twelfth Avenue. The service buildings will be reconstructed in accordance with LIRR program requirements on the Project Site.

The Platform and Overbuild were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution's existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size). For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS*, which concluded that the Western Rail Yard was not sensitive for archaeological resources. In a comment letter dated April 29, 2009, NYSHPO confirmed it had no further archaeological concerns with the Western Rail Yard project.

TUNNEL ENCASEMENT

The Tunnel Encasement in the Western Rail Yard would be an extension of the existing concrete casing to the east of the Project Site and would preserve railroad right-of-way through the southern portion of the Western Rail Yard (**Figure 8**). This segment of Tunnel Encasement would connect to the recently constructed underground right-of-way (ROW) preservation concrete casing, which begins just east of Tenth Avenue (between 30th and 32nd Streets), runs beneath the Eastern Rail Yard, and terminates at the eastern edge of Eleventh Avenue just north of 30th Street (completed in 2015). The Tunnel Encasement would originate at the western end of the underground concrete casing in the Eastern Rail Yard, extend under the Eleventh Avenue viaduct, and would continue diagonally across approximately two-thirds of the Western Rail Yard, underneath a portion of the High Line³, and end at 30th Street.

³ The High Line is an historic elevated former freight rail line, which has been converted into a public aerial linear park and greenway.



Source: Amtrak

The tunnel box on the Project Site would be approximately 605 feet long, between 50 and 65 feet wide, and between 27 and 38 feet high. It would be constructed through a *terra firma* portion of the Western Rail Yard site that will not be covered by the new Platform. Together, the Tunnel Encasement below both rail yards (Eastern and Western Rail Yards) would preserve a total ROW of approximately 1,400 feet. Construction of the Tunnel Encasement would require excavation of approximately 66,000 cubic yards of soil and 14,000 cubic yards of rock.

Temporary underpinning may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. This work will include approximately 280 feet of underpinning and re-support onto new foundations of either total (both) columns or partial (one) columns. The westernmost 80 feet of underpinning on 30th Street will re-support columns of the High Line that would require re-support for the Hudson Tunnel mining approach.

Construction of the Tunnel Encasement would involve demolition of LIRR's Emergency Services Building (ESB) (a structure that primarily houses utility infrastructure) in the Western Rail Yard, temporary relocation of ESB functions, and reconstruction of the building following completion of the Tunnel Encasement. The property dates from the 1986-87 redevelopment of the rail yard. The temporary ESB functions will be located in the southeast corner of the Western Rail Yard on a small portion of existing elevated concrete (at street level to maximize flood protection). This relocation will provide redundant firefighting water sourcing to the yard, eliminating the need for the existing secondary water tank and fire pump room. Therefore, the interim emergency services facility will function essentially as a substation for emergency facility (not train) power and communications.

Most construction staging for the Tunnel Encasement is planned to occur on the Project Site, possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction. No off-site staging is anticipated.

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews led by FRA, which included reviews in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and its implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. The eastern portion of the concrete casing, extending beneath the Eastern Rail Yard was completed in 2015. In a letter dated April 1, 2013, NYSHPO confirmed it had no archaeological concerns regarding the concrete encasement. In a letter dated July 22, 2014, NYSHPO concurred with FRA's determination that the undertaking would have no adverse effect on historic properties provided that construction monitoring of the High Line would occur per the New York City Building Code *Technical Policy and Procedure Notice #10/88* (14PRO2712).

1.3 AREA OF POTENTIAL EFFECTS

Under Section 106, the APE is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The APE is influenced by the scale and nature of an undertaking.

FRA developed the APE for the Project described herein and depicted in **Figure 1** to account for potential effects of the Project on historic properties, based on the conceptual design for the Project available at this time. In general, potential effects on historic properties can include demolition, physical alteration, or damage, including effects caused by vibration; isolation of a historic property from its surrounding environment; and the introduction of visual, audible, or atmospheric (e.g., pollutants) elements that are out of character with a historic property or that alter its historic setting and context.⁴ Effects may include

⁴ National Register Bulletin No. 21, *Defining Boundaries for National Register Properties*, prepared by the National Park Service, 1995, revised 1997

reasonably foreseeable effects caused or enabled by the Project that may occur later in time, be farther removed in distance, or be cumulative with other effects from other projects. Adverse effects can occur when a project may alter any of the characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

The APE encompasses the area 800 feet in all directions from the Western Rail Yard site boundary (depicted in white/red hashed line in **Figure 1**). The APE takes into account construction-related effects as well as the visibility of permanent above-grade Project components, including the proposed Platform and Tunnel Encasement. The APE also accounts for the potential indirect effects of the Overbuild. The APE encompasses a sufficiently large area to account for permanent visual impacts of the Project. The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines. Field reconnaissance conducted by AKRF and information provided by the Project Sponsor regarding the characteristics of the Project components were utilized to help define the proposed APE. The analysis of potential effects to below-ground (archaeological) resources will be limited to the area of anticipated ground disturbance, which is within the Western Rail Yard site boundary.

The APE for the Project is consistent with the APE developed for the 2009 SEQRA/CEQR FEIS for the Western Rail Yard site, and encompasses the smaller APE developed for FRA's previous (2013 and 2014) evaluations of the entire right-of-way preservation concrete encasement (of which the Tunnel Encasement is the westernmost third segment, as described above).

A more detailed description of the APE is provided in a memorandum that was provided by FRA to NYSHPO on July 3, 2020 (as part of FRA's formal initiation of Section 106 review for the Project), and to Federally-recognized Indian tribes and potential consulting parties on August 17, 2020 (see **Appendix B-1 and Appendix D**). In its letter to FRA dated August 3, 2020, NYSHPO noted that it has no archaeological concerns with the proposed undertaking (see **Appendix B-1**). To date, none of the contacted Federally-recognized tribes or consulting parties have commented on the APE.

2.0 PROJECT GOALS AND METHODOLOGY

The goals of this report are to identify historic properties in the APE, assess the Project's potential effects on historic properties according to the Criteria of Adverse Effect (36 CFR 800.5), and to provide recommendations with respect to avoiding, minimizing and mitigating adverse effects on historic properties. The NRHP evaluation criteria and Criteria of Adverse Effect are included in **Appendix C**.

This Historic Architectural Resources Background Study/Effects Assessment report has been prepared following the methodology established in the September 2020 Environmental Impact Statement Draft *Effects Assessments Methodology Report* prepared for the Project.

2.1 RESEARCH

On behalf of FRA, AKRF undertook research to locate previously identified historic properties in the APE, to identify the potential in the APE for previously unidentified and un-surveyed historic properties over 50 years of age that may meet National Register criteria, and to develop a historic context in which to identify historic properties. Research included a review of previous surveys of historic properties and environmental documents undertaken in the geographic area in which the Project's APE is located (see **Section 3.2** of this report).

On behalf of FRA, AKRF collected information concerning the NRHP eligibility status of previously evaluated buildings and structures within the APE from NYSHPO's online *Cultural Resource Information System* (CRIS). The New York City Landmarks Preservation Commission (LPC) data sources for properties locally designated as New York City Landmarks and Historic Districts and properties pending such designation in the City of New York were reviewed, including LPC's Official Map of the City of New York available on LPC's website. Additional background research included a review of historic maps, photographs, and relevant periodicals and newspapers.

2.2 HISTORIC ARCHITECTURE FIELD RECONNAISSANCE

AKRF undertook fieldwork in September 2020, led by an architectural historian meeting the Secretary of the Interior's Professional Qualification Standards for Architectural History (36 CFR Part 61) to:

1. Verify the presence/conditions of historic properties identified in previously completed surveys; and
2. Review the APE to identify if there are properties that require evaluation if they have reached an age of 50 years subsequent to the preparation of previously completed surveys of historic properties.

2.3 CONSULTING PARTY AND PUBLIC INVOLVEMENT

Section 106 requires federal agencies to notify the public of proposed projects and offer the public an opportunity to provide input in a timely manner. A member of the public with a demonstrated interest in an undertaking may request and receive consulting party status from the federal agency. FRA identified Federally-recognized Indian tribes and consulting parties (organizations and individuals which could have an interest in the Project based on a legal or economic relation to affected properties or an interest in the Project's effects on historic properties) and submitted a list to NYSHPO as part of its July 3, 2020 Section 106 initiation package. FRA also sent Section 106 consultation initiation letters to four Federally-recognized Indian tribes on July 29, 2020. FRA sent letters inviting additional consulting parties to participate in the Section 106 process on August 6, 2020. The consulting party letters provided information about the Project and requested information regarding any concerns related to the potential effects of the Project on historic properties. FRA invited the following parties to participate in Section 106 consultation: Delaware Nation, Delaware Tribe, Stockbridge-Munsee Community of Mohican Indians of Wisconsin, Shinnecock Indian Nation, Advisory Council on Historic Preservation, New York City Landmarks Preservation Commission (NYCLPC), New York City Department of Parks and Recreation, Amtrak, Hudson River Park Trust, Friends of the High Line, Society for Industrial

Historic Architectural Resources Background Study/Effects Assessment Report

Archaeology, Professional Archaeologists of New York City, Anthracite Railroads Historical Society, Erie Lackawanna Railroad Historical Society, National Railway Historical Society, Inc., Railway & Locomotive Historical Society, Tri-State Railway Historical Society, Inc., Eastern Delaware Nation, and the Lenape Nation of Pennsylvania. As of October 15, 2020, Amtrak and NYCLPC responded to FRA and accepted consulting party status (see **Appendix D**). To satisfy the public involvement requirement of Section 106, FRA will include a cultural resources chapter in the EIS, including the results of this Historic Architectural Resources Background Study and Effects Assessment Report, and afford the public an opportunity to comment via the NEPA Draft EIS comment period.

FRA provided a memorandum describing the Project's proposed APE to NYSHPO on July 3, 2020, and to Federally-recognized Indian tribes and potential consulting parties on August 17, 2020. As previously noted, NYSHPO concurred with the APE in a letter dated August 3, 2020. FRA will provide this report to NYSHPO and consulting parties for review and comment, and will continue to consult with consulting parties with respect to the identification of historic properties and the Project's potential effects on any identified historic properties. Correspondence to date with NYSHPO is provided in **Appendix B-1** and correspondence with Federally-recognized Indian tribes and additional consulting parties is provided in **Appendix D**.

3.0 BACKGROUND RESEARCH

3.1 HISTORIC CONTEXT⁵

During the 17th century, Native Americans speaking a Munsee dialect of the Eastern Algonquian language occupied Manhattan. Manhattan Island was purchased by the Dutch (Peter Minuit of the Dutch West India Company) from the Native Americans in the 1620s, beginning the settlement of New Amsterdam within the Dutch colony of New Netherland. The English captured New Amsterdam in 1664, with New Amsterdam renamed New York City. Following the Revolutionary War, New York established itself as America's largest port city, becoming one of the most important in the world by the turn of the 20th century. Development of the West Chelsea neighborhood of Manhattan, generally located near the Hudson River in the West 20s, began in the late 1840s with a mix of tenements and industrial complexes. Development increased in the second half of the 19th century as new immigrants arrived and settled in New York City, including in the "Hell's Kitchen" neighborhood north of West 34th Street.

To respond to concerns regarding the deteriorated, congested, and silt-filled condition of the waterfront, the existing Hudson River bulkhead and its associated structural systems were constructed between 1871 and 1936 by the New York City Department of Docks. The pier development along the Hudson River in the late 19th and early 20th centuries spurred industrial construction in the vicinity of Tenth and Eleventh Avenues. In addition to manufacturing operations, the West Chelsea area also became well known for its shipping, warehousing, and freight handling capabilities due to its close proximity to the river and accessibility by train, as evidenced by the construction of the New York Terminal Warehouse Company, Central Stores complex, which occupies the block bounded by West 28th and West 27th Streets between Eleventh and Twelfth Avenues, built between 1890 and 1912 (within the West Chelsea Historic District).

The Pennsylvania Railroad Company (PRR), chartered in 1846, began buying land to clear the way for construction of a passenger rail station (Pennsylvania Station) and its associated tunnel portal and railroad yards in 1902. Construction in Manhattan included mined and cut-and-cover tunneling and open-pit excavation and required the demolition and removal of approximately 500 buildings, including many tenements. PRR's New York tunnel system extended from New Jersey, beneath the Hudson River, beneath Manhattan, and under the East River to the Long Island City Sunnyside Rail Yard in Queens. This railroad corridor has two single-track tunnels extending under the North (Hudson) River and under West 32nd Street to the Tenth Avenue portal in Manhattan. The two subaqueous tubes of the North River Tunnel were constructed using large shields driven from each side of the Hudson River, with each tube constructed with an exterior cast iron casing and interior concrete lining. The Pennsylvania Station, designed by McKim Mead & White, opened in 1910.

Between 1910 and 1918, the construction of Pennsylvania Station, the U.S. General Post Office, and the Seventh Avenue subway sparked development from Seventh to Eleventh Avenues, from streets in the upper West 20s to the West 30s. One major trend was the relocation between 1912 and 1915 of printing and publishing businesses from the City Hall area to the Pennsylvania Station area. These businesses

⁵ Sources: AKRF, *Hudson Tunnel Historic Architectural Resources Background Study and Effects Assessment*, January 2017; Transit Link Consultants, *Access to the Region's Core Historic Architectural Resources Background Study and Effects Assessment*, October 2007; Allee King Rosen & Fleming, Inc., *Route 9A Reconstruction Project Final Environmental Impact Statement, Appendix C, Cultural Resources*, May 1994; City of New York City Planning Commission and Metropolitan Transportation Authority, *No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement, Chapter 9: Architectural Historic Resources*, November 2004; New York City Landmarks Preservation Commission, *Designation Report, West Chelsea Historic District. Designation List 404, LP-2302*, July 15, 2008; New York State Office of Parks, Recreation and Historic Preservation, *Resource Evaluation, New York Improvement & Tunnel Extension of the Pennsylvania Railroad from NJ to Manhattan to LIC Queens, USN: 06101.018103*, March 11, 2011.

selected the area especially because of the new post office and the presence of rail lines and shipping piers.

The elevated West Side Highway was constructed by the New York Central Railroad (NYCRR) in the 1920s and 1930s as part of the West Side Improvement Project, to alleviate congestion along the waterfront. The High Line, an elevated freight railroad right-of-way, was completed in 1934 also as part of the West Side Improvement Project, replacing the New York Central Railroad along West Street and Tenth Avenue to eliminate safety hazards between freight trains and other traffic and pedestrians at at-grade crossings. The mid-20th century saw an overall shift from rail to highways as the preferred method to transport freight, which contributed to the eventual abandonment of the High Line, with portions of the structure demolished by the 1960s. In 1967, the iconic Pennsylvania Station was demolished by PRR and replaced above-grade with Madison Square Garden; the functional railroad station, Penn Station New York (PSNY), was moved underground. The West Side Highway was demolished by the City south of West 43rd Street in the 1970s, with the remainder of the structure removed in 1989 and replaced by a landscaped at-grade roadway with a bikeway/walkway. Areas along the roadway, waterfront space, and abandoned piers are gradually being developed as Hudson River Park, a New York State park. Ownership of the High Line was donated to the City in 2005, and redevelopment of the structure as a public open space owned by the New York City Department of Parks and Recreation began in 2006. The portion of the High Line between West 30th and 34th Streets and 10th and 12th Avenues opened as a public open space in 2014.

The latter half of the 20th century also saw a shift away from manufacturing in the West Chelsea area, which resulted in a diminishment of the trucking, warehousing, and wholesale businesses in the area. New uses have included night clubs and bars, restaurants, retail, art galleries, and art programming spaces. In 2005, the City of New York instituted a major rezoning of the Hudson Yards area, including the Eastern Rail Yard, to accommodate a mix of uses and densities throughout the Far West Side, the provision of new open space, and an extension of the No. 7 subway line. The Eastern Rail Yard was rezoned to accommodate high-density, mixed-use development, and several million square feet of commercial development are currently under construction over the Eastern Rail Yard. In 2009, the Western Rail Yard was rezoned to accommodate approximately 5.7 million gross square feet of mixed-use development (the Overbuild). The new No. 7 Subway Extension Hudson Yards/34th Street station opened in 2015, and numerous new buildings have opened within the Hudson Yards area in recent years, including along the High Line. Some of the new construction in the Hudson Yards area has involved the demolition of previously identified historic properties.

3.2 SUMMARY OF PRIOR HISTORIC PROPERTY INVESTIGATIONS

PREVIOUS SURVEYS

A number of historic properties surveys have been completed in the Project's APE and these were reviewed by AKRF, in combination with current information available from NYSHPO and LPC, to identify previously known historic properties in the geographic area in which the APE is located.

Route 9A Reconstruction Project

In May 1994, Allee King Rosen & Fleming, Inc. (now AKRF, Inc.) and Hartgen Archeological Associates, Inc. completed a cultural resources survey for the Route 9A Reconstruction Project (proposed by the New York State Department of Transportation, in cooperation with the Federal Highway Administration). The APE for the project largely encompassed areas on both sides of Route 9A between Battery Park in Lower Manhattan and West 59th Street in Midtown Manhattan. One property identified as part of that survey and determined NRHP-eligible by NYSHPO in 1989, the New York Terminal Warehouse Company, Central Stores is within the Western Rail Yard Infrastructure APE.

Hudson River Park Project

In May 1998, Allee King Rosen & Fleming, Inc. et. al. completed the Final Environmental Impact Statement for the Hudson River Park Project. The Hudson River Park Project was initiated by the New York State Urban Development Corporation doing business as the Empire State Development Corporation, acting in collaboration with the City of New York. The Hudson River Park FEIS included a historic properties survey of the APE for that project. The APE for the Hudson River Park Project extended east and west of the proposed park boundaries from Battery Park to West 59th Street. The park's eastern boundary was generally the Route 9A bikeway/walkway and its western boundary was generally within the Hudson River (although in some locations it was landward of the river). The New York Terminal Warehouse Company, Central Stores was identified as an historic property in the area that constitutes the Western Rail Yard Infrastructure Project's APE. In addition, the Hudson River Bulkhead and its relieving platforms, extending from Battery Place to West 59th Street, was determined NRHP-eligible in 1997 by NYSHPO through the Hudson River Park Project's Section 106 consultation process.

No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Project

In 2004, the Metropolitan Transportation Authority (MTA) and the City of New York City Planning Commission (CPC) prepared the Final Generic Environmental Impact Statement for the No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Project. As part of that project, AKRF, Inc. prepared a historic property survey for a study area roughly bounded by West 44th Street to the north, Tenth and Seventh Avenues to the east, West 23rd and 27th Streets to the south, and the Hudson River to the west. That survey identified 110 historic properties, including five historic properties that are still extant and fall within the Western Rail Yard Infrastructure Project APE: the W & J Sloane Warehouse and Garage (541-561 West 29th Street/306-310 Eleventh Avenue, the High Line, and the New York Terminal Warehouse Company, Central Stores. NYSHPO made a determination of NRHP eligibility for these previously unevaluated properties in 2003. The High Line, previously determined not NRHP-eligible as part of the Section 106 review for the Route 9A Reconstruction Project, was determined NRHP-eligible by SHPO in 2004.

Access to the Region's Core Project

In 2007, Transit Link Consultants prepared a Historic Architectural Resources Background Study and Effects Assessment for the Access to the Region's Core (ARC) Project, which was proposed by the Federal Transit Administration and NJ Transit. The APE for the ARC project included areas approximately 200 to 1,000 feet from the proposed ARC tunnel alignment and associated proposed station entrances, shaft/fan plant sites, and other ancillary facilities, extending from the Hudson River to the west to as far as Madison Avenue to the east, and from as far north as West 36th Street and as far south as West 26th Street. Four historic properties identified in the APE for the ARC Project are still extant and are within the Western Rail Yard Infrastructure Project APE: the Hudson River Bulkhead, the High Line, the New York Terminal Warehouse Company, and the W & J Sloane Warehouse and Garage.

Construction of a Concrete Casing in the Hudson Yards

As detailed above, in 2013 and 2014, FRA, in coordination with Amtrak, prepared an Environmental Assessment (EA) and Supplemental Environmental Assessment (SEA) for Amtrak's proposed construction of a concrete casing extension in the Western and Eastern Rail Yards, to preserve the railroad right-of-way between the Hudson River waterfront and Penn Station beneath anticipated mixed-use private overbuild development at Hudson Yards. The APE for the Section 106 reviews associated with the EA/SEA included portions of the Eastern and Western Rail Yards, east and west of Eleventh Avenue, between West 30th and West 33rd Streets. The 2013 EA identified that the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), spanning from between Weehawken, New Jersey to Long Island City, New York, had been determined NRHP-eligible by NYSHPO in 2011, as part the review of a previous Amtrak Security Enhancement Project

(PRJ29112351) Replacement and Upgrading of Fire and Life Safety Supervisory Control and Data Acquisition System, funded by the American Recovery and Reinvestment Act.

Hudson Tunnel Project

In 2017, AKRF prepared a Historic Architectural Resources Background Study and Effects Assessment for the Hudson Tunnel Project. The lead federal agency for the Hudson Tunnel Project is FRA, and the project sponsor is NJ Transit. The APE for this study included areas in New Jersey and New York; the New York APE included the area roughly bounded by West 26th and West 33rd Streets between Tenth Avenue and the Hudson River. Five previously evaluated historic properties identified in the APE for the Hudson Tunnel Project are still extant and fall within the Western Rail Yard Infrastructure Project APE: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), Hudson River Bulkhead, the High Line, the West Chelsea Historic District, the W & J Sloane Warehouse and Garage.

Previously completed inventory forms and National Register eligibility determinations for the properties referenced above are included in **Appendix F**.

KNOWN HISTORIC PROPERTIES

AKRF reviewed NYSHPO's CRIS database and LPC's Official Map of the City of New York. NYSHPO's CRIS identifies the following NRHP-eligible properties in the APE for the Western Rail Yard Infrastructure Project:

- New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel);
- High Line;
- Hudson River Bulkhead, between Battery Place and West 59th Street;
- Former W & J Sloane Warehouse & Garage, 541-561 West 29th Street/306-310 Eleventh Avenue; and
- West Chelsea Historic District, roughly bounded by West 28th Street to the north, Twelfth Avenue/Route 9A to the west, West 26th and West 25th Streets to the south, and Tenth Avenue to the east, including within its boundaries individual properties previously determined NHRP-eligible, including the High Line and the New York Terminal Warehouse Company, Central Stores at 601-651 West 27th Street.

LPC's Official Map of the City of New York identifies one designated New York City Historic District (NYCHD) in the APE:

- West Chelsea Historic District, designated July 15, 2008 (same boundaries as NRHP-eligible West Chelsea Historic District).

4.0 HISTORIC ARCHITECTURAL RESOURCES BACKGROUND STUDY

4.1 SURVEY OF HISTORIC PROPERTIES

AKRF conducted a survey of the APE for the Western Railyard Infrastructure Project in September 2020, for the purpose of verifying the presence and integrity of historic properties identified in previous surveys and to identify if there are additional properties that require evaluation if they have reached an age of 50 years (the threshold at which a property may be considered eligible for the NRHP, unless it possesses exceptional importance) subsequent to previously completed architectural surveys.

AKRF did not identify any additional properties meeting NRHP criteria in the APE.

4.2 DESCRIPTION OF EXISTING HISTORIC PROPERTIES

There are four individual historic properties and one historic district in the APE for the Western Railyard Infrastructure Project. These are listed in **Table 4-1**, mapped on **Figure 2**, and briefly described below.⁶

**Table 4-1
Historic Properties in the Area of Potential Effects (APE)**

Ref. No. ¹	Name	Address	NRHP-Eligible	NYCL
1	New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel)	Spanning between Weehawken, New Jersey and Long Island City, New York	SHPO Opinion 3/21/2011	
2	High Line	Along 30th St. between Tenth and Twelfth Aves., and Twelfth Ave. between 30th St. and 34th St.	SHPO Opinion 2/20/2004	
3	Hudson River Bulkhead	Spanning between Battery Pl. and West 59th St.	SHPO Opinion 3/31/1997	
4	Former W & J Sloane Warehouse and Garage	541-561 W. 29th St. and 306-310 Eleventh Ave.	SHPO Opinion 10/30/2003	
5	West Chelsea Historic District	Roughly bounded by West 28th St., Twelfth Ave., West 26th St., and Tenth Ave.	SHPO Opinion 3/19/2009 ²	Designated 7/15/2008
<p>Notes:</p> <p>¹ Corresponds to Figure 2.</p> <p>² The West Chelsea Historic District was additionally certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986 as substantially meeting the requirements for listing on the National Register of Historic Places on September 5, 2013.</p> <p>NRHP: National Register of Historic Places. NRHP Eligible: Eligible for listing on the New York State and National Registers of Historic Places. NYCL: New York City Landmark.</p>				

New York Improvements and Tunnel Extension of the Pennsylvania Railroad (#1)

The New York Improvements and Tunnel Extension of the Pennsylvania Railroad was determined NRHP-eligible by NYSHPO in 2011, through its review of the Amtrak Security Enhancement Project (PRJ29112351) Replacement and Upgrading of Fire and Life Safety Supervisory Control and Data Acquisition System (see description above). The North (Hudson) River Tunnels, referred to in this report as the North River Tunnel, extend from the Bergen Portal in the Township of North Bergen, Hudson County, New Jersey to the Tenth Avenue Portal in New York City, New York County, New York. On March 21, 2011, NYSHPO made a determination that the subterranean and subaqueous railroad tracks and tunnels (North River Tunnel) of the New York Improvement and Tunnel Extension of the Pennsylvania Railroad, extending from Weehawken, New Jersey, beneath the Hudson River, beneath

⁶ Information for the description of the resources are summarized from: AKRF, *Hudson Tunnel Historic Architectural Resources Background Study and Effects Assessment*, January 2017; and City of New York City Planning Commission and Metropolitan Transportation Authority, *No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement, Chapter 9: Architectural Historic Resources*, November 2004.

Manhattan, and under the East River to Long Island City, Queens meet NRHP Criteria A and C. The Statement of Significance provided by NYSHPO states that:

...the subterranean and subaqueous railroad tracks and tunnels of the New York Improvement and Tunnel Extension of the Pennsylvania Railroad meet Criterion A for transportation history and Criterion C for engineering design. Built between 1903 and 1910, this linear transportation corridor was the largest and most advanced metropolitan railroad project undertaken in the United States at that point in history. Extending from Weehawken, New Jersey, beneath the Hudson River, beneath Manhattan, and under the East River to Long Island City, Queens, the system's engineering represents various construction techniques and designs that met the various needs of the project and the geological conditions.⁷

Alexander Cassatt, President of PRR from 1899 to 1906, spearheaded the New York Improvement and Tunnel Extension project, of which the construction of the North River Tunnel was one element. Charles M. Jacobs, PRR engineer, oversaw the design and construction of the tunnels under the North River Division of the larger endeavor. The two subaqueous tubes under the Hudson River were constructed using large shields of 18 feet in diameter driven from each side of the Hudson River to be joined together mid-river. Each tube is of cast iron construction and is lined with monolithic masonry panels. Important components of the design were the bore segments placed every 15 feet to accommodate a screw pile driven into bedrock to stabilize the tubes. This was done to solve the previous problems that the unstable silt river floor caused regarding in constructing railroad tunnels under the Hudson River. The piles kept the silt surrounding the tubes from shifting and potentially fracturing the cast iron tube while a train was moving through it.⁸

Each tube contains only a single set of tracks to prevent train derailments and collisions. In a letter to E.H. Harriman, president of the Southern Pacific Railroad, Cassatt explained that the tubes were to be designed with "an innovative high side bench effectively hemming in the train."⁹ Cassatt continued that in the event of a breakdown or a tail-end collision, the train would be held in place and telescoping of train cars would be prevented due to the presence of the benches, which were designed to be 1 foot higher than the average Pullman car in order to prevent derailments. Walkways on these 3'-8" wide concrete benches run along both sides to allow for maintenance and repair. The benches are constructed on hollow terra-cotta tiles to accommodate electrical cables, including high-tension and low-tension power lines and telegraph, telephone, and signal wires.¹⁰

High Line (#2)

The High Line was determined NRHP-eligible by NYSHPO in 2004 its review of the No. 7. Subway Extension – Hudson Yards Rezoning and Development Program Project (see description above). The High Line (NRHP-eligible) is a former freight railroad viaduct that was converted to a public park on the west side of Manhattan and opened to the public in phases, starting in 2009. Completed in 1934 as part of the West Side Improvement Project, it replaced the New York Central Railroad along West Street and Tenth Avenue to eliminate grade crossing hazards. The West Side Improvement Project also included construction of the West Side Highway (Route 9A). In the Western Rail Yard Infrastructure Project APE, the High Line runs in a loop track around the John D. Caemmerer Yard along West 34th Street, Twelfth

⁷ New York State Office of Parks, Recreation and Historic Preservation, Kathy Howe, Resource Evaluation, New York Improvement & Tunnel Extension of the Pennsylvania Railroad from NJ to Manhattan to LIC Queens, USN: 06101.018103, March 11, 2011.

⁸ New York State Office of Parks, Recreation and Historic Preservation, March 11, 2011.

⁹ Jill Jonnes, *Conquering Gotham: Building Penn Station and Its Tunnels*. Penguin Books, New York, New York, 2007, pp. 134-135.

¹⁰ New York State Office of Parks, Recreation and Historic Preservation, March 11, 2011.

Avenue, and West 30th Street, where it turns south to run west of Tenth Avenue (see **Figures 3a and 3b**). In the 1980s, the northernmost existing section between West 33rd and West 34th Streets was reconstructed and a section between West 34th and West 35th Streets was removed. NYSHPO, in a letter dated February 20, 2004, found the full length of the High Line between West 34th Street and Gansevoort Street to meet NRHP Criterion A as a significant transportation structure from the 20th-century industrial development of the city. In addition, NYSHPO found that the High Line retains much of its historic integrity, despite the removal of the section between West 35th and West 34th Streets (and the removal of the southernmost section outside the Project APE between Little West 12th and Bank Streets).

At West 30th Street, a spur runs east to Tenth Avenue, where there is a large, double-track platform over the avenue adjacent to the Morgan General Mail Facility; the platform over Tenth Avenue originally connected to the Morgan General Mail Facility to allow mail trains to simultaneously enter and leave the building. Both the loop track and spur have a concrete parapet simply ornamented with recessed panels and a tubular steel railing broken up with square concrete posts. As it parallels Twelfth Avenue between West 30th and West 33rd Streets, the loop track viaduct has a decorative steel parapet and railing similar to those on the Tenth Avenue platform and the trestles south of West 30th Street, including the trestle over that street.

Hudson River Bulkhead (#3)

The Hudson River Bulkhead and its relieving platforms, extending from Battery Place to West 59th Street, was determined NRHP-eligible in 1997 by NYSHPO through its review of the Hudson River Park Project (see description above). The Hudson River Bulkhead (NRHP-eligible) runs between the Battery and West 59th Street. Significant under Criterion A in the areas of commerce or industry, under Criterion C in the area of engineering and under Criterion D for the potential of the bulkhead to yield information about historic engineering methods, the bulkhead and its associated structural systems were constructed between 1871 and 1936 by the New York City Department of Docks. The majority of the construction consisted of masonry walls on a variety of foundation systems, with quarry-faced ashlar granite block forming the visible face along most of the armored frontage. Built between 1876 and 1898, the bulkhead between approximately West 27th and West 36th Streets consists of a granite wall on narrow concrete block with inclined bracing piles and timber binding frames around the piles, with the exception of a small section of collapsed pile-supported platform/rip-rap near West 34th Street (see **Figure 4 and Building-Structure Inventory Form (1997) in Appendix G**).

Design of the bulkhead was the responsibility of George B. McClellan, a general during the Civil War who became the first Engineer-in-Chief of the Department of Docks. McClellan's plans contemplated the creation of a 250-foot-wide marginal street, from which 60- to 100-foot-wide piers with cargo sheds would project 400 to 500 feet around 150- to 200-foot-wide slips. Initiated to respond to the deteriorated, congested, and silt-filled condition of the waterfront, the carefully built granite walls created a consistent monumental surface to the waterfront that reinforced an image of New York City's commercial prominence. As property was acquired and as commerce warranted, the City built the bulkheads, built or rebuilt pier substructures, and leased redeveloped areas to private companies that were usually responsible for piershed and headhouse construction.

W & J Sloane Warehouse and Garage (#4)

The W & J Sloane Warehouse and Garage was determined NRHP-eligible in 2004 by NYSHPO through its review of the No. 7. Subway Extension – Hudson Yards Rezoning and Development Program Project (see description above). The three buildings at 541-561 West 29th Street and 306-310 Eleventh Avenue constitute the former W & J Sloane Warehouse and Garage (NRHP-eligible). Founded in 1843, the W & J Sloane company was a retail and wholesale carpet, rugs, and furnishings company. W & J Sloane supplied stores across the country, controlled mills, imported European goods, established branch retail establishments in other cities, and was the first American company to sell oriental rugs retail. Originally

located on Broadway near City Hall, the firm relocated several times uptown as the retail business periodically moved northward along Broadway and Fifth Avenue. W & J Sloane's second store was located at 649-655 Broadway near Bleecker Street; this building is located within the NYCL NoHo Historic District. In 1882, the company moved its retail and warehouse operations to 880-886 Broadway; this building is located within the NYCL Ladies Mile Historic District. In 1912, a new retail building was completed for W & J Sloane at Fifth Avenue and 47th Street. The construction of the company's warehouse on West 29th Street coincides with the construction of the midtown retail store. The first component of the warehouse—the 10-story brick structure at 306-310 Eleventh Avenue and 557-561 West 29th Street—was built in 1909 and designed by James Barnes Baker. Designed with Renaissance Revival elements, the building is sited around the southwest corner of the block, which is occupied by a parking lot (see **Figures 5a and 5b**). Arched loading docks with stone keystones are located on the ground floor. The second floor is designed with cambered-arched windows. Stone courses run along the tops of the first and second floors with wide brick piers dividing the upper floors into recessed and arched window bays. A projecting cornice caps the avenue and street façades. The two secondary façades facing the parking lot are largely blank brick. (When the building was constructed, two four-story store and dwelling structures occupied the corner at 302 and 304 Eleventh Avenue. By 1930, the corner was occupied by a gas station.) Constructed in 1913, the building at 549-555 West 29th Street is identical and indistinguishable from the 1909 structure. James Barnes Baker also designed the garage, built in 1910, located at 541-547 West 29th Street. The garage is a four-story structure with Romanesque Revival details. Clad in brick with stone trim, the façade features three round-arched, recessed window bays. This historic property is significant under Criterion A for its association with New York's industrial history and Criterion C for its industrial design.

West Chelsea Historic District (#5)¹¹

The West Chelsea Historic District was determined NRHP-eligible in 2009 by NYSHPO through its review of the Western Rail Yard Project (see description above). The West Chelsea Historic District (NYCL, NRHP-eligible) is roughly bounded by West 28th Street to the north, Tenth Avenue to the east, West 25th and 26th Streets to the south, and Twelfth Avenue to the west. In a comment letter dated March 19, 2009, NYSHPO found the West Chelsea Historic District eligible for listing on the NRHP under Criterion A for its association with New York City history and Criterion C for its impressive collection of industrial architecture from the late 19th to early 20th centuries. The West Chelsea Historic District stands as a surviving example of Manhattan's industrial past and still contains many of the historic buildings of this era including factories, warehouses, and industrial firms that have long been demolished elsewhere in the City (see **Figure 6**). West Chelsea was first developed in the late 1840s with a mixture of tenements and industrial complexes. Few buildings from this earlier period survive, except for the small two-story brick stable building on the south side of West 28th Street east of Eleventh Avenue (at 554 West 28th Street), which was built in 1885 for Latimer E. Jones' New York Lumber Auction Company. The neighborhood experienced a second wave of development around the turn of the 20th century, as the older, smaller industrial buildings were replaced by larger industrial structures and factories. It is during this time that the area was home to some of the City's, and even the country's, most prestigious industrial firms. In addition to its manufacturing operations, the area also became well known for its shipping, warehousing, and freight handling capabilities due to its close proximity to the river and accessibility by train. The New York Terminal Warehouse Company, Central Stores complex, which occupies the block bounded by West 28th and West 27th Streets between Eleventh and Twelfth Avenues, was accessed by the New York Central and Hudson River Railroad through tracks that led directly into the building through the large round-arch entrance, which fronts on Eleventh Avenue. Built in phases

¹¹ The description of the West Chelsea Historic District is summarized from City of New York City Planning Commission and Metropolitan Transportation Authority, *Western Rail Yard Final Environmental Impact Statement, Chapter 8: Historic Resources*. October 2009.

Historic Architectural Resources Background Study/Effects Assessment Report

between 1890 and 1912, the New York Terminal Warehouse Company's Central Stores complex was designed separately by George B. Mallory and Otto M. Peck. It comprises 25 storage buildings of the same design, forming a single, monolithic architectural composition. The seven- and nine-story brick complex is simply articulated with arched window openings and corbelled cornices.

5.0 ASSESSMENT OF EFFECTS

5.1 CONSTRUCTION- AND OPERATIONAL-RELATED EFFECTS

As detailed above, the Tunnel Encasement would be constructed through a *terra firma* portion of the Western Rail Yard that will not be covered by the new Platform. It would require excavation of soil and rock, and demolition of LIRR's ESB. Construction staging for the Tunnel Encasement is planned to occur on the Project Site, extending into some adjacent sidewalks and parking lanes during certain phases of construction. No off-site staging is anticipated. Temporary underpinning may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. The westernmost 80 feet of underpinning on 30th Street will re-support columns of the High Line that would require re-support for the Hudson Tunnel mining approach. Construction of the Platform would require deep footings, reinforced building foundations, and a concrete slab to transfer building loads to the bedrock below. Approximately four hundred (400) caissons (i.e., watertight columns) would be drilled through the water table and soil and into the bedrock that is up to 120 feet below the surface in certain locations. The Platform's support columns would be threaded between the existing railroad tracks and associated infrastructure in the Western Rail Yard. When Hudson Yards was redeveloped in 1986 the tracks and other facilities were reconfigured, and laid out to accommodate the columns that future development would require; as a result, no existing storage tracks would be displaced and train service would be maintained during the construction of the Platform. Construction of the Platform would also require demolition of a cleaning platform and three non-historic LIRR service buildings on the western edge of the Western Rail Yard; these will be reconstructed in approximately the same footprint once construction of the Platform is complete.

The potential for the construction and operation of the Platform to have adverse effects on historic properties was evaluated in the 2009 *Western Rail Yard Environmental Impact Statement*, which was prepared and reviewed in accordance with CEQR, SEQRA, and Section 14.09 of the New York State Historic Preservation Act. Subsequently, in 2013-2014, the potential for the construction and operation of the Tunnel Encasement to have adverse effects on historic properties was reviewed in accordance with Section 106 of the National Historic Preservation Act. That analysis concluded that while construction activities and equipment for the concrete casing that would be visible from street level could result in temporary visual obstructions and result in temporary loss of context for nearby architectural resources, any such impacts would be temporary and indirect, and only last the duration of the construction period. In a letter dated July 22, 2014, OPRHP, acting in its capacity as the NYSHPO, concurred with FRA's determination that the undertaking would have No Adverse Effects on historic properties, provided that construction monitoring of the High Line would occur per the New York City Department of Building's *Technical Policy and Procedure Notice #10/88*.

Consistent with these prior determinations, the Proposed Action would not be expected to result in any construction- or operational-related effects to the Hudson River Bulkhead, the former W & J Sloane Warehouse & Garage, or the West Chelsea Historic District. Construction activities and equipment for the Project that would be visible from street level could result in temporary visual obstructions; however, there are multiple construction projects currently underway within the APE, and thus construction activities and equipment associated with the Project would be difficult to distinguish from these other activities. Twelfth Avenue and the Hudson River Greenway provide visual separation between the Hudson River Bulkhead and the Project Site and surrounding new development. The New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), as a subsurface feature, would have no visual relationship with the Project. The Tunnel Encasement would be buried below ground; therefore, during the operation of the Proposed Action, no effects to historic properties would be expected.

The Project would not result in adverse effects to historic properties. With the exception of the North River Tunnel and the High Line, no historic properties are located within 90 feet of Project construction. Caissons will be drilled on either side of the North River Tunnel to support the Platform and Overbuild, and temporary underpinning of the High Line may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues.

Table 5-1
Historic Properties in the Area of Potential Effects (APE) and
Effects Assessment

Ref. No.¹	Name	Assessment of Effects
1	New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel)	No Adverse Effect
2	High Line	No Adverse Effect
3	Hudson River Bulkhead	No Adverse Effect
4	Former W & J Sloane Warehouse and Garage	No Adverse Effect
5	West Chelsea Historic District	No Adverse Effect

5.2 INDIRECT EFFECTS

This section considers the potential for the Proposed Action to have indirect effects on historic properties, by creating the support for the Overbuild development. As detailed above, the Overbuild would create approximately 5.7 million gross square feet of new commercial, residential, and school uses and public open space on the Western Rail Yard. The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution’s existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio.

The potential for the Overbuild—as well as the structural Platform that would enable such development—to have adverse effects on historic properties was evaluated in the 2009 *Western Rail Yard Environmental Impact Statement*, which was prepared and reviewed in accordance with CEQR, SEQRA, and Section 14.09 of the New York State Historic Preservation Act. The historic resources analysis considered the potential for both physical impacts (demolition, alteration, inadvertent damage during construction) and visual/contextual effects. Since the final design of the Overbuild had not been determined at the time of the 2009 *Western Rail Yard EIS*, in compliance with SHPA Section 14.09 the co-lead agencies (the Metropolitan Transportation Authority and New York City Planning Commission) and the developer executed a Letter of Resolution (LOR) with OPRHP to address the potential for adverse effects to the High Line. The LOR required continued consultation under Section 14.09 regarding aspects of the development’s design that could affect the High Line (specifically, review of preliminary and pre-final design plans), as well as preparation of a Construction Protection Plan to protect the High Line during adjacent project construction. The Overbuild as currently contemplated is consistent with the massing envelope assumptions analyzed in the 2009 *Western Rail Yard EIS*.

The Project would not be expected to have any adverse indirect effects on the context or setting of nearby historic properties. The Hudson Yards neighborhood is experiencing a wave of development of new tall and modern skyscraper buildings, and the historic properties in the APE already exist in a mixed built context of smaller, older and masonry clad buildings and these taller buildings of recent construction with metal and glass curtain walls. Specifically, the W & J Sloane Warehouse and Garage is flanked by new 31-, 33-, and 34-story developments directly to the north and south, and the West Chelsea Historic District buildings within the APE are across Eleventh Avenue and West 28th Street from the same 34-

story development. Twelfth Avenue and the Hudson River Greenway provide visual separation between the Hudson River Bulkhead and the Project Site and surrounding new development. The New York Improvements and Tunnel Extension of the Pennsylvania Railroad, as a subsurface feature, would have no visual relationship with the Project or the Overbuild.

The portion of the High Line at the Western Rail Yard will be directly adjacent to the multi-building, high-rise Overbuild development; however, the resulting visual context would be consistent with portions of the High Line within the APE that are directly adjacent to the new high-rise buildings on the Eastern Rail Yard (including 10 Hudson Yards and 12 Hudson Yards) and at 500 West 30th Street (Abington House). It is expected that the stipulations of the Letter of Resolution requiring continued consultation regarding aspects of the Overbuild development's design that could affect the High Line (specifically, review of preliminary and pre-final design plans), as well as preparation of a Construction Protection Plan to protect the High Line during adjacent project construction, would be enforced.

5.3 SUMMARY OF EFFECTS ASSESSMENT

As detailed above, AKRF has concluded that the Proposed Action would not result in any adverse effects to historic properties within the APE. AKRF has concluded that no historic properties identified in the APE would be adversely affected by the construction or operation of the Project.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The Historic Architectural Resources Background Study/Effects Assessment identified five NRHP-eligible historic properties in the APE: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), the High Line, Hudson River Bulkhead, former W & J Sloane Warehouse and Garage, and the West Chelsea Historic District. No NRHP listed historic properties were identified in the APE. One of the NRHP-eligible properties is locally designated by the City of New York: the West Chelsea Historic District.

AKRF has concluded that the Project would not result in adverse effects to historic properties.

7.0 SOURCES

AKRF, Inc.

2017 *Historic Architectural Resources Background Study / Effects Assessment Report, Hudson Tunnel Project, New York, New York.* Prepared for NJ Transit, January 2017.

Allee King Rosen & Fleming, Inc.

1994 *Route 9A Reconstruction Project Final Environmental Impact Statement, Appendix C, Cultural Resources.* Prepared in coordination with Hartgen Archeological Associates, Inc. for New York State Department of Transportation and Federal Highway Administration, May 1994.

1998 *Hudson River Park Final Environmental Impact Statement.* Prepared in coordination with PBS& J, Inc., Philip Habib & Associates, Historical Perspectives, Inc., and A & H Engineers, P.C. for Empire State Development Corporation in cooperation with Hudson River Park Conservancy, May 1998.

City of New York City Planning Commission and Metropolitan Transportation Authority

2004 *No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement, Chapter 9: Architectural Historic Resources.* November 2004.

2009 *Western Rail Yard Final Environmental Impact Statement, Chapter 8: Historic Resources.* October 2009.

Jonnes, Jill

2007 *Conquering Gotham: Building Penn Station and Its Tunnels.* Penguin Books, New York, New York.

National Railroad Passenger Corporation (Amtrak) and Federal Railroad Administration

2013 *Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York,* March 2013.

2014 *Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York,* August 2014.

New York City Landmarks Preservation Commission

2008 Designation Report, West Chelsea Historic District. Designation List 404, LP-2302, July 15, 2008.

2009 *Guide to New York City Landmarks.* Fourth Edition. John Wiley & Sons, Hoboken, New Jersey.

Historic Architectural Resources Background Study/Effects Assessment Report

2020 Official Map of the New York City Landmarks Preservation Commission displaying designated and calendared properties. Available at <http://nyclpc.maps.arcgis.com/apps/webappviewer/index.html?id=93a88691cace4067828b1eede432022b>

New York State Office of Parks, Recreation and Historic Preservation

1997 Building-Structure Inventory Form, New York City's Hudson River Bulkhead from Battery Place to West 59th Street. Prepared by Raber Associates and Allee King Rosen & Fleming, Inc. (Michael Raber author) for the Hudson River Park Conservancy, February 20, 1997.

2004 Resource Evaluation for the High Line, USN 06101. 014509. Prepared by Kathy Howe, February 20, 2004.

2011 Resource Evaluation, New York Improvement & Tunnel Extension of the Pennsylvania Railroad from NJ to Manhattan to LIC Queens, USN: 06101.018103. Prepared by Kathy Howe, March 11, 2011.

2013 Certification of West Chelsea Historic District, USN: 06101.018917.

2017 Resource Evaluation, Former W & J Sloane Warehouse and Garage, USN: 06101.013266. Prepared by Kathy Howe, February 3, 2017.

Resource Evaluation, West Chelsea Historic District, USN: 06101.018917. Prepared by Kathy Howe, February 3, 2017.

2020 Cultural Resource Information System. Available at <https://cris.parks.ny.gov>

Transit Link Consultants

2007 *Access to the Region's Core Historic Architectural Resources Background Study and Effects Assessment*. Prepared for Transit Link Consultants on behalf of NJ TRANSIT, October 2007.

APPENDIX A

QUALIFICATIONS OF THE PRINCIPAL INVESTIGATOR

JENNIFER MORRIS, AICP

SENIOR TECHNICAL DIRECTOR

Jennifer Morris, AICP is a Senior Technical Director, Architectural Historian, and Planner with the firm. Ms. Morris currently manages Environmental Impact Statements (EIS) and Environmental Assessment Statements (EAS) for both large- and small-scale projects. Her expertise is with historic resource field surveys, research, and impact assessments, as well as urban design and visual resources analyses. She has extensive experience with the Section 106 process and project coordination with the New York City Landmarks Preservation Commission (LPC) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), and has prepared numerous Historic American Buildings Survey (HABS) research and documentation reports and Construction Protection Plans for historic buildings affected by proposed projects. Ms. Morris' many years of experience and her mastery of relevant environmental regulations and procedures enables her to efficiently guide development projects to approval.

BACKGROUND

Education

MS, Columbia University, Historic Preservation, 1998
BA, Bryn Mawr College, Growth and Structure of Cities, 1995

Licenses/Certifications

Certified Planner, American Institute of Certified Planners

Professional Memberships

Member, American Planning Association
Member, National Trust for Historic Preservation
Member, Landmarks Illinois

Years of Experience

22 years in the industry
20 years with AKRF

RELEVANT EXPERIENCE

Lenox Terrace Redevelopment, New York, NY

As Project Manager, Ms. Morris is responsible for the preparation of an Environmental Impact Statement for a mixed-use development in the Central Harlem neighborhood of Manhattan. The applicant sought zoning map and text amendments, a large-scale special permit, and a parking reduction special permit to allow the construction of five new buildings on the project site, which was determined eligible for listing on the State and National Registers of Historic Places. Ms. Morris' responsibilities also included preparation of the historic resources and urban design and visual resources technical analyses, and coordination with the New York City Landmarks Preservation Commission regarding mitigation for the project's adverse effect on historic resources.

Two Bridges Large-Scale Residential Development, New York, NY

As Project Manager, Ms. Morris was responsible for the preparation of a coordinated Environmental Impact Statement for three mixed-use developments in the Lower East Side neighborhood of Manhattan. The three proposed projects are unrelated, with separate developers, approvals, and financing; however, they were evaluated together for environmental review purposes, due to their proximity and anticipated timing of construction. Together, the proposed projects would contain approximately 2,775 new residential units, of which 25 percent would be designated as affordable, approximately 11,000 gsf of retail space, and approximately 17,000 gsf of community facility space. The proposed projects also would result in improvements to the resiliency of each site and new landscaping and private open space. Ms. Morris' responsibilities also included support of the innovative community engagement process agreed to by the developers.



JENNIFER MORRIS, AICP

SENIOR TECHNICAL DIRECTOR

One Willoughby Square, Brooklyn, NY

Ms. Morris was recently responsible for the preparation of an Environmental Assessment Statement for a proposed commercial office tower in downtown Brooklyn. Ms. Morris coordinated archaeological field testing of the site, prepared a Construction Protection Plan to protect adjacent historic resources during demolition of on-site structures, and prepared the Historic American Building Survey Level II written report and oversaw the photographic documentation of a building on the site that was determined eligible for listing on the State and National Registers of Historic Places.

Admiral's Row Redevelopment, Brooklyn, NY

Ms. Morris was Project Manager for the preparation of the Environmental Impact Statement for the Admiral's Row Plaza project, a proposal to redevelop a portion of the Brooklyn Navy Yard with approximately 300,000 square feet of supermarket, light industrial, community facility, and neighborhood-oriented retail uses. Historic resources were a key issue for the project, as the project site had been determined eligible for listing on the New York State and National Registers of Historic Places as a historic district and was occupied by vacant structures that formerly served as officers' housing and timber storage related to ship construction. The proposed development would incorporate both new construction and the rehabilitation and/or reconstruction and adaptive reuse of two of the existing historic structures. The historic resources analysis incorporated the independent Section 106 consultation process being undertaken by the National Guard Bureau.

Avalon ECF East 96 Street, New York, NY

Ms. Morris served as Project Manager for the preparation of an Environmental Impact Statement for a mixed-use development in the East Harlem neighborhood of Manhattan. The co-applicants, the New York City Educational Construction Fund and AvalonBay Communities, are seeking a rezoning and other actions to allow the construction of a mixed-use building which will include a replacement facility for the existing School of Cooperative Technical Education currently located on the project site, a new facility for the relocation of two existing neighborhood public high schools, and relocation of an existing jointly-operated playground as well as approximately 1,200 affordable and market-rate residential units. Ms. Morris was involved in the assessment, review, and coordination of various technical analyses that addressed key issues such as potential adverse impacts of the project on: the on-site school facilities during construction; urban design and visual resources; local transit conditions; and air quality and noise levels during construction of the project.

Barnard College Milstein Center for Teaching and Learning, New York, NY

The Milstein Center for Teaching and Learning serves as the academic hub in the heart of the Barnard College campus in Manhattan. The 128,000-square-foot building features an expanded library and media facilities, flexible learning and classroom spaces, and a computational science center. AKRF prepared the project's SEQRA environmental assessment and a Construction Protection Plan for Barnard Hall, which is listed on the State and National Registers of Historic Places and underwent renovations as part of the project. AKRF also prepared the Historic American Buildings Survey documentation for LeFrak Gymnasium in Barnard Hall, which was used as swing space during construction. As Project Manager, Ms. Morris prepared the HABS documentation of LeFrak Gymnasium and the CPP for Barnard Hall, and coordinated SHPO's approval of the documentation in an expedited fashion in order to meet the project's construction timeline.

Pier 57 Hudson River Park, New York, NY

AKRF prepared an Environmental Impact Statement for the redevelopment of historic Pier 57 along the Hudson River waterfront into a mix of cultural, recreational, and public market activities, including offices for Google. As Project Manager, Ms. Morris was responsible for preparing the assessments of the potential for the project to affect historic/cultural resources and urban design/visual resources, including coordination of the project's review by the New



JENNIFER MORRIS, AICP

SENIOR TECHNICAL DIRECTOR

York State Historic Preservation Office. Ms. Morris subsequently served as Project Manager for technical memoranda analyzing proposed changes to the project.

South Street Seaport / Tin Building, New York, NY

Retained by the Howard Hughes Corporation, AKRF prepared the Environmental Assessment Statement for the rebuilding of the Pier 17 building at the South Street Seaport in Lower Manhattan, as well as the pier structure that supports it. The project, a key element in the revitalization of the Seaport, was approved in 2012 and is now in construction. Independent of the Pier 17 project and as part of a larger plan for the Seaport, AKRF also prepared an EIS for a mixed-use project in the South Street Seaport. The project is expected to include renovation and restoration of the historic Tin Building as a food market; construction of a new hotel; new and renovated space for the South Street Seaport Museum; replacement of deteriorated marine infrastructure; and a new East River marina. For the mixed-use project EIS, Ms. Morris prepared the assessments of the potential for the project to affect historic/cultural resources and urban design/visual resources. Ms. Morris has subsequently served as liaison with the New York State Historic Preservation Office regarding the proposed relocation of the historic Tin Building and prepared the recordation of the Tin Building to OPRHP standards.

Former Public School 64, New York, NY

AKRF undertook research into the design of Public School 64, the existing landmark status of schools designed by C.B.J. Snyder, a survey of Snyder-designed school buildings in New York City with a focus on H-plan schools, a survey of public school buildings in the East Village and Lower East Side, and the relation of the school to the design of other H-plan public schools by Snyder. For a local community group, Ms. Morris co-prepared a statement of significance for the former Public School 64 in the East Village neighborhood of Manhattan. Ms. Morris presented the firm's findings to the NYC Landmarks Preservation Commission at a public hearing. In June 2006, the Commission designated the former Public School 64 as an official city landmark.

New York Botanical Garden, Bronx, NY

Ms. Morris served as Project Manager for the preparation of an Environmental Assessment (EA) for an off-site parking garage for the New York Botanical Garden in the Bronx. The proposed garage would provide parking for NYBG staff and visitors who cannot be accommodated within NYBG's on-site facilities. Ms. Morris served as liaison with LPC and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for the preparation of historic resources analyses and analyses as well as the execution of mitigation measures regarding historic resources. She subsequently prepared the construction protection plan to be implemented to avoid potential adverse physical impacts from the project on adjacent known architectural resources.

IKEA Red Hook, Brooklyn, NY

Ms. Morris served as Deputy Project Manager for the Environmental Impact Statement (EIS) prepared for the IKEA retail center proposed at Halleck and Columbia Streets in Red Hook, Brooklyn—the first IKEA in New York City. Ms. Morris also served as Task Leader for historic, archaeological, and visual analyses and prepared Historic Resource Inventory Forms (Blue Forms) for structures on the project site for submission to SHPO. She served as liaison with SHPO for the Section 106 review of the project and drafted the Letter of Resolution (LOR) that was used in regard to the historic resources on the project site. Ms. Morris also managed the HABS photographic documentation of the historic resources on the project site, prepared the historical narrative for the documentation, and coordinated the archaeological field monitoring of the site during construction.

Downtown Brooklyn Development, Brooklyn, NY



JENNIFER MORRIS, AICP

SENIOR TECHNICAL DIRECTOR

Ms. Morris served as Deputy Project Manager for this large-scale development plan, which calls for the rezoning of an approximately 60-block area as part of a long-range strategy to enhance and support a viable and vibrant central business district and increase the residential population in Downtown Brooklyn. She also served as Task Leader for historic, archaeological, and visual analyses, for which her responsibilities included the management and review of impact analyses, historic research, and an extensive survey effort that identified 37 potential historic resources in the project and study areas. In addition, Ms. Morris led a major research effort examining the possibility that several buildings within the affected area were associated with the Underground Railroad. Most recently she served as Project Manager for two Technical Memoranda prepared to evaluate changes to the program.

Kingsbridge Armory National Ice Center, Bronx, NY

Ms. Morris served as the Project Manager for the preparation of the Environmental Impact Statement for the proposed redevelopment of the Kingsbridge Armory as a center for ice sports containing 9 ice rinks and related program space, food and retail concession space, and community facility space. Historic resources were a key issue in the environmental review, as the Armory is listed on the State and National Register of Historic Places and designated a New York City Landmark, and the project sponsor is seeking federal historic preservation tax credits for the proposed renovation of the building.

Allerton 39th Street House, New York, NY

Ms. Morris completed an intensive documentation report on the former Allerton 39th Street House in Manhattan, including research a historical context, and a significance evaluation. The former hotel was subsequently designated a New York City Landmark. Ms. Morris also prepared a successful Historic Preservation Certification Application (Part I) for the building, for federal tax incentives.

East River Waterfront Esplanade and Piers Project, New York, NY

AKRF prepared an Environmental Impact Statement (EIS) for the City's proposed development along the East River waterfront in Lower Manhattan. The plan would improve a two-mile-long public open space connecting Whitehall Ferry Terminal and Peter Minuit Plaza to East River Park with expanded open space and recreational facilities, cultural uses, and infrastructure improvements. The boundaries of project include the waterfront, many of the piers, and the upland area under the FDR Drive. Ms. Morris served as Historic Resources Task Leader. Ms. Morris managed the preparation of Phase IA Archaeological Assessments for the entire project site. She also serves as liaison with the New York State Historic Preservation Office (SHPO) for the Section 106 review of the project and helped to create the Programmatic Agreement (PA) that is being used in regard to the historic resources on the project site.

Apple Bank for Savings, 124 East 125th Street, New York, NY

Ms. Morris co-authored the successful nominations of the former Harlem Savings Bank at 124 East 125th Street to the State and National Registers of Historic Places, allowing the property owners to pursue federal preservation tax credits. The successful nomination of this building and its subsequent listing on the Registers allowed the property owner, Apple Bank, to pursue historic preservation tax credits.

The Shops at the Armory, Bronx, NY

Ms. Morris served as the Project Manager for the preparation of the Environmental Impact Statement (EIS) for the proposed redevelopment of the Kingsbridge Armory in the Kingsbridge Heights section of the Bronx. The Kingsbridge Armory—a property listed on the State and National Registers of Historic Places and designated a New York City Landmark—will be redeveloped with approximately 600,000 square feet of new uses, including retail and restaurant space, a cinema, a fitness club, community facilities, parking, and public open space.



APPENDIX B
PROJECT DOCUMENTS

CONTENTS:

APPENDIX B-1: AGENCY CORRESPONDENCE

APPENDIX B-2: PROPOSED AREA OF POTENTIAL EFFECTS

APPENDIX B-1:
AGENCY CORRESPONDENCE



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 3, 2020

Mr. Daniel Mackay
Deputy Commissioner
Division for Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

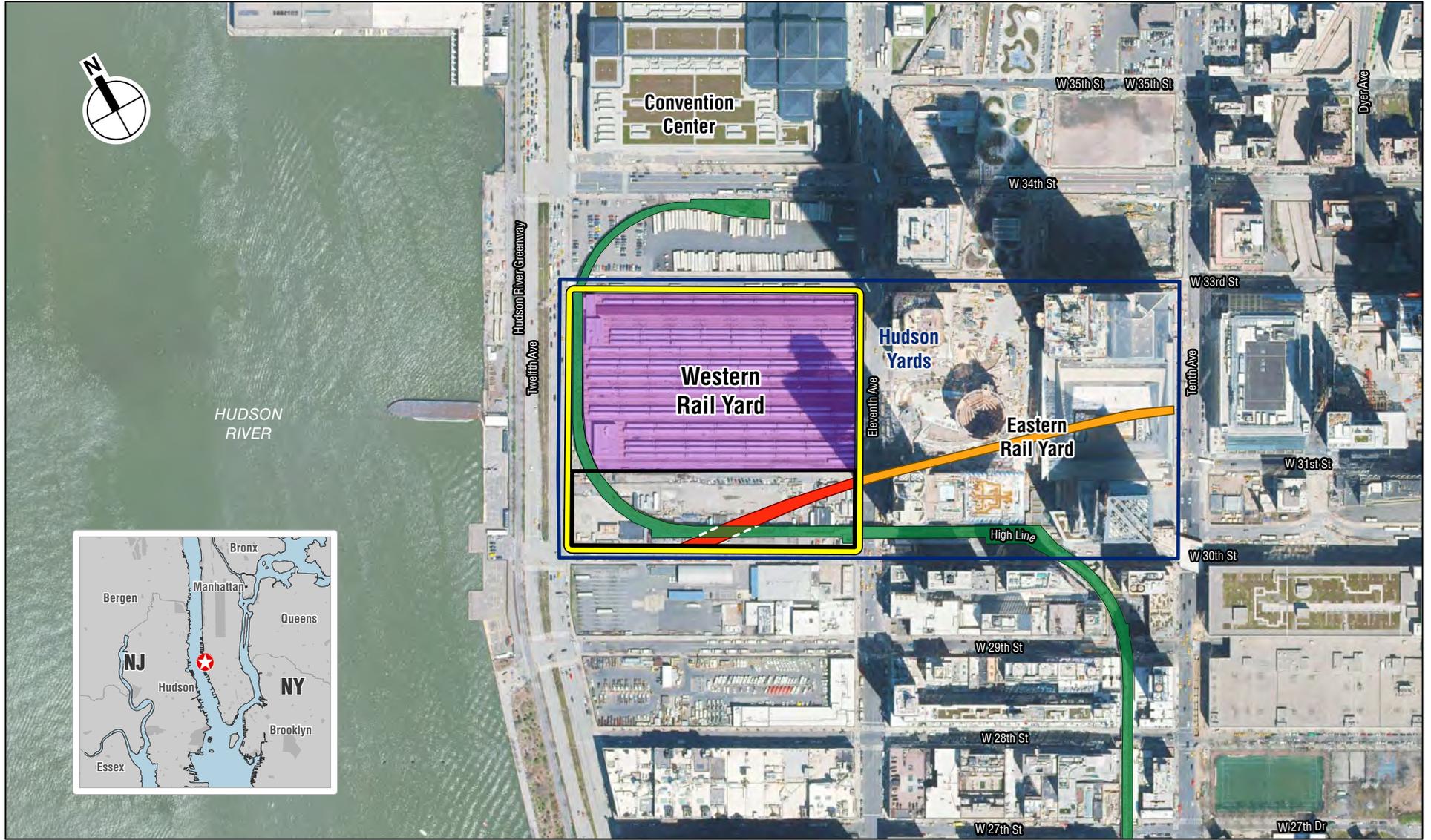
**Re: Western Rail Yard Platform Project, New York County, NY
Initiation of Section 106 Consultation
Proposed Area of Potential Effects
Preliminary List of Consulting Parties**

Dear Mr. Mackay:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**).

The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The USDOT’s Federal Railroad Administration (FRA) is the lead federal agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws.

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

0 400 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1

development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

The two components of the Project have previously been reviewed by your office in accordance with local, state and federal environmental planning requirements as follows:

- The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). Your office determined that construction near and around the High Line in Western Rail Yard is appropriate (since historically buildings have been located in this manner) subject to the stipulations in a Letter of Resolution (LOR) developed with MTA and the New York City Planning Commission. Your office suggested developing the LOR because the design details for the Overbuild were not yet available. The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution's existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size). For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS*, which concluded that the Western Rail Yard was not sensitive for archaeological resources. In a comment letter dated April 29, 2009, your office confirmed it had no further archaeological concerns regarding the Western Rail Yard project.

- The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews led by FRA, which included reviews in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and its implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. In a letter dated April 1, 2013, your office confirmed it had no archaeological concerns regarding the concrete encasement. In a letter dated July 22, 2014, your office concurred with FRA's determination that the undertaking would have no adverse effect on historic properties provided that construction monitoring of the High Line would occur per the New York City Building Code *Technical Policy and Procedure Notice #10/88* (14PRO2712).

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. § 139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). Consistent with regulations issued by the Advisory Council on Historic Preservation (36 CFR part 800), FRA intends to coordinate compliance with Section 106 of the NHPA with the preparation of the EIS. By way of this letter and in accordance with 36 CFR 800.3, FRA is initiating Section 106 review for the Project (which is also the Undertaking for purposes of Section 106). The Overbuild that would be supported by the Platform is within the development envelope adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Project site, including construction staging areas, have not been expanded from what was previously reviewed by your office. The design for the Platform has not changed substantively, although minor refinements have been made as MTA-LIRR review of the design has progressed. As the Section 106 process for the Project advances, FRA will update your office if there are any changes in conditions related to the construction of the Tunnel Encasement from the 2014 no adverse effect determination.

In addition to initiating Section 106 consultation, FRA requests your review of the enclosed preliminary list of entities to be invited to participate in the Project's Section 106 review as consulting parties in accordance with 36 CFR. 800.2(c) (**Attachment A**). In accordance with 36 CFR 800.4(a)(1), FRA has also developed the proposed Area of Potential Effects (APE) for the Project, to account for potential effects on historic properties based on the conceptual design for the Project and potential indirect effects of the Overbuild. A memo providing additional background and an overview of the Project and detailing the proposed APE is enclosed for your review.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Party meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other Project information is posted at www.westernrailyardinfrastucture.com and at Regulations.gov, Docket Number: FRA-2020-

Western Rail Yard Platform Project 4

0039.

If you have any questions please contact me at laura.shick@dot.gov, or (202) 366-0340.

FRA looks forward to consulting with your office on this Project and receiving your comments on potential consulting parties and the proposed APE.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick" followed by a horizontal line.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

cc: Stephanie Perez-Arrieta, Supervisory EPS, FRA
Andrea Poole, EPS, FRA
Rebecca Blatnica, EPS, Volpe, The National Transportation Systems Center

**ATTACHMENT A:
Western Rail Yard Platform Project
Section 106 Consultation – Potential Consulting Parties**

New York State Historic Preservation Officer

Mr. Daniel Mackay
Deputy Commissioner for Historic Preservation / Deputy SHPO
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188

Amtrak

Johnette Davies
Senior Historic Preservation Specialist
Amtrak
30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

Advisory Council on Historic Preservation (to be invited)

Jaime Loichinger
Assistant Director, Federal Permitting, Licensing, and Assistance Section
401 F Street NW, Suite 308
Washington, DC 20001
Sarah Stokely
FRA Liaison, Federal Permitting, Licensing, and Assistance Section
1100 Pennsylvania Avenue NW
Washington, DC 20004

FEDERALLY RECOGNIZED NATIVE AMERICAN TRIBES

Delaware Nation

Ms. Neckole Alligood
Tribal Historic Preservation Officer
Delaware Nation
ATTN: Cultural Preservation Department
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005

Delaware Tribe

Blair Fink
Delaware Tribe Historic Preservation Office
Temple University, Department of Anthropology
Gladfelter Hall, Room 207
1115 W. Polett Walk
Philadelphia, PA 19122

Delaware Tribe of Indians, Oklahoma

Chester Brooks, Chief
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006

Stockbridge-Munsee Community of Mohican Indians of Wisconsin

Shannon Holsey, President
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
N8476 MoHeConNuck Road
Bowler, WI 54416

Shinnecock Indian Nation

Bryan Polite, Daniel S. Collins, Sr., Eugene Cuffee, II, Trustees
Shinnecock Indian Nation
Shinnecock Indian Nation Tribal Office
PO BOX 5006
Southampton, NY 11969-5006

OTHER NATIVE AMERICAN TRIBES

Eastern Delaware Nation

Corrine Remington, Secretary
Eastern Delaware Nation
corrine.remington@yahoo.com

Eastern Lenape Nation of Pennsylvania

Doris Pieschel, Secretary
Eastern Lenape Nation of Pennsylvania
21 Cedar Land
Mountville, PA 17554

**REPRESENTATIVES OF LOCAL GOVERNMENTS WHERE THE UNDERTAKING
MAY TAKE PLACE**

New York City

New York City Landmarks Preservation Commission

Sarah Carroll, Chair
New York City Landmarks Preservation Commission
David N. Dinkins Municipal Building
1 Centre Street, 9th Floor, North
New York, NY 10007

New York City Department of Parks and Recreation

Mitchell J. Silver, Commissioner
The Arsenal

Central Park
830 Fifth Avenue
New York, NY 10065

OTHER AFFECTED PARTIES

Hudson River Park Trust

Noreen Doyle
Executive Vice President
Hudson River Park Trust
Pier 40, 2nd Floor
353 West Street
New York, NY 10014

Friends of the High Line

Robert Hammond
Co-Founder and Executive Director
820 Washington Street
New York, NY 10014

OTHER ARCHAEOLOGICAL AND HISTORIC RESOURCE INTEREST GROUPS

Archaeology Interest Groups

Society for Industrial Archeology

Sandy Needham, President

Roebling Chapter

Society for Industrial Archeology

235 West End Avenue, Apt. 14C

New York, NY 10023-3648

Professional Archaeologists of New York City (PANYC)

c/o S. Spritzer

P.O. Box 1503

Murray Hill Station

New York, NY 10156-1503

Railroad History Interest Groups

Anthracite Railroads Historical Society

Kermit Geary Jr., President

P.O. Box 519

Lansdale, PA 19446

Erie Lackawanna Historical Society

Michael J. Connor, President

c/o David Start, Membership Chairman

Erie Lackawanna Historical Society

22 Ice Plant Road

Lafayette, NJ 07848-2403

National Railway Historical Society, Inc.

Albert L. Papp, Jr., President

New York Chapter

P.O. Box 254

Basking Ridge, NJ 07920

Railway & Locomotive Historical Society

Tommy Meehan, Chapter Chair

New York Chapter

42 Portland Pl., Fl. 2

Yonkers NY 10703-2206

Tri-State Railway Historical Society, Inc.

Michael DeVecchio, President

P.O. Box 1217

Morristown, NJ 07962

Western Rail Yard Platform Project
Section 106 Documentation
Proposed Area of Potential Effects (APE)
July 3, 2020

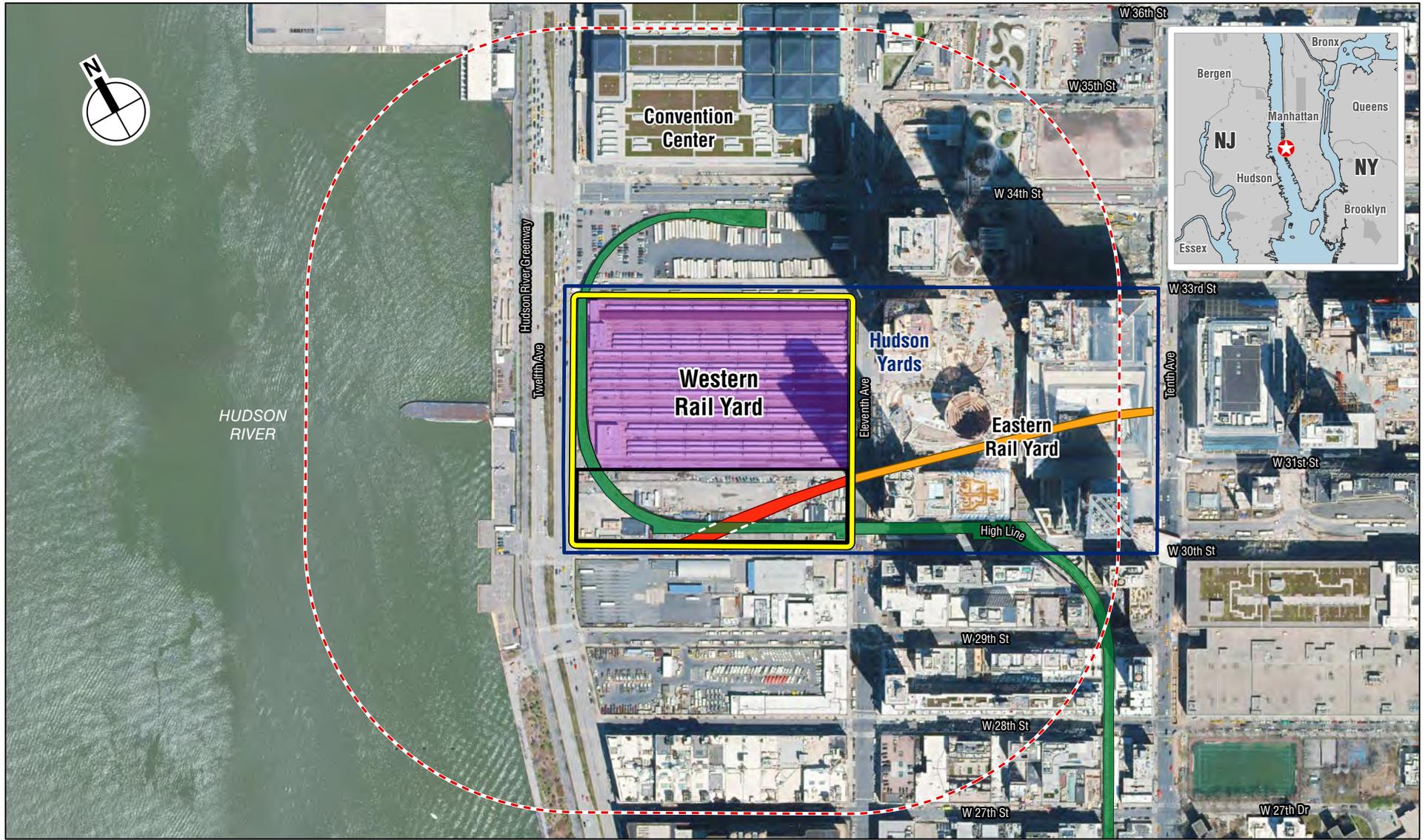
A. PROJECT OVERVIEW AND BACKGROUND

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (DOT) Build America Bureau (Bureau). The Federal Railroad Administration (FRA) is the lead agency preparing the environmental impact statement (EIS) to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other environmental laws. The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action”, also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform as described below.

The two components of the Project have previously been reviewed in accordance with local, state, and federal environmental planning requirements as follows:

- The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) review for the Western Rail Yard Project (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). As part of that evaluation, New York State Office of Parks, Recreation and Historic Preservation (SHPO) determined that construction near and around the High Line in Western Rail Yard is appropriate (since historically buildings have been located in this manner) subject to the stipulations in a Letter of Resolution developed with MTA and the New York City Planning Commission. For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS*, which concluded that the Western Rail Yard was not sensitive for archaeological resources. In a comment letter dated April 29, 2009, SHPO confirmed it had no further archaeological concerns with the Western Rail Yard Project. The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution’s existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size).
- The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews¹ led by FRA, which included reviews

¹ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014).



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effect

Figure 1

in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended). In a letter dated April 1, 2013, SHPO confirmed the agency had no archaeological concerns regarding the concrete encasement. In a letter dated July 22, 2014, SHPO concurred with FRA's determination that the undertaking would have no adverse effects on historic properties provided that construction monitoring of the High Line would occur per the New York City Building Code *Technical Policy and Procedure Notice #10/88* (14PRO2712).

As described in the Notice of Intent (*Federal Register* [June 15, 2020/Vol. 85, No. 115]), the purpose of the Proposed Action is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the Yard, including new lighting, sprinklers, and an extensive platform ventilation system. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

FRA is coordinating the NEPA process for the Project with compliance with Section 106 of the National Historic Preservation Act (Section 106). FRA intends to identify a Preferred Alternative for the Project in the Draft EIS. The Project, which is also the undertaking for purposes of Section 106, would include the following major components:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform on the Western Rail Yard site, to be supported by approximately four hundred (400) caissons drilled up to 120 feet deep into bedrock below. The Platform would serve as the support for the as-of-right Overbuild of approximately 5.7 million gross square feet of new commercial, residential, and school uses and public open space.
- Installation of life safety and mechanical, electrical and plumbing support services for the Western Rail Yard, including new lighting, sprinklers and an extensive platform ventilation system, which would be integrated into the system for the Eastern Rail Yard site, across Eleventh Avenue.
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services. At its northern end, the Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment that is currently not in use because operations were moved offsite before construction of the adjacent Eastern Rail Yard. The cleaning platform and three LIRR service buildings on the western edge of the Western Rail Yard will be demolished to allow for the Platform construction. These structures have been built since the rail yard was reconstructed in 1986 and are not historic. Once construction of the Platform is completed, the cleaning platform will be reconstructed in its former location. Interim service buildings will be constructed on the western portion of the *terra firma* (at grade solid ground) site, adjacent Twelfth Avenue; LIRR's security fence would be extended around the interim service buildings site and would be controlled by LIRR. The service buildings will be reconstructed in approximately the same footprint, and in accordance with LIRR program requirements. The service buildings will be designed to comply with applicable codes for an enclosed rail yard, New York State Building Code requirements, and to meet accessibility requirements.

TUNNEL ENCASEMENT COMPONENT (RAILROAD RIGHT-OF-WAY PRESERVATION)

- The Tunnel Encasement would be an extension of the existing concrete casing, and would extend from Eleventh Avenue to 30th Street, to preserve railroad right-of-way through the southern portion of the Western Rail Yard site. This segment of Tunnel Encasement would connect to the recently constructed underground right-of-way preservation concrete casing, which begins just east of Tenth Avenue

(between 30th and 32nd Streets), runs beneath the Eastern Rail Yard, and terminates at the eastern edge of Eleventh Avenue just north of 30th Street (completed in 2015). The Tunnel Encasement would be 605 feet long, between 50 and 65 feet wide and between 27 and 38 feet high beneath Western Rail Yard. This Tunnel Encasement would be constructed through a *terra firma* portion of the Western Rail Yard site that will not be covered by the new platform. The Tunnel Encasement would originate at the western end of the underground concrete casing in the Eastern Rail Yard, extend under the Eleventh Avenue viaduct, and continue diagonally across approximately two-thirds of the Western Rail Yard, underneath a portion of the High Line², and end at 30th Street.

B. DEVELOPMENT OF THE AREA OF POTENTIAL EFFECTS

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, or approve. If a federal or federally-assisted project has the potential to affect historic properties, a Section 106 review is required. Federal agencies carry out their Section 106 obligations according to the regulations issued by the Advisory Council on Historic Preservation at 36 CFR Part 800. Section 106 is a four-step decision-making process; one required step is to define the Area of Potential Effects (APE), which is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). Historic properties are buildings, structures, sites, objects, or districts that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The APE is influenced by the scale and nature of an undertaking.

The proposed APE described herein and depicted in **Figure 1** has been developed by FRA to account for potential effects of the Project on historic properties, based on the conceptual design for the Project available at this time. In general, potential effects on historic properties can include demolition, physical alteration, or damage, including effects caused by vibration; isolation of a historic property from its surrounding environment; and the introduction of visual, audible, or atmospheric (e.g., pollutants) elements that are out of character with a historic property or that alter its historic setting and context.³ Effects may include reasonably foreseeable effects caused or enabled by the Project that may occur later in time, be farther removed in distance, or be cumulative with other effects from other projects. Adverse effects can occur when a project may alter any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

FRA anticipates that the following types of construction activities and permanent features would be necessary for the Project:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform, including new lighting, sprinklers and an extensive platform ventilation system, to be supported by hundreds of caissons drilled up to 120 feet deep into bedrock below;
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services.

² The High Line is an historic elevated former freight rail line, which has been converted into a public aerial linear park and greenway. The High Line was determined eligible for listing on the State and National Registers of Historic Places in 2004.

³ National Register Bulletin, Defining Boundaries for National Register Properties, prepared by the National Park Service.

At its northern end, Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment. The cleaning platform, and service buildings, will be demolished to allow for the Platform construction, and will be reconstructed as part of the Project, as described above. The interim service buildings will be constructed on the western portion of the *terra firma* site, adjacent Twelfth Avenue.

- Construction staging areas for the construction of the Platform (most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction). No off-site staging is anticipated.

TUNNEL ENCASUREMENT COMPONENT

- Excavation of approximately 66,000 cubic yards of soil and 14,000 cubic yards of rock for the construction of the Tunnel Encasement for the preservation of rail right-of-way. The volumes of soil and rock to be excavated have been estimated by Amtrak based on the Tunnel Encasement design; these volumes will be more precisely determined during the bid process for procuring the Tunnel Encasement construction contractor.
- Demolition of LIRR's Emergency Services Building (ESB) (a structure that primarily houses utility infrastructure) in the Western Rail Yard, temporary relocation of ESB functions, and reconstruction of the building following completion of the Tunnel Encasement. The temporary ESB functions will be located in the southeast corner of the Western Rail Yard on a small portion of existing elevated concrete (at street level to maximize flood protection). This relocation will provide redundant fire water sourcing to the yard, eliminating the need for the existing secondary water tank and fire pump room. Therefore, the interim emergency services facility will function essentially as a substation for emergency facility (not train) power and communications.
- Temporary underpinning of the High Line. Temporary underpinning may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. This work will include approximately 280 feet of underpinning and re-support onto new foundations of either total (both) columns or partial (one) columns, as described in more detail below. The westernmost 80 feet of underpinning on 30th Street will re-support columns of the High Line that would require re-support for the Hudson Tunnel mining approach.
- Construction staging areas for the construction of the Tunnel Encasement. Most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction. No off-site staging is anticipated.

In addition, the privately-funded Overbuild, which would be enabled by the Project, includes 5.7 million gross square feet of residential, commercial, school, and open space uses on top of the Platform and on the *terra firma* portion of the Western Rail Yard site. Construction of the Overbuild would introduce new, permanent visual components on the Western Rail Yard site.

The proposed APE for the Project is discussed in greater detail below. Existing conditions in the proposed APE are depicted in **Figures 2 through 5**.

C. DESCRIPTION OF THE PROPOSED AREA OF POTENTIAL EFFECTS

The proposed APE (depicted in red-and-white dash in **Figure 1**) encompasses the area 800 feet in all directions from the Western Rail Yard site boundary (depicted in yellow in **Figure 1**). The proposed APE takes into account construction-related effects as well as the visibility of permanent above-grade Project components, including the proposed Platform and Tunnel Encasement. The proposed APE also accounts for the potential indirect effects of the Overbuild. The proposed APE encompasses a sufficiently large area



Source: AKRF

View south from West 34th Street and Hudson Boulevard East

1



Source: AKRF

View south from West 34th Street and Eleventh Avenue

2



Source: AKRF

View southeast from northern end of High Line, near Twelfth Avenue and West 34th Street **3**



Source: AKRF

Eleventh Avenue, view north from West 30th Street **4**



Source: AKRF

South side of West 30th Street, west of Eleventh Avenue **5**



Source: AKRF

West 30th Street, view west from Eleventh Avenue 6



Source: AKRF

View east toward project site, from Route 9A at West 30th Street 7



Source: AKRF

North side of West 29th Street, west of Eleventh Avenue 8



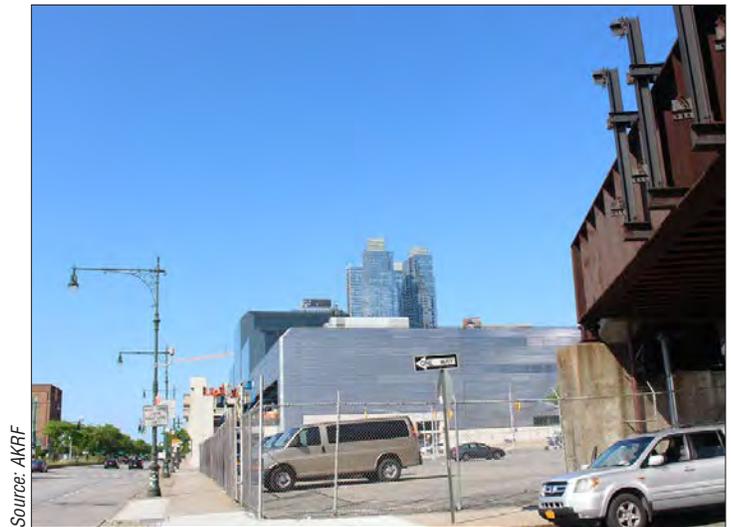
Source: AKRF

View southeast from High Line, from roughly West 31st Street 9



Source: AKRF

Eleventh Avenue looking north from near West 33rd Street 10



Source: AKRF

Route 9A, looking north from near West 33rd Street 11

to account for permanent visual impacts of the Project. The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines. Field reconnaissance conducted by AKRF and information provided by the Project Sponsor regarding the characteristics of the Project components were utilized to help define the proposed APE. The analysis of potential effects to below-ground (archaeological) resources will be limited to the area of anticipated ground disturbance, which is within the Western Rail Yard site boundary.

The proposed APE for the Project is consistent with the APE developed for the 2009 SEQRA/CEQR FEIS for the Western Rail Yard site, and encompasses the smaller APE developed for FRA's previous evaluation of the entire right-of-way preservation concrete encasement (of which the Tunnel Encasement is the westernmost third segment, as described above).

PLATFORM COMPONENT

Potential effects as a result of construction of the Platform are included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. The Platform development would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Platform would not introduce any permanent visual components; it would be covered by the privately-funded, as-of-right Overbuild (described above).

TUNNEL ENCASEMENT COMPONENT

Construction of the railroad right-of-way preservation Tunnel Encasement is included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. Construction of the Tunnel Encasement would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Tunnel Encasement would not introduce any permanent visual components above grade.

CONSTRUCTION STAGING AREAS

The proposed APE includes the construction staging areas for the Platform and the Tunnel Encasement. At-grade and subsurface ground disturbance would occur in these areas, which could directly impact archaeological resources if any are present. The construction staging areas would not have permanent visual impacts. Therefore, the potential for construction-related impacts for these two Project components would be limited to a 100-foot buffer around the Western Rail Yard site boundary, that falls within the 800-foot APE.

UNDERPINNING OF STRUCTURES

Underpinning, which consists of the re-supporting of the below-grade foundations of an existing building or structure on new foundations, may be required beneath the High Line where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. In general, beams will be installed across the proposed open cut (one on each side of the columns), the High Line columns will be supported on those beams utilizing brackets mounted to the columns, new foundations will be built down to the concrete casing roof of other new deep foundations, and support of the High Line will be transferred onto these new, permanent foundations.⁴ Underpinning

⁴ In accordance with High Line Park's easement to utilize the rail structure, which states that the original rail use must be able to be restored, the underpinning for permanent re-support of the High Line incorporates full historic rail live loading, which is significantly greater than the current park use.

the High Line would not have permanent visible impacts. The potential for construction-related impacts for this work, which could occur as a result of vibration from construction activities, falling debris, and/or inadvertent damage caused by heavy machinery, among other things, would be limited to a 100-foot buffer around the portions of the High Line to be underpinned, that falls within the 800-foot APE.



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

August 3, 2020

Laura Shick
Supervisory Environmental Protection Specialist, Office of Railroad Policy and Development
USDOT, Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: FRA
Western Rail Yard Platform Project
20PR03990

Dear Ms. Shick:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (NY Environmental Conservation Law Article 8).

We note that the project area contains a portion of the High Line Freight Railroad, which is eligible for listing in the State and National Registers (S/NR) of Historic Places. We further note that the following historic resources are located just outside of the project area: the West Chelsea Historic District, which is eligible for listing in the S/NR and is also a locally designated LPC Historic District; the former W&J Sloane Warehouse and Garage at 541-561 West 29th Street, which is eligible for listing in the S/NR; and the Hudson River Bulkhead, which is eligible for listing in the S/NR. We have reviewed the Section 106 initiation letter and the project overview and Area of Potential Effect (APE) memorandum that were submitted to our office on July 6th, 2020. Based upon our review, we concur with the proposed Area of Potential Effect and with the proposed list of Consulting Parties. We further note that our office has no archaeological concerns with the proposed undertaking.

If additional information or correspondence is required regarding this project it should be uploaded to our Cultural Resource Information System www.nysparks.com/shpo/online-tools/. Once on the CRIS site, you can log in as a guest and choose "submit" at the very top menu. Next choose "submit new information for an existing project". You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2182.

Sincerely,

Olivia Brazee
Historic Site Restoration Coordinator
olivia.brazee@parks.ny.gov

via e-mail only

cc: Gina Santucci and Amanda Sutphin, NYC LPC
Jennifer Morris and Stephen Holley, AKRF, Inc.

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov

APPENDIX B-2:

PROPOSED AREA OF POTENTIAL EFFECTS

Western Rail Yard Platform Project
Section 106 Documentation
Proposed Area of Potential Effects (APE)
July 3, 2020

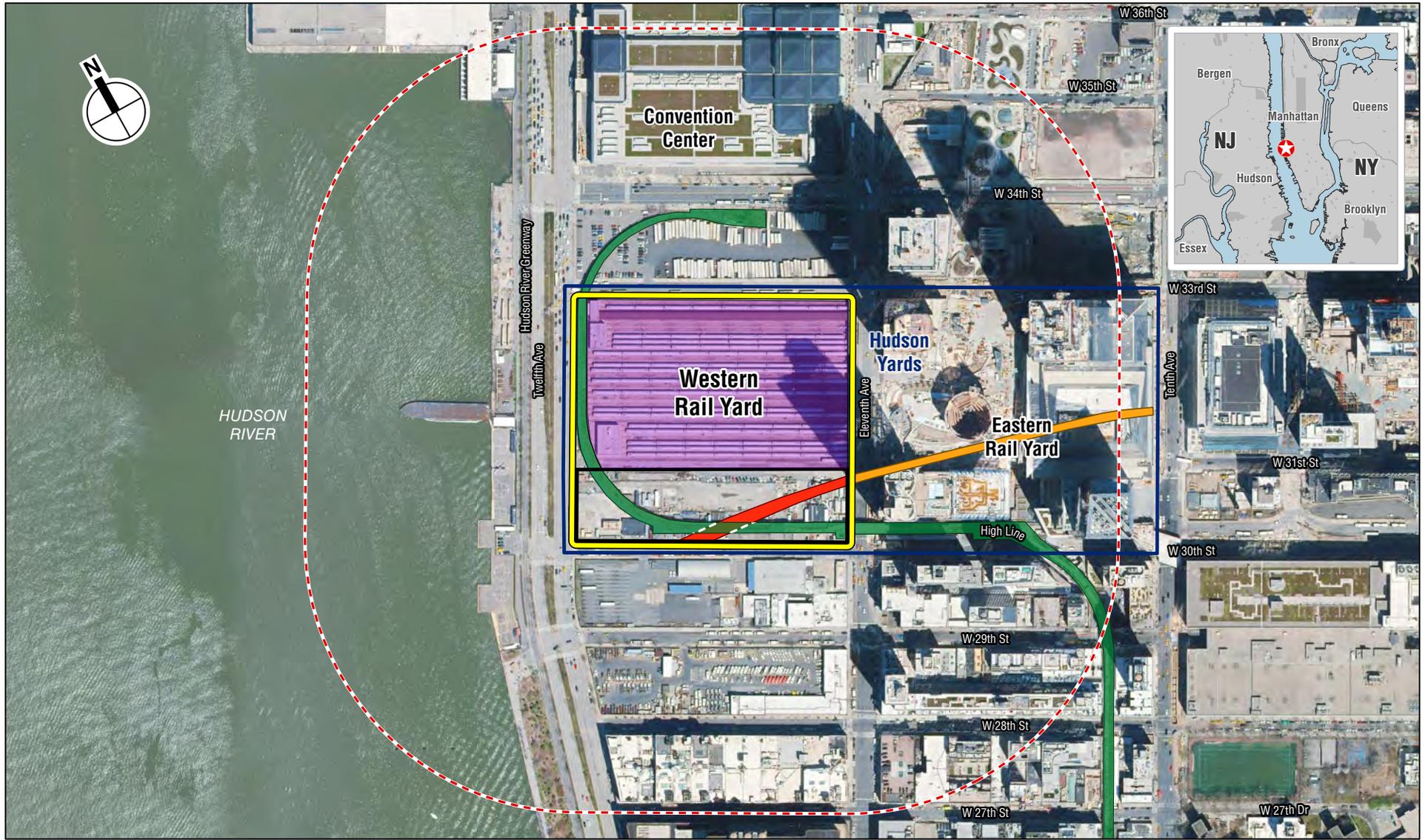
A. PROJECT OVERVIEW AND BACKGROUND

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (DOT) Build America Bureau (Bureau). The Federal Railroad Administration (FRA) is the lead agency preparing the environmental impact statement (EIS) to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other environmental laws. The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action”, also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform as described below.

The two components of the Project have previously been reviewed in accordance with local, state, and federal environmental planning requirements as follows:

- The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) review for the Western Rail Yard Project (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). As part of that evaluation, New York State Office of Parks, Recreation and Historic Preservation (SHPO) determined that construction near and around the High Line in Western Rail Yard is appropriate (since historically buildings have been located in this manner) subject to the stipulations in a Letter of Resolution developed with MTA and the New York City Planning Commission. For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS*, which concluded that the Western Rail Yard was not sensitive for archaeological resources. In a comment letter dated April 29, 2009, SHPO confirmed it had no further archaeological concerns with the Western Rail Yard Project. The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution’s existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size).
- The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews¹ led by FRA, which included reviews

¹ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014).



- Project Site (Western Rail Yard)
- Area of Potential Effect (see accompanying APE Memo)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

Project Location and Area of Potential Effect

Figure 1

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended). In a letter dated April 1, 2013, SHPO confirmed the agency had no archaeological concerns regarding the concrete encasement. In a letter dated July 22, 2014, SHPO concurred with FRA's determination that the undertaking would have no adverse effects on historic properties provided that construction monitoring of the High Line would occur per the New York City Building Code *Technical Policy and Procedure Notice #10/88* (14PRO2712).

As described in the Notice of Intent (*Federal Register* [June 15, 2020/Vol. 85, No. 115]), the purpose of the Proposed Action is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the Yard, including new lighting, sprinklers, and an extensive platform ventilation system. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

FRA is coordinating the NEPA process for the Project with compliance with Section 106 of the National Historic Preservation Act (Section 106). FRA intends to identify a Preferred Alternative for the Project in the Draft EIS. The Project, which is also the undertaking for purposes of Section 106, would include the following major components:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform on the Western Rail Yard site, to be supported by approximately four hundred (400) caissons drilled up to 120 feet deep into bedrock below. The Platform would serve as the support for the as-of-right Overbuild of approximately 5.7 million gross square feet of new commercial, residential, and school uses and public open space.
- Installation of life safety and mechanical, electrical and plumbing support services for the Western Rail Yard, including new lighting, sprinklers and an extensive platform ventilation system, which would be integrated into the system for the Eastern Rail Yard site, across Eleventh Avenue.
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services. At its northern end, the Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment that is currently not in use because operations were moved offsite before construction of the adjacent Eastern Rail Yard. The cleaning platform and three LIRR service buildings on the western edge of the Western Rail Yard will be demolished to allow for the Platform construction. These structures have been built since the rail yard was reconstructed in 1986 and are not historic. Once construction of the Platform is completed, the cleaning platform will be reconstructed in its former location. Interim service buildings will be constructed on the western portion of the *terra firma* (at grade solid ground) site, adjacent Twelfth Avenue; LIRR's security fence would be extended around the interim service buildings site and would be controlled by LIRR. The service buildings will be reconstructed in approximately the same footprint, and in accordance with LIRR program requirements. The service buildings will be designed to comply with applicable codes for an enclosed rail yard, New York State Building Code requirements, and to meet accessibility requirements.

TUNNEL ENCASEMENT COMPONENT (RAILROAD RIGHT-OF-WAY PRESERVATION)

- The Tunnel Encasement would be an extension of the existing concrete casing, and would extend from Eleventh Avenue to 30th Street, to preserve railroad right-of-way through the southern portion of the Western Rail Yard site. This segment of Tunnel Encasement would connect to the recently constructed underground right-of-way preservation concrete casing, which begins just east of Tenth Avenue

(between 30th and 32nd Streets), runs beneath the Eastern Rail Yard, and terminates at the eastern edge of Eleventh Avenue just north of 30th Street (completed in 2015). The Tunnel Encasement would be 605 feet long, between 50 and 65 feet wide and between 27 and 38 feet high beneath Western Rail Yard. This Tunnel Encasement would be constructed through a *terra firma* portion of the Western Rail Yard site that will not be covered by the new platform. The Tunnel Encasement would originate at the western end of the underground concrete casing in the Eastern Rail Yard, extend under the Eleventh Avenue viaduct, and continue diagonally across approximately two-thirds of the Western Rail Yard, underneath a portion of the High Line², and end at 30th Street.

B. DEVELOPMENT OF THE AREA OF POTENTIAL EFFECTS

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, or approve. If a federal or federally-assisted project has the potential to affect historic properties, a Section 106 review is required. Federal agencies carry out their Section 106 obligations according to the regulations issued by the Advisory Council on Historic Preservation at 36 CFR Part 800. Section 106 is a four-step decision-making process; one required step is to define the Area of Potential Effects (APE), which is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). Historic properties are buildings, structures, sites, objects, or districts that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The APE is influenced by the scale and nature of an undertaking.

The proposed APE described herein and depicted in **Figure 1** has been developed by FRA to account for potential effects of the Project on historic properties, based on the conceptual design for the Project available at this time. In general, potential effects on historic properties can include demolition, physical alteration, or damage, including effects caused by vibration; isolation of a historic property from its surrounding environment; and the introduction of visual, audible, or atmospheric (e.g., pollutants) elements that are out of character with a historic property or that alter its historic setting and context.³ Effects may include reasonably foreseeable effects caused or enabled by the Project that may occur later in time, be farther removed in distance, or be cumulative with other effects from other projects. Adverse effects can occur when a project may alter any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

FRA anticipates that the following types of construction activities and permanent features would be necessary for the Project:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform, including new lighting, sprinklers and an extensive platform ventilation system, to be supported by hundreds of caissons drilled up to 120 feet deep into bedrock below;
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services.

² The High Line is an historic elevated former freight rail line, which has been converted into a public aerial linear park and greenway. The High Line was determined eligible for listing on the State and National Registers of Historic Places in 2004.

³ National Register Bulletin, Defining Boundaries for National Register Properties, prepared by the National Park Service.

At its northern end, Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment. The cleaning platform, and service buildings, will be demolished to allow for the Platform construction, and will be reconstructed as part of the Project, as described above. The interim service buildings will be constructed on the western portion of the *terra firma* site, adjacent Twelfth Avenue.

- Construction staging areas for the construction of the Platform (most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction). No off-site staging is anticipated.

TUNNEL ENCASUREMENT COMPONENT

- Excavation of approximately 66,000 cubic yards of soil and 14,000 cubic yards of rock for the construction of the Tunnel Encasement for the preservation of rail right-of-way. The volumes of soil and rock to be excavated have been estimated by Amtrak based on the Tunnel Encasement design; these volumes will be more precisely determined during the bid process for procuring the Tunnel Encasement construction contractor.
- Demolition of LIRR's Emergency Services Building (ESB) (a structure that primarily houses utility infrastructure) in the Western Rail Yard, temporary relocation of ESB functions, and reconstruction of the building following completion of the Tunnel Encasement. The temporary ESB functions will be located in the southeast corner of the Western Rail Yard on a small portion of existing elevated concrete (at street level to maximize flood protection). This relocation will provide redundant fire water sourcing to the yard, eliminating the need for the existing secondary water tank and fire pump room. Therefore, the interim emergency services facility will function essentially as a substation for emergency facility (not train) power and communications.
- Temporary underpinning of the High Line. Temporary underpinning may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. This work will include approximately 280 feet of underpinning and re-support onto new foundations of either total (both) columns or partial (one) columns, as described in more detail below. The westernmost 80 feet of underpinning on 30th Street will re-support columns of the High Line that would require re-support for the Hudson Tunnel mining approach.
- Construction staging areas for the construction of the Tunnel Encasement. Most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction. No off-site staging is anticipated.

In addition, the privately-funded Overbuild, which would be enabled by the Project, includes 5.7 million gross square feet of residential, commercial, school, and open space uses on top of the Platform and on the *terra firma* portion of the Western Rail Yard site. Construction of the Overbuild would introduce new, permanent visual components on the Western Rail Yard site.

The proposed APE for the Project is discussed in greater detail below. Existing conditions in the proposed APE are depicted in **Figures 2 through 5**.

C. DESCRIPTION OF THE PROPOSED AREA OF POTENTIAL EFFECTS

The proposed APE (depicted in red-and-white dash in **Figure 1**) encompasses the area 800 feet in all directions from the Western Rail Yard site boundary (depicted in yellow in **Figure 1**). The proposed APE takes into account construction-related effects as well as the visibility of permanent above-grade Project components, including the proposed Platform and Tunnel Encasement. The proposed APE also accounts for the potential indirect effects of the Overbuild. The proposed APE encompasses a sufficiently large area



Source: AKRF

View south from West 34th Street and Hudson Boulevard East

1



Source: AKRF

View south from West 34th Street and Eleventh Avenue

2



Source: AKRF

View southeast from northern end of High Line, near Twelfth Avenue and West 34th Street 3



Source: AKRF

Eleventh Avenue, view north from West 30th Street 4



Source: AKRF

South side of West 30th Street, west of Eleventh Avenue 5



Source: AKRF

West 30th Street, view west from Eleventh Avenue 6



Source: AKRF

View east toward project site, from Route 9A at West 30th Street 7



Source: AKRF

North side of West 29th Street, west of Eleventh Avenue 8



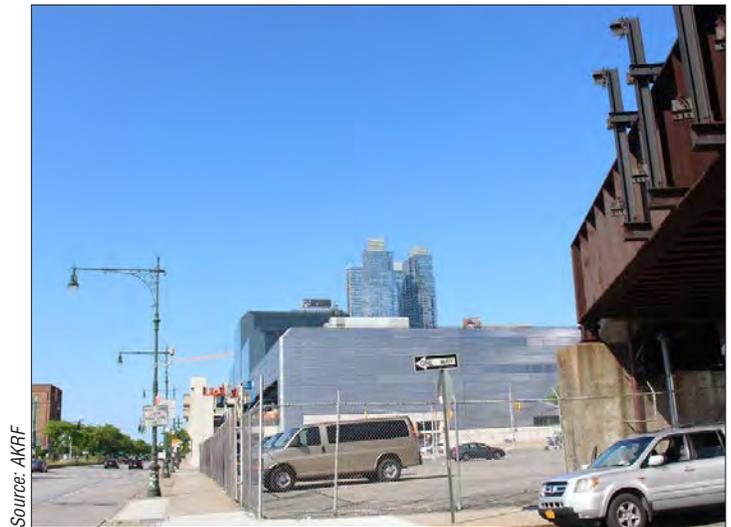
Source: AKRF

View southeast from High Line, from roughly West 31st Street 9



Source: AKRF

Eleventh Avenue looking north from near West 33rd Street 10



Source: AKRF

Route 9A, looking north from near West 33rd Street 11

to account for permanent visual impacts of the Project. The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines. Field reconnaissance conducted by AKRF and information provided by the Project Sponsor regarding the characteristics of the Project components were utilized to help define the proposed APE. The analysis of potential effects to below-ground (archaeological) resources will be limited to the area of anticipated ground disturbance, which is within the Western Rail Yard site boundary.

The proposed APE for the Project is consistent with the APE developed for the 2009 SEQRA/CEQR FEIS for the Western Rail Yard site, and encompasses the smaller APE developed for FRA's previous evaluation of the entire right-of-way preservation concrete encasement (of which the Tunnel Encasement is the westernmost third segment, as described above).

PLATFORM COMPONENT

Potential effects as a result of construction of the Platform are included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. The Platform development would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Platform would not introduce any permanent visual components; it would be covered by the privately-funded, as-of-right Overbuild (described above).

TUNNEL ENCASEMENT COMPONENT

Construction of the railroad right-of-way preservation Tunnel Encasement is included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. Construction of the Tunnel Encasement would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Tunnel Encasement would not introduce any permanent visual components above grade.

CONSTRUCTION STAGING AREAS

The proposed APE includes the construction staging areas for the Platform and the Tunnel Encasement. At-grade and subsurface ground disturbance would occur in these areas, which could directly impact archaeological resources if any are present. The construction staging areas would not have permanent visual impacts. Therefore, the potential for construction-related impacts for these two Project components would be limited to a 100-foot buffer around the Western Rail Yard site boundary, that falls within the 800-foot APE.

UNDERPINNING OF STRUCTURES

Underpinning, which consists of the re-supporting of the below-grade foundations of an existing building or structure on new foundations, may be required beneath the High Line where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. In general, beams will be installed across the proposed open cut (one on each side of the columns), the High Line columns will be supported on those beams utilizing brackets mounted to the columns, new foundations will be built down to the concrete casing roof of other new deep foundations, and support of the High Line will be transferred onto these new, permanent foundations.⁴ Underpinning

⁴ In accordance with High Line Park's easement to utilize the rail structure, which states that the original rail use must be able to be restored, the underpinning for permanent re-support of the High Line incorporates full historic rail live loading, which is significantly greater than the current park use.

the High Line would not have permanent visible impacts. The potential for construction-related impacts for this work, which could occur as a result of vibration from construction activities, falling debris, and/or inadvertent damage caused by heavy machinery, among other things, would be limited to a 100-foot buffer around the portions of the High Line to be underpinned, that falls within the 800-foot APE.

APPENDIX C
SUMMARY OF NATIONAL REGISTER CRITERIA
&
CRITERIA OF ADVERSE EFFECT

1. National Register of Historic Places Criteria
2. Criteria of Adverse Effect

1. National Register of Historic Places Criteria

Significant historic properties include districts, structures, objects, or sites that are at least 50 years of age and meet at least one National Register criterion. Criteria used in the evaluation process are specified in the Code of Federal Regulations, Title 36, Part 60, National Register of Historic Places (36 CFR 60.4). To be eligible for inclusion in the National Register of Historic Places, a historic property(s) must possess:

the quality of significance in American History, architecture, archaeology, engineering, and culture [that] is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history, or
- (b) that are associated with the lives of persons significant in our past, or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components lack individual distinction, or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

There are several criteria considerations. Ordinarily, cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register of Historic Places. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (a) a religious property deriving primary significance from architectural or artistic distinction or historical importance, or
- (b) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event, or
- (c) a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life, or
- (d) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events, or

(e) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived, or

(f) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historic significance, or

(g) a property achieving significance within the past 50 years if it is of exceptional importance. (36 CFR 60.4)

When conducting National Register evaluations, the physical characteristics and historic significance of the overall property are examined. While a property in its entirety may be considered eligible based on Criteria A, B, C, and/or D, specific data is also required for individual components therein based on date, function, history, and physical characteristics, and other information. Resources that do not relate in a significant way to the overall property may contribute if they independently meet the National Register criteria.

A contributing building, site, structure, or object adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant because a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or b) it independently meets the National Register criteria. A non-contributing building, site, structure, or object does not add to the historic architectural qualities, historic associations, or archeological values for which a property is significant because a) it was not present during the period of significance, b) due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity reflecting its character at that time or is incapable of yielding important information about the period, or c) it does not independently meet the National Register criteria.

2. Criteria of Adverse Effect

Whenever a historic property may be affected by a proposed undertaking, Federal agency officials must assess whether the project constitutes an adverse effect on the historic property by applying the criteria of adverse effect. According to the Advisory Council on Historic Preservation, the criteria of adverse effect (36 CFR 800.5), is as follows:

(1) An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that would qualify it for inclusion in the National Register, in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation for the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or cumulative.

(2) Adverse effects on historic properties include, but are not limited to (36 CFR 800.5(a)(2)):

(i) Physical destruction of or damage to all or part of the property;

(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;

(iii) Removal of the property from its historic location;

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

A finding of adverse effect or no adverse effect could occur based on the extent of alteration to a historic property, and the proposed treatment measures to mitigate the effects of a proposed undertaking. According to 36 CFR 800.5(3)(b):

The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the undertaking's effects do not meet the criteria of § 800.5(a)(1) or the undertaking is modified or conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines, to avoid adverse effects.

APPENDIX D

Public Consultation



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Ms. Nekole Alligood
Cultural Preservation Director
Delaware Nation
PO Box 825
31064 State Hwy 281
Anadarko, OK 73005
Copy To: Erin Thompson-Paden and Dana Kelly

Re: **Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act Western Rail Yard Infrastructure Project, New York County, New York**

Dear Ms. Nekole Alligood:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register*, Vol. 85, No. 115). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

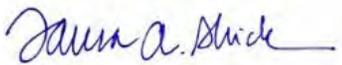
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

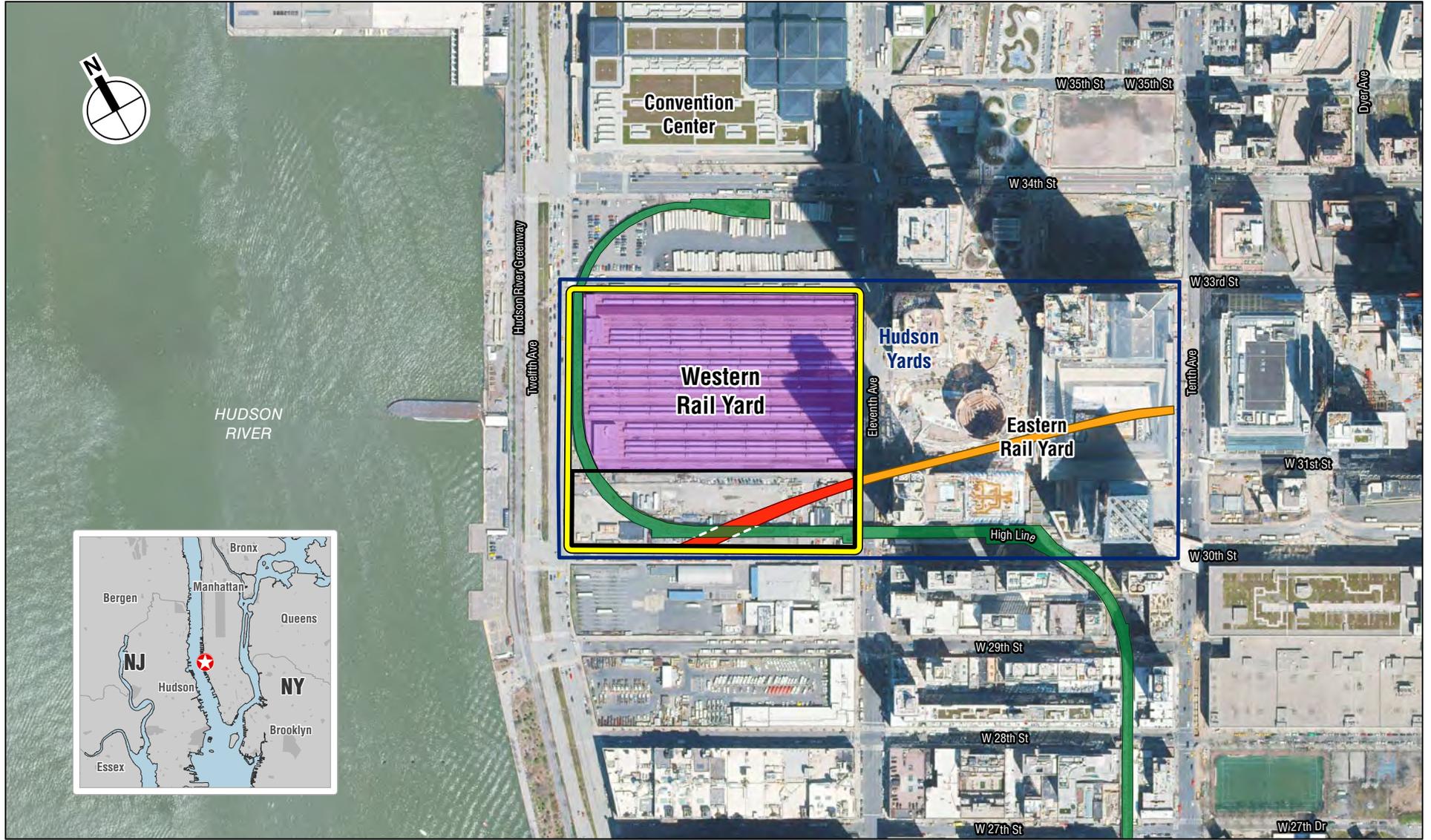
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

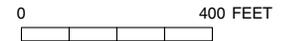
A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Ms. Erin Thompson-Paden
Director of Preservation
Delaware Nation
31064 State Highway 281
Anadarko, OK 73005
Copy To: Nekole Alligood and Dana Kelly

**Re: Government-to-Government Consultation with Native American Tribal
Governments pursuant to Section 106 of the National Historic Preservation Act
Western Rail Yard Infrastructure Project, New York County, New York**

Dear Ms. Erin Thompson-Paden:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka "Hudson Yards") (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the "Proposed Action," also referred to here as the "Project") to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT's Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation's Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

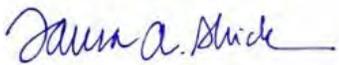
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

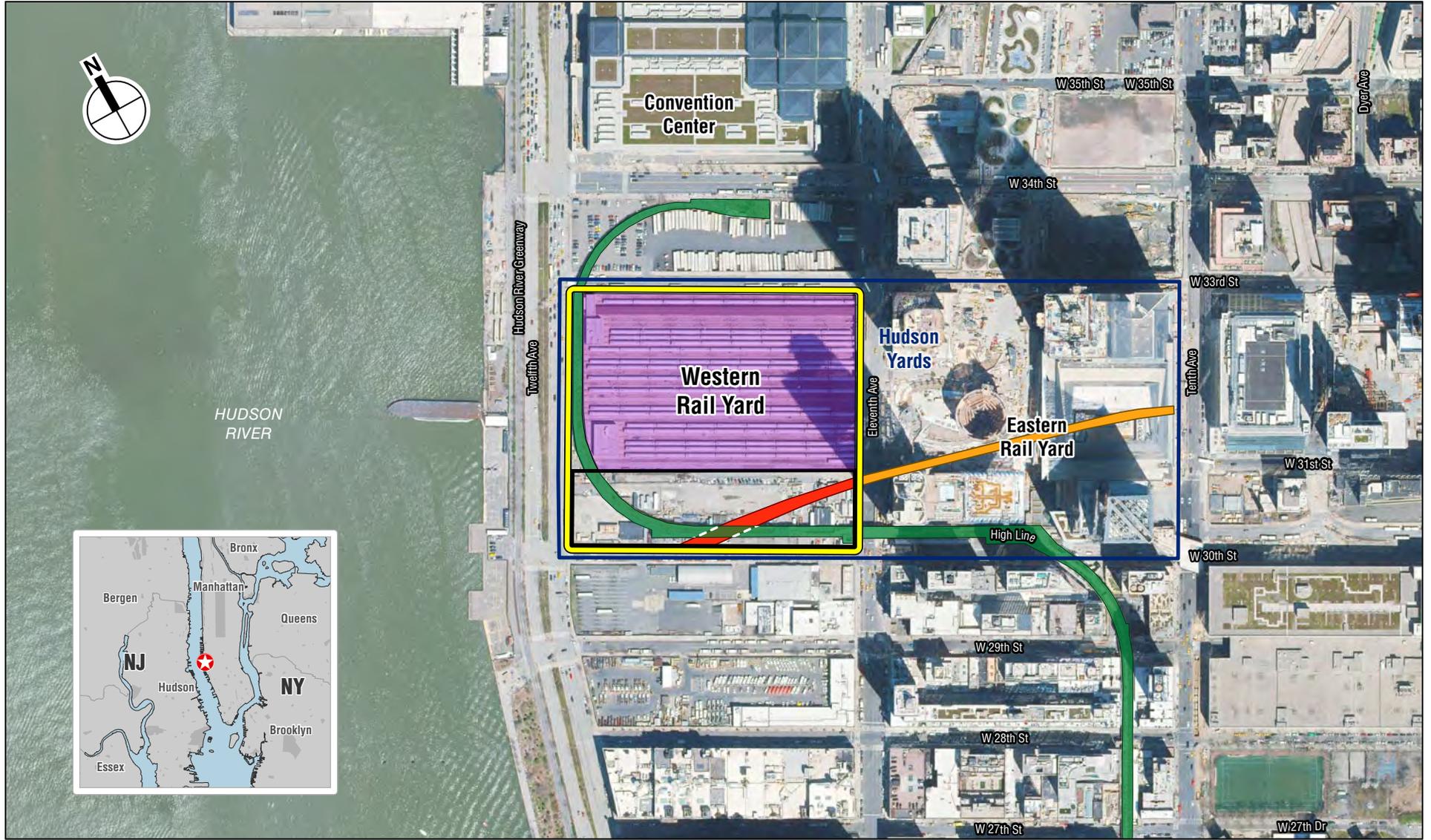
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

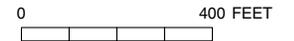
A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Chief Chester Brooks
Delaware Tribe of Indians, Oklahoma
Delaware Tribal Headquarters
5100 Tuxedo Blvd.
Bartlesville, OK 74006
Copy To: Brice Obermeyer and Susan Bachor

**Re: Government-to-Government Consultation with Native American Tribal
Governments pursuant to Section 106 of the National Historic Preservation Act
Western Rail Yard Infrastructure Project, New York County, New York**

Dear Chief Chester Brooks:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register*, Vol. 85, No. 115). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

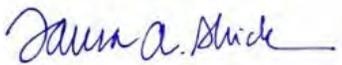
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

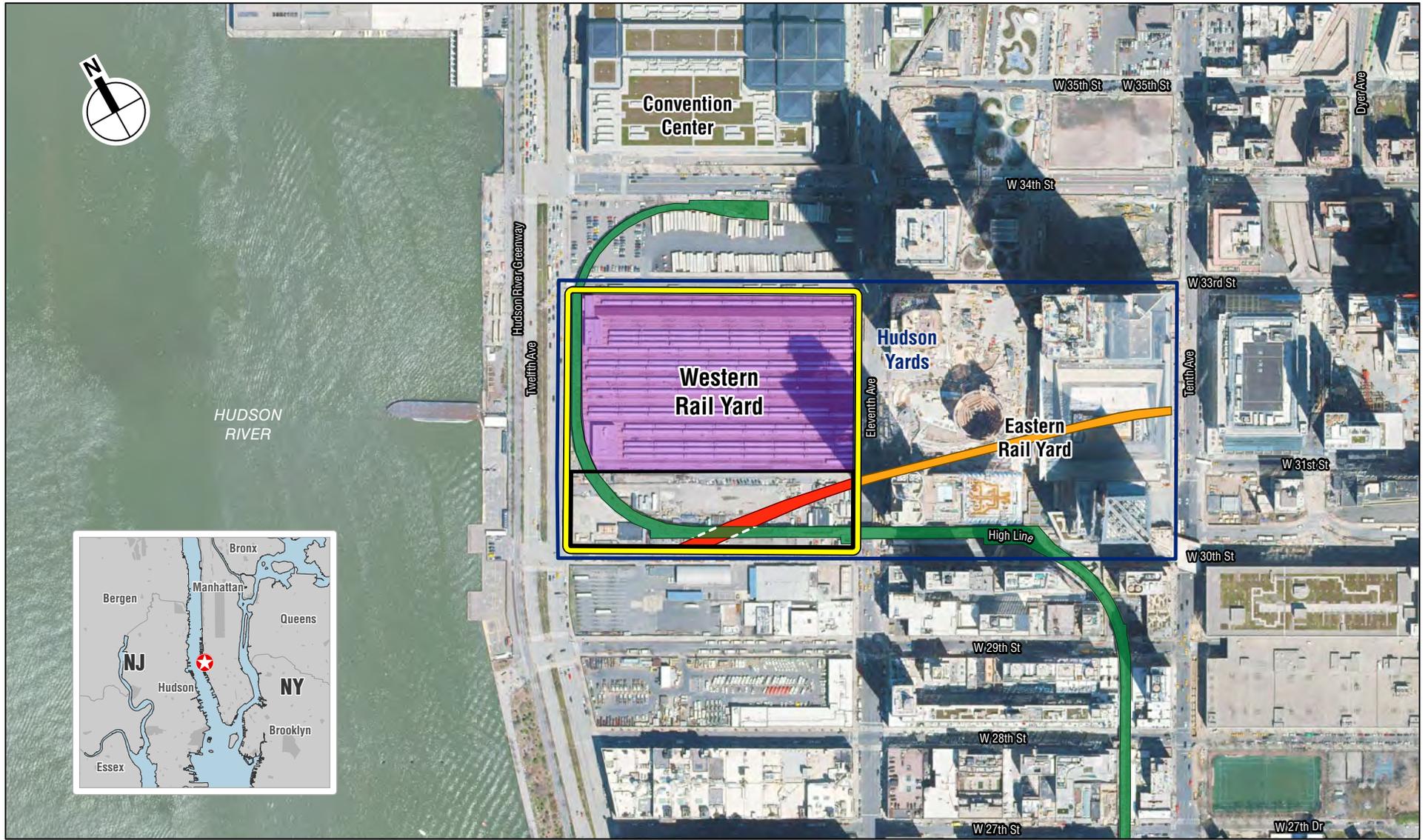
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

0 400 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Dr. Brice Obermeyer
Delaware Tribe of Indians
Delaware Tribe Historic Preservation Office
Roosevelt Hall, Rm 212
1200 Commercial Street
Emporia, Kansas 66801
Copy To: Chief Chester Brooks and Susan Bachor

Re: **Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act Western Rail Yard Infrastructure Project, New York County, New York**

Dear Dr. Brice Obermeyer:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register*, Vol. 85, No. 115). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

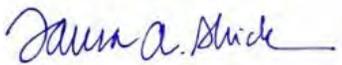
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

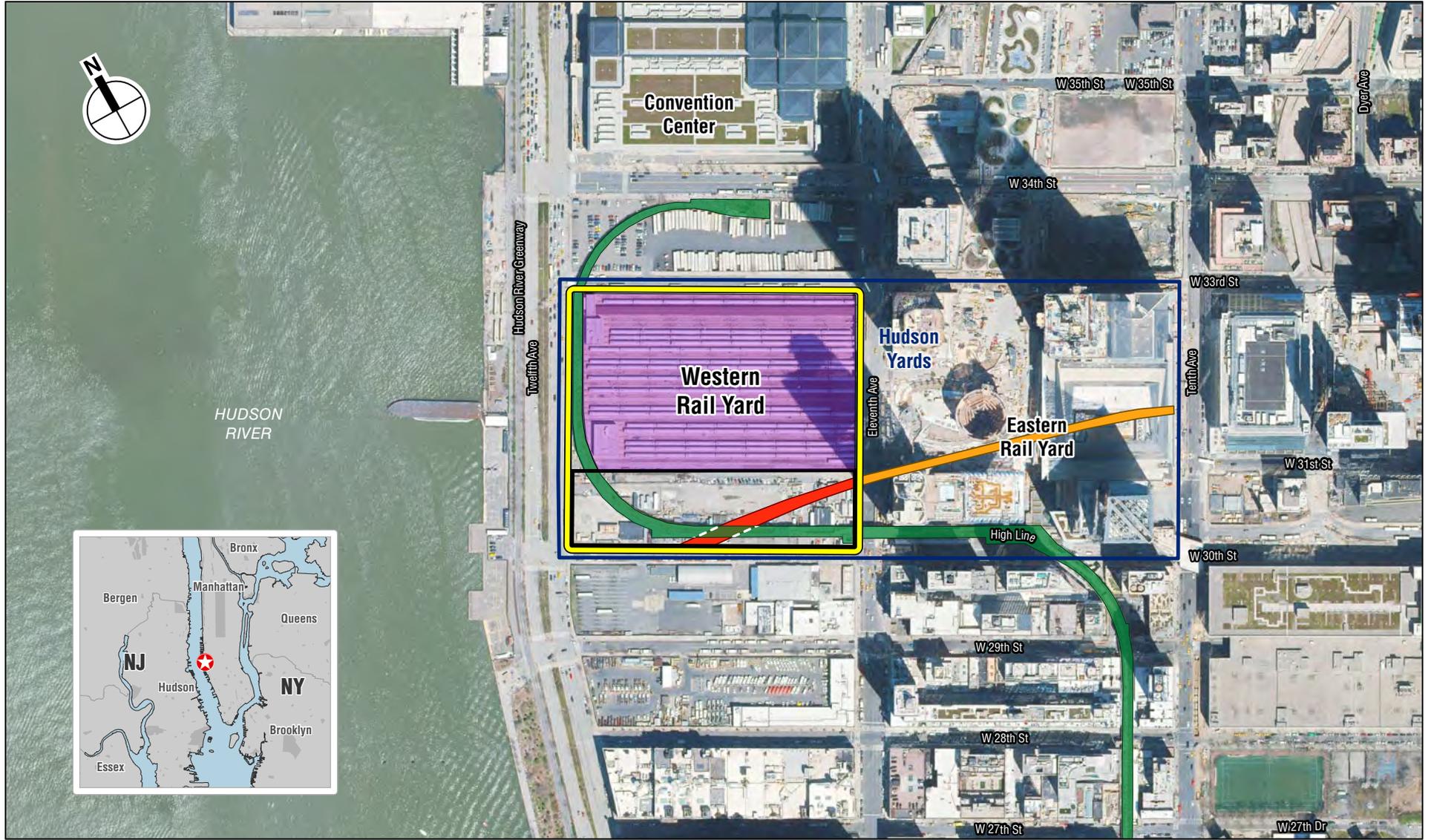
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

0 400 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Mr. David Martine
Tribal Historic Preservation Officer
Shinnecock Indian Nation
Cultural Resources Department
P.O. Box 5006
Southampton, New York 11969-5006
Copy To: Council of Trustees and Josephine Smith

Re: **Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act Western Rail Yard Infrastructure Project, New York County, New York**

Dear Mr. David Martine:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

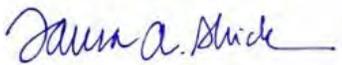
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

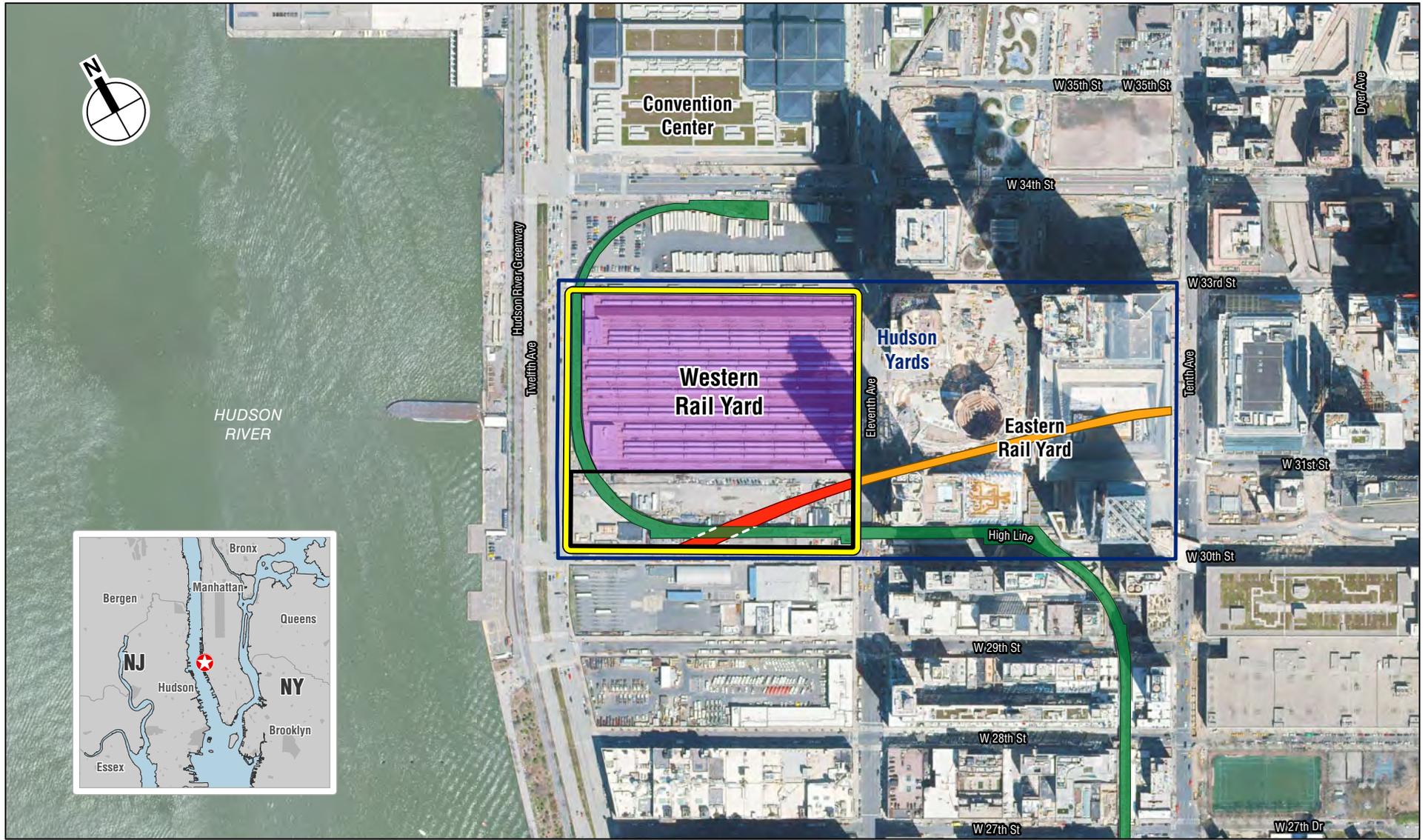
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

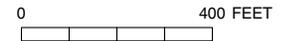
A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Bryan Polite, Daniel S. Collins, Sr., Eugene Cuffee, II, Trustees
Shinnecock Indian Nation
Shinnecock Indian Nation Tribal Office
P.O. Box 5006
Southampton, NY 11969-5006
Copy To: David Martine and Josephine Smith

**Re: Government-to-Government Consultation with Native American Tribal
Governments pursuant to Section 106 of the National Historic Preservation Act
Western Rail Yard Infrastructure Project, New York County, New York**

Dear Bryan Polite, Daniel S. Collins, Sr., Eugene Cuffee, II, Trustees:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register*, Vol. 85, No. 115). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

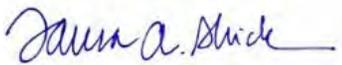
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

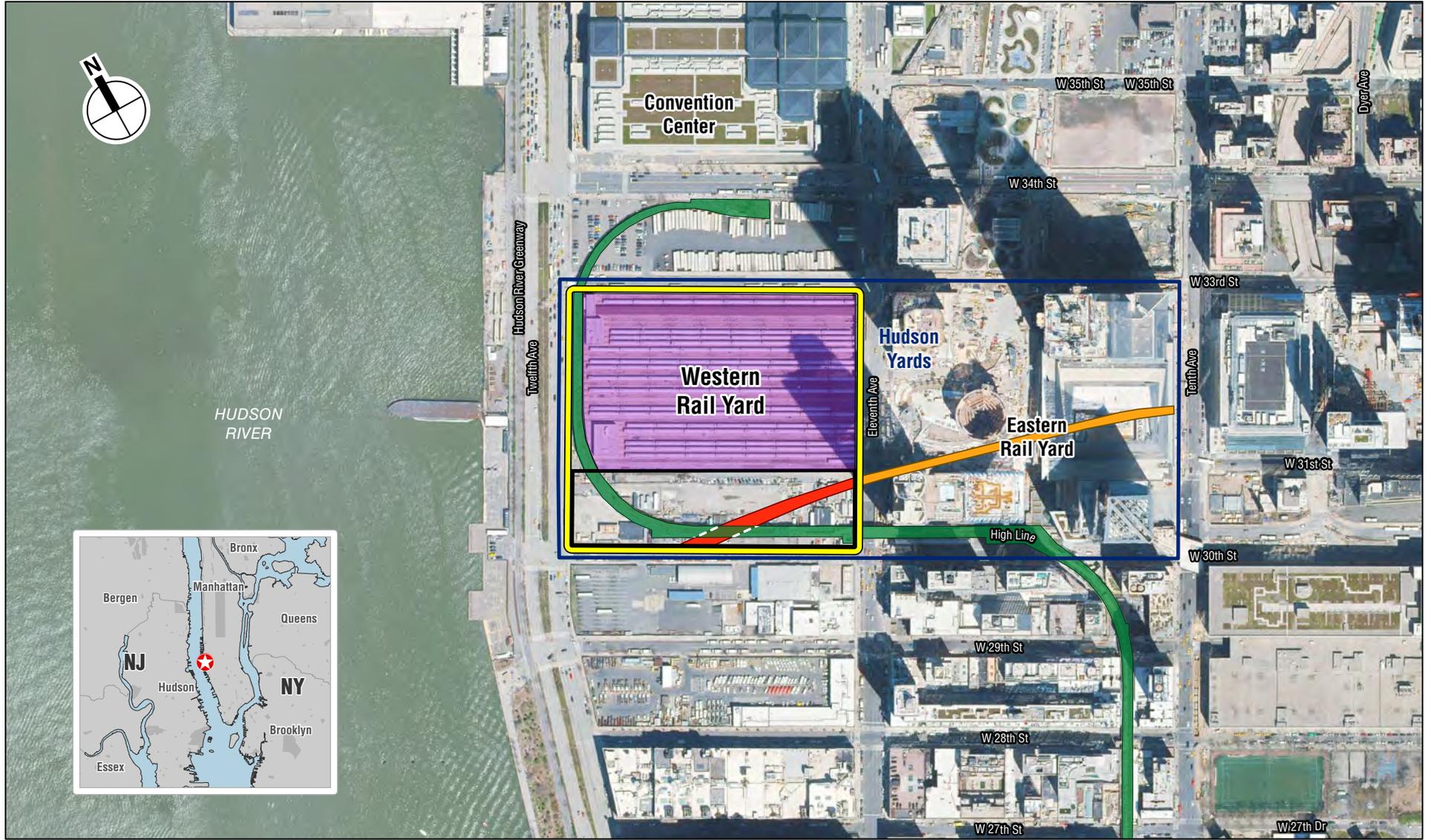
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

0 400 FEET

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

Mr. Nathan Allison
Tribal Historic Preservation Officer
Stockbridge-Munsee Community Band of Mohicans
Tribal Historic Preservation Office – New York Office
65 1st Street
Troy, New York 12180
Copy To: Shannon Holsey and Bonney Hartley

Re: **Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act Western Rail Yard Infrastructure Project, New York County, New York**

Dear Mr. Nathan Allison:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

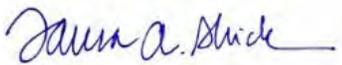
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

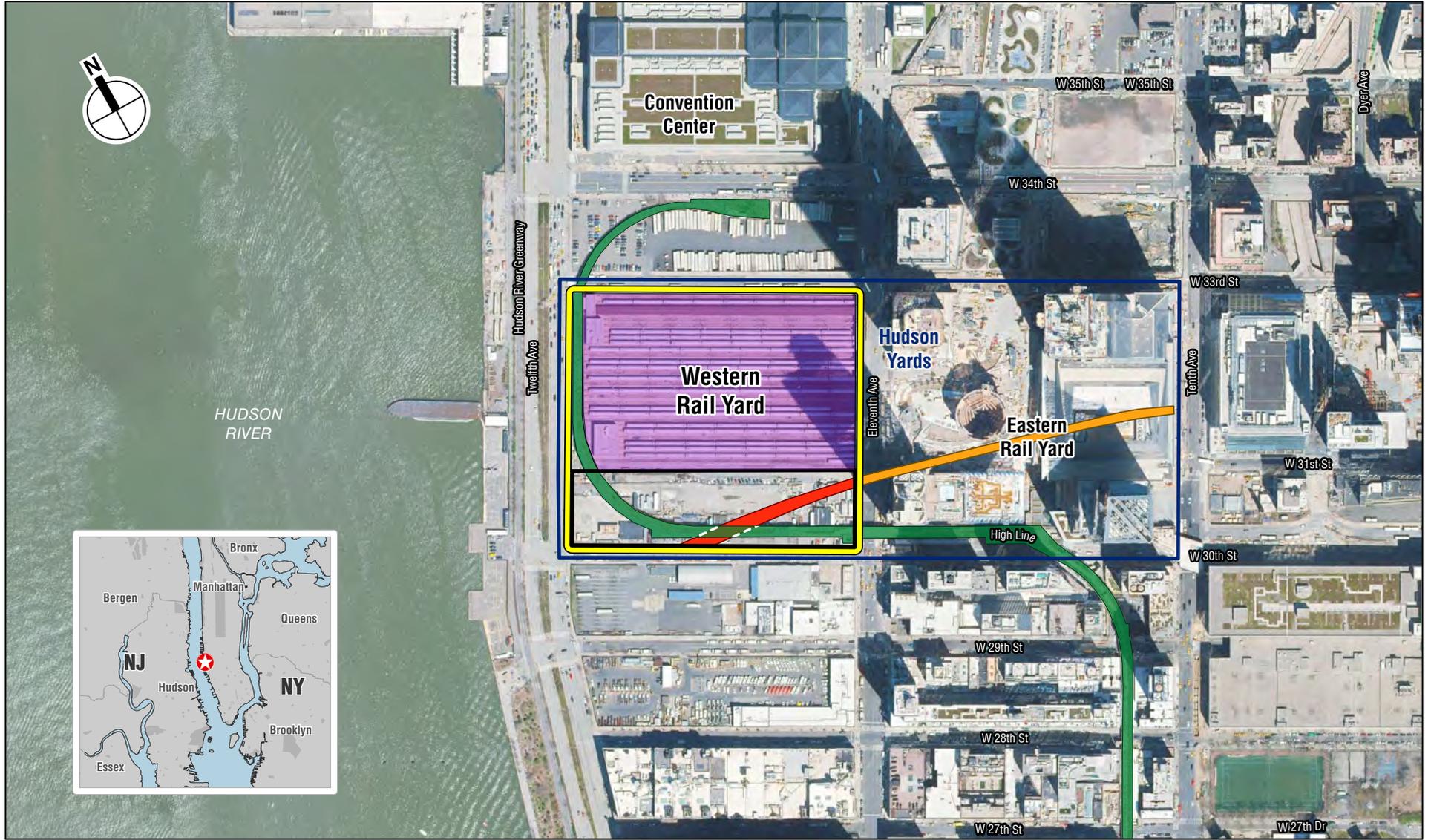
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

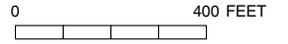
A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 29, 2020

President Shannon Holsey
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
N8476 MoHeConNuck Road
Bowler, WI 54416
Copy To: Nathan Allison and Bonney Hartley

**Re: Government-to-Government Consultation with Native American Tribal
Governments pursuant to Section 106 of the National Historic Preservation Act
Western Rail Yard Infrastructure Project, New York County, New York**

Dear President Shannon Holsey:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process in 2009 for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which

included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance for construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register*, Vol. 85, No. 115). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020.

As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite you to participate in Section 106 consultation. FRA is available for formal Government-to-Government consultation at your request, and we invite you to meet with FRA representatives for the purpose of sharing information and establishing protocols for ongoing communication as the Project is advanced. FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the Project progresses and new information becomes available.

Through consultation, we hope to understand any concerns you may have regarding the Project's potential effects to historic properties of traditional or cultural significance to your Tribe, and provide an opportunity for your participation in the process of identifying cultural resources, assessing Project effects on those resources, and resolving any adverse effects.

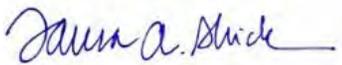
Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Western Rail Yard Infrastructure Project 4

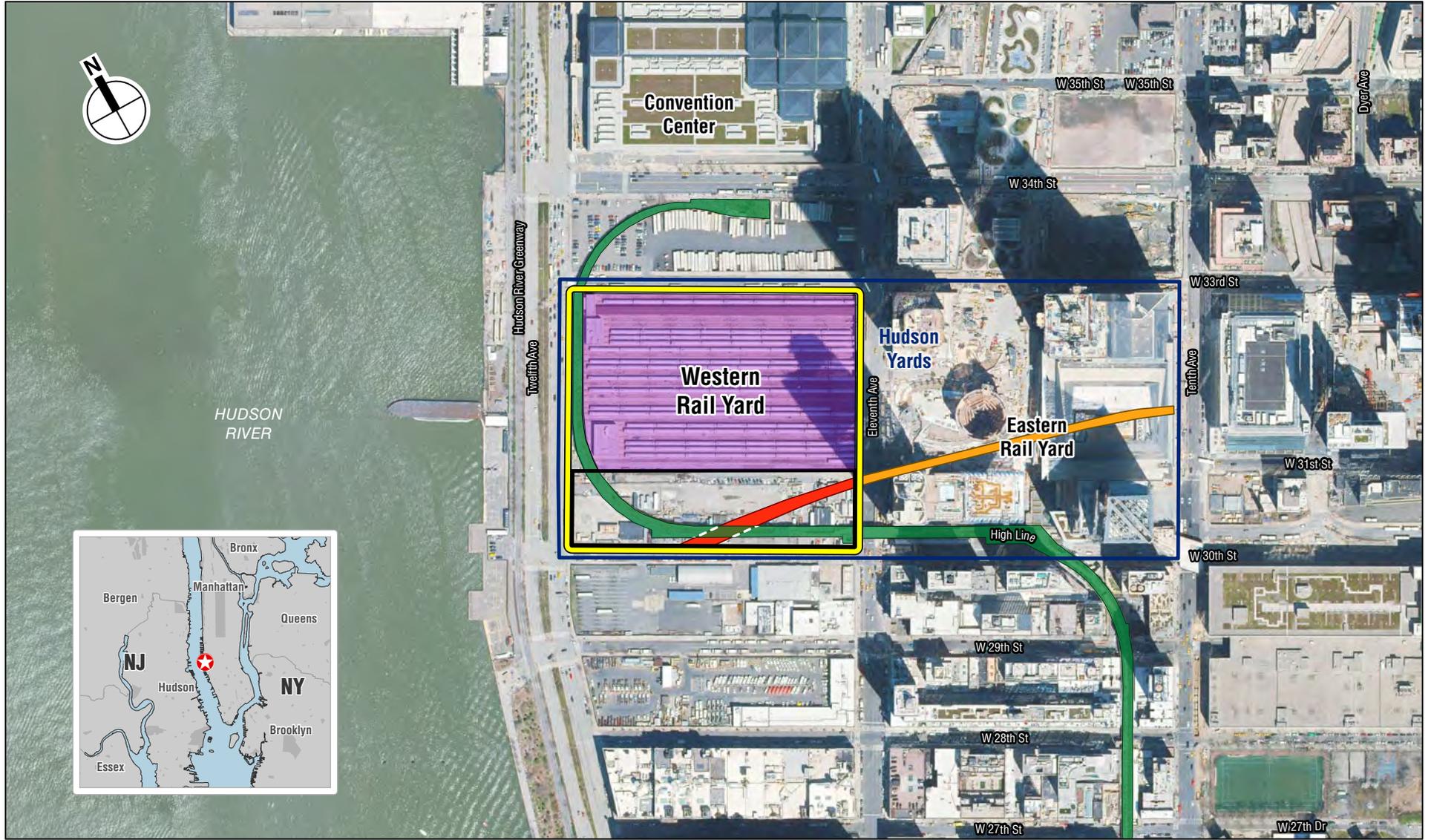
If you have any questions regarding the Project or are interested in participating in consultation, please contact me at laura.shick@dot.gov or (202) 366-0340. You may also respond via mail; however, FRA staff are only periodically able to check mail delivered to the USDOT headquarters building while we are working remotely.

Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures



- Project Site (Western Rail Yard)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location
Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Jaime Loichinger
Assistant Director, Federal Permitting, Licensing, and Assistance Section
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Jaime Loichinger:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.³ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

³ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.⁴ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

⁴ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

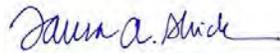
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

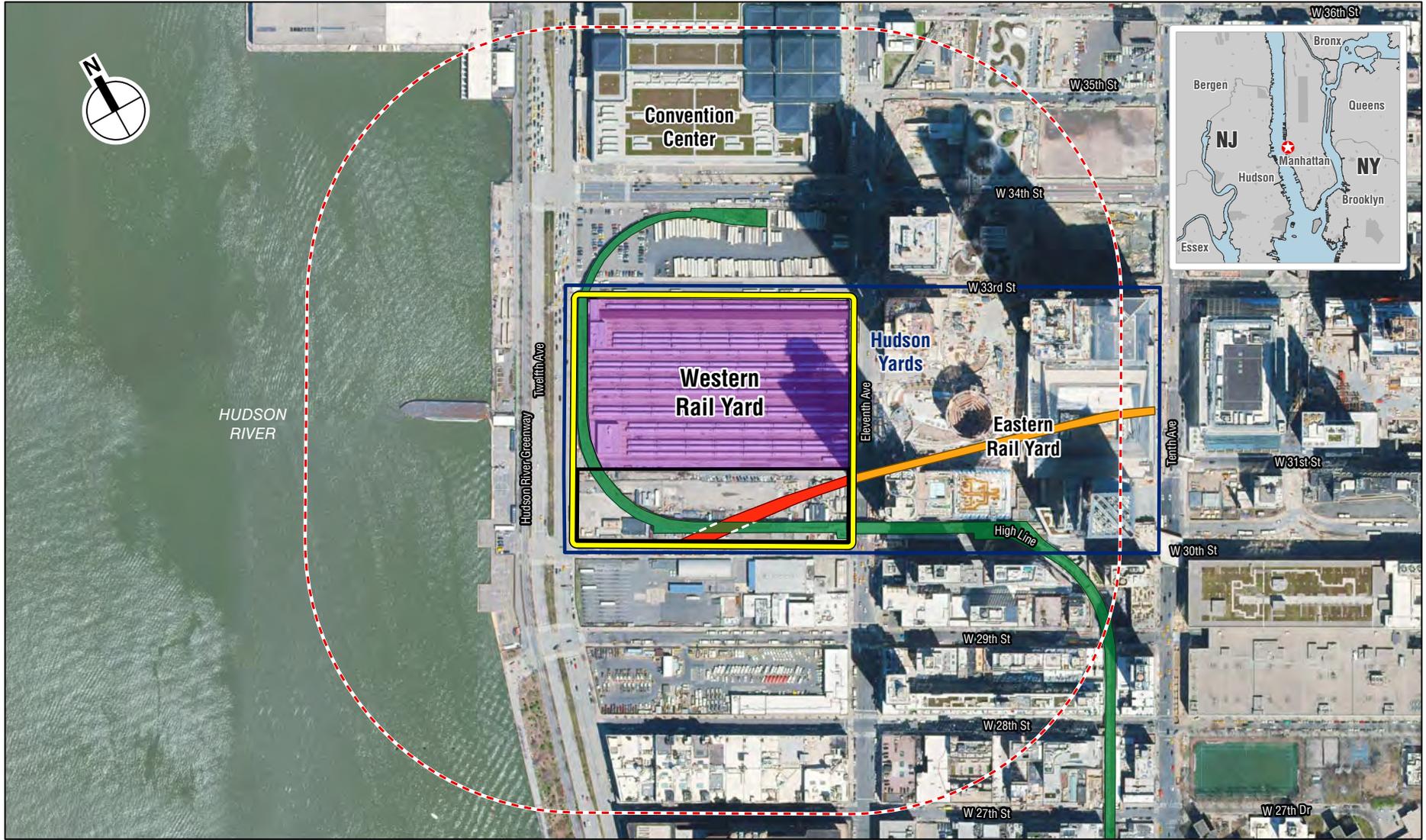
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Sarah Stokely
FRA Liaison, Federal Permitting, Licensing, and Assistance Section
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW
Washington, DC 20004

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Sarah Stokely:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.⁵ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

⁵ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.⁶ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

⁶ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

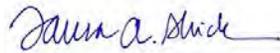
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

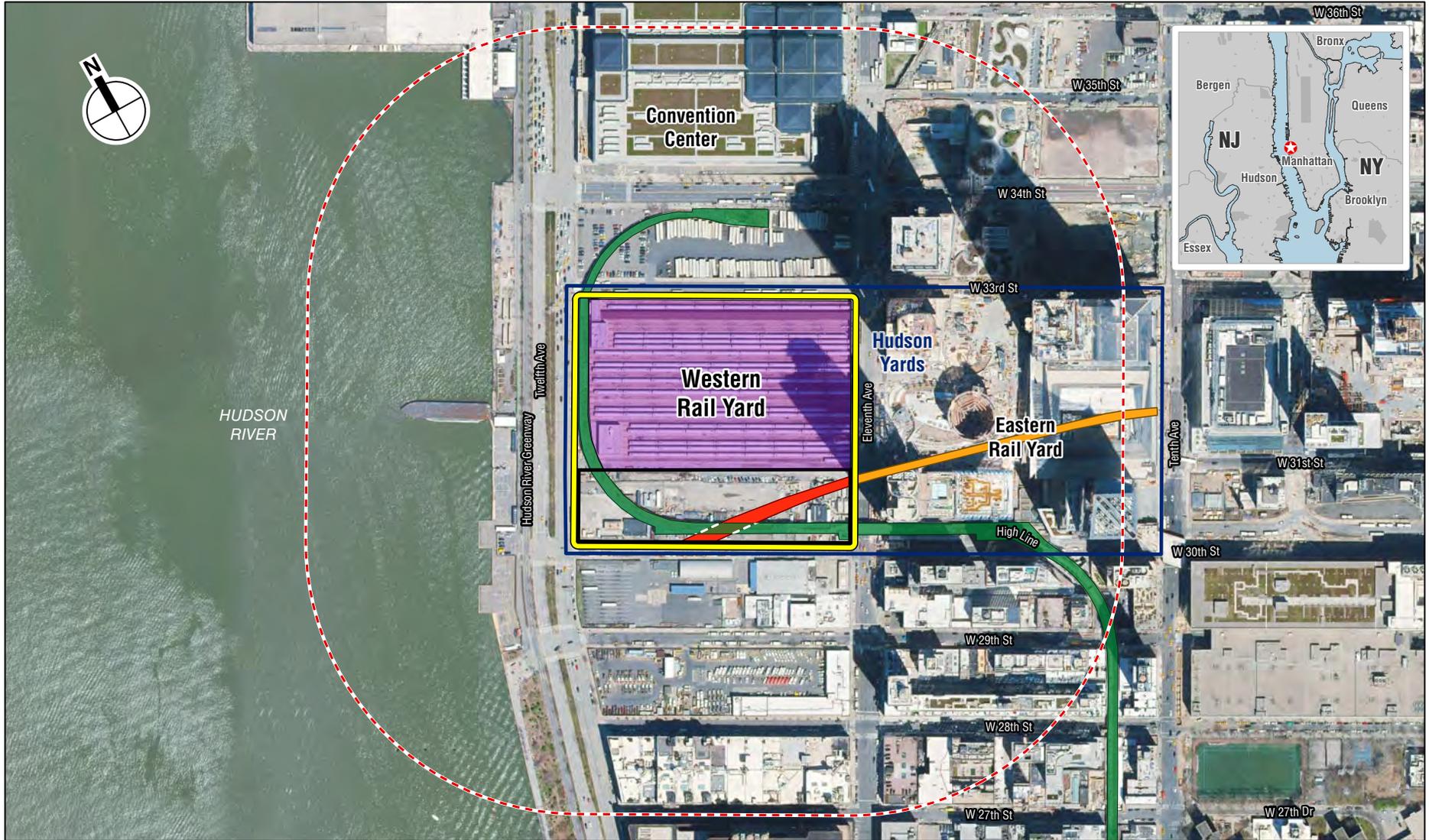
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Johnette Davies
Senior Historic Preservation Specialist
Amtrak 30th Street Station
2955 Market Street, Mailbox 55
Philadelphia, PA 19104

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Johnette Davies:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

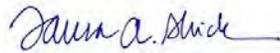
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

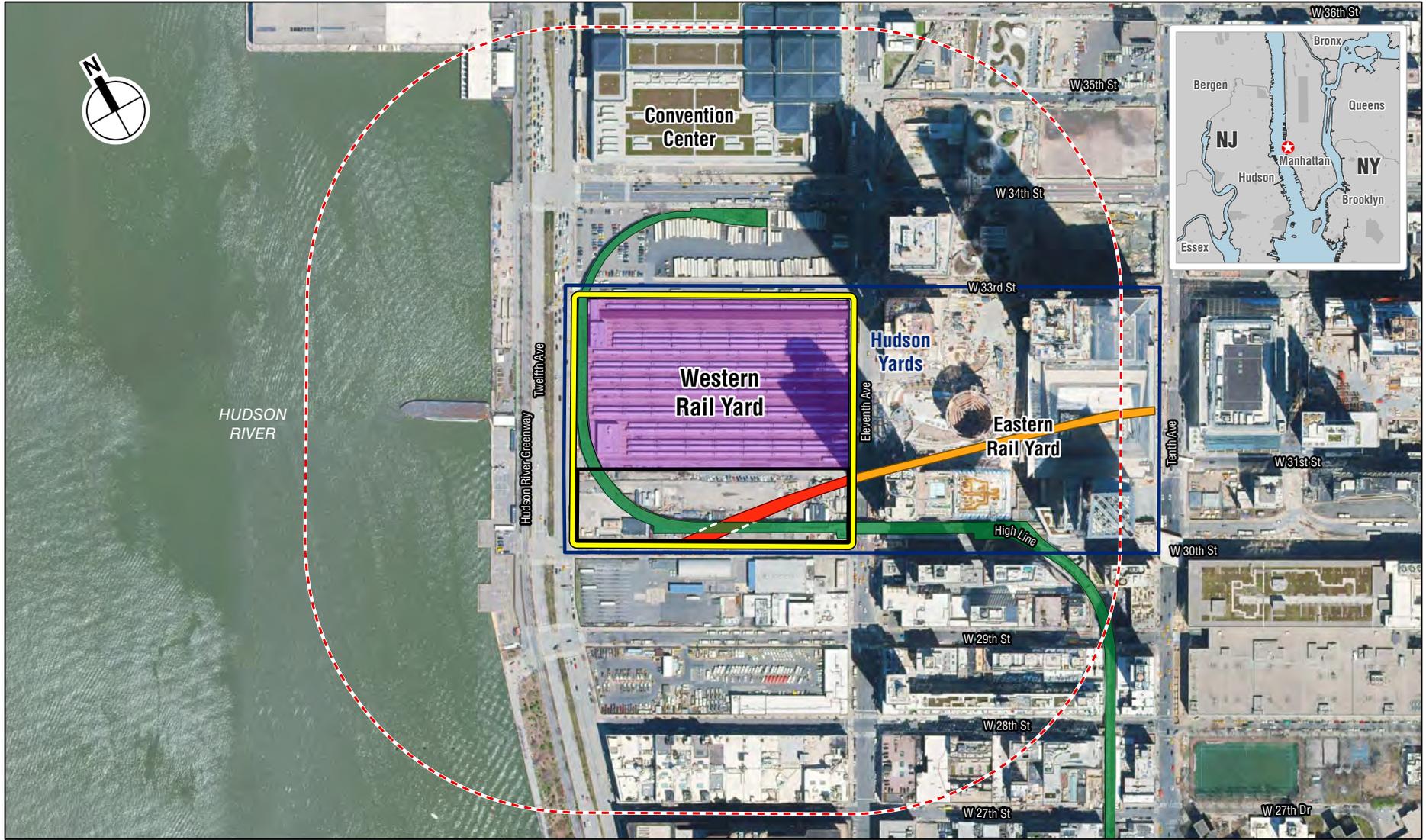
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. John Gabriel, Jr., President
Anthracite Railroads Historical Society
P.O. Box 519
Lansdale, PA 19446-0519

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. John Gabriel, Jr.:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹⁹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform

¹⁹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.²⁰ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's

²⁰ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

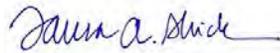
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

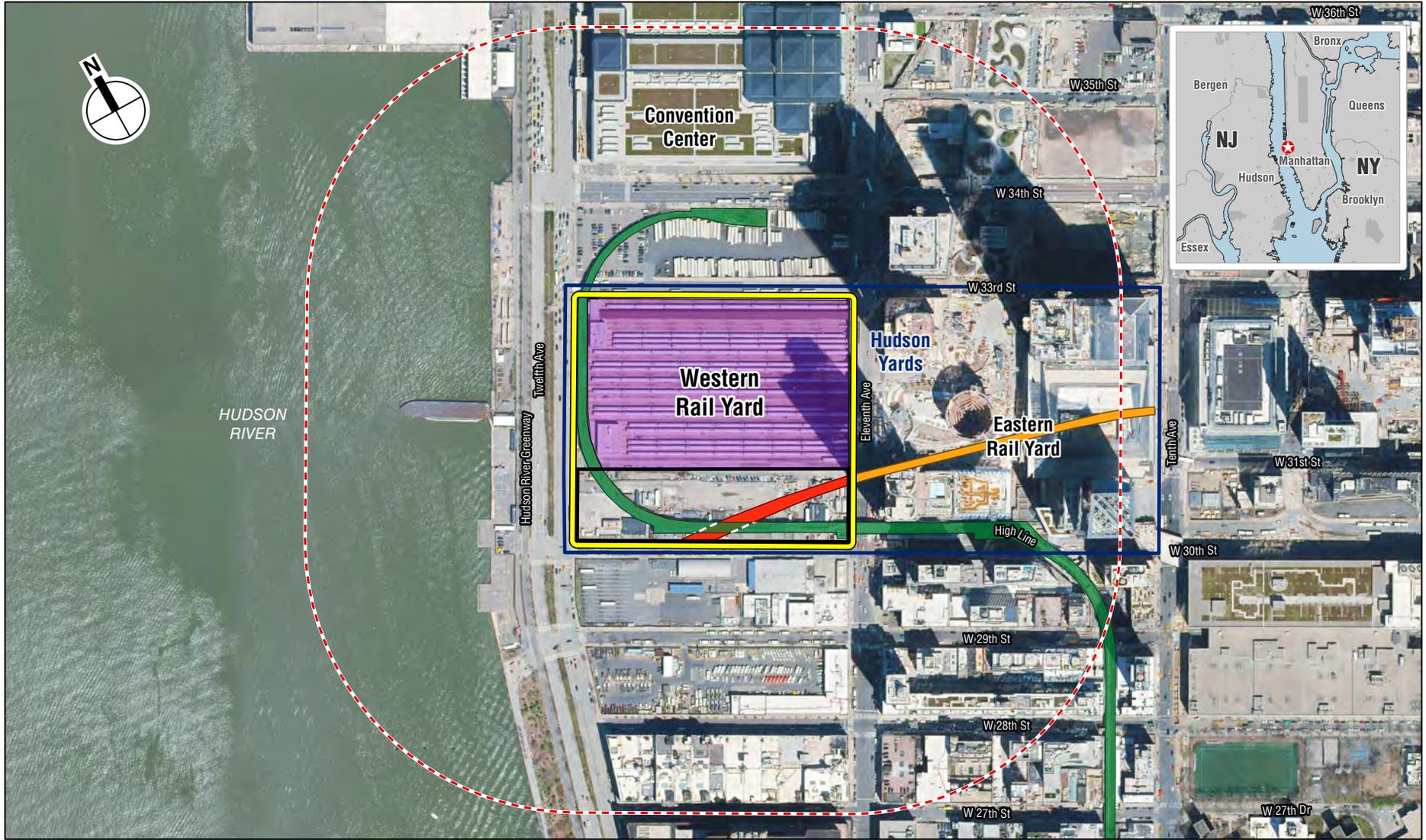
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

August 6, 2020

Ms. Corrine Remington, Secretary
Eastern Delaware Nation
Boro Line Road
Dushore, PA 18614

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Corrine Remington:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform

¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's

² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

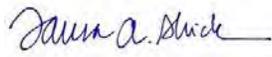
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your tribe to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential cultural resources in the APE or issues to be considered in the Section 106 process is welcome.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

Western Rail Yard Infrastructure Project 4

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

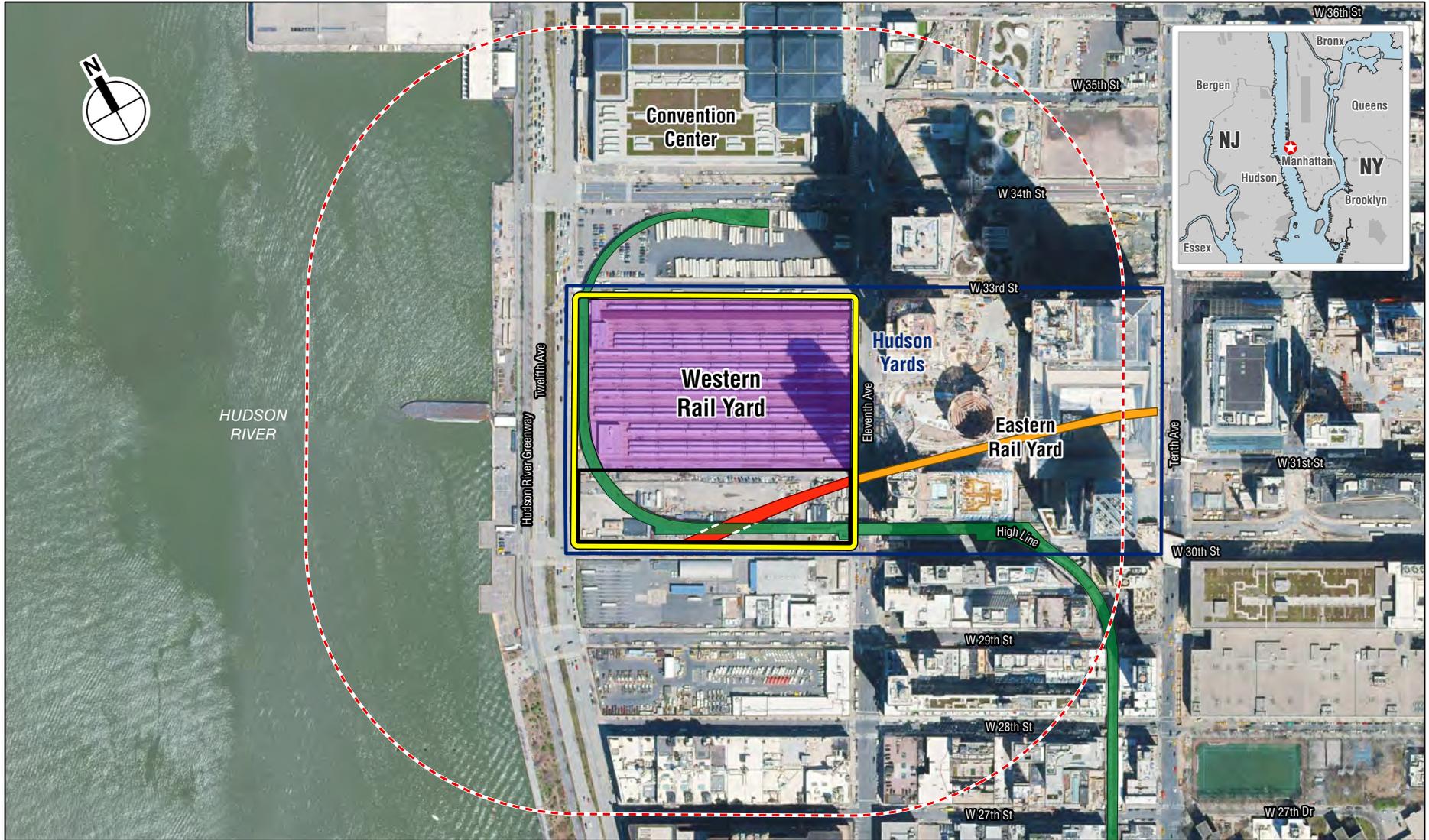
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick" followed by a horizontal line.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects
Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Michael J. Connor, President
Erie Lackawanna Railroad Historical Society
c/o David Start, Membership Chairman
22 Ice Plant Road
Lafayette, NJ 07848-2403

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Michael J. Connor:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.²¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

²¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.²² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

²² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

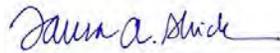
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

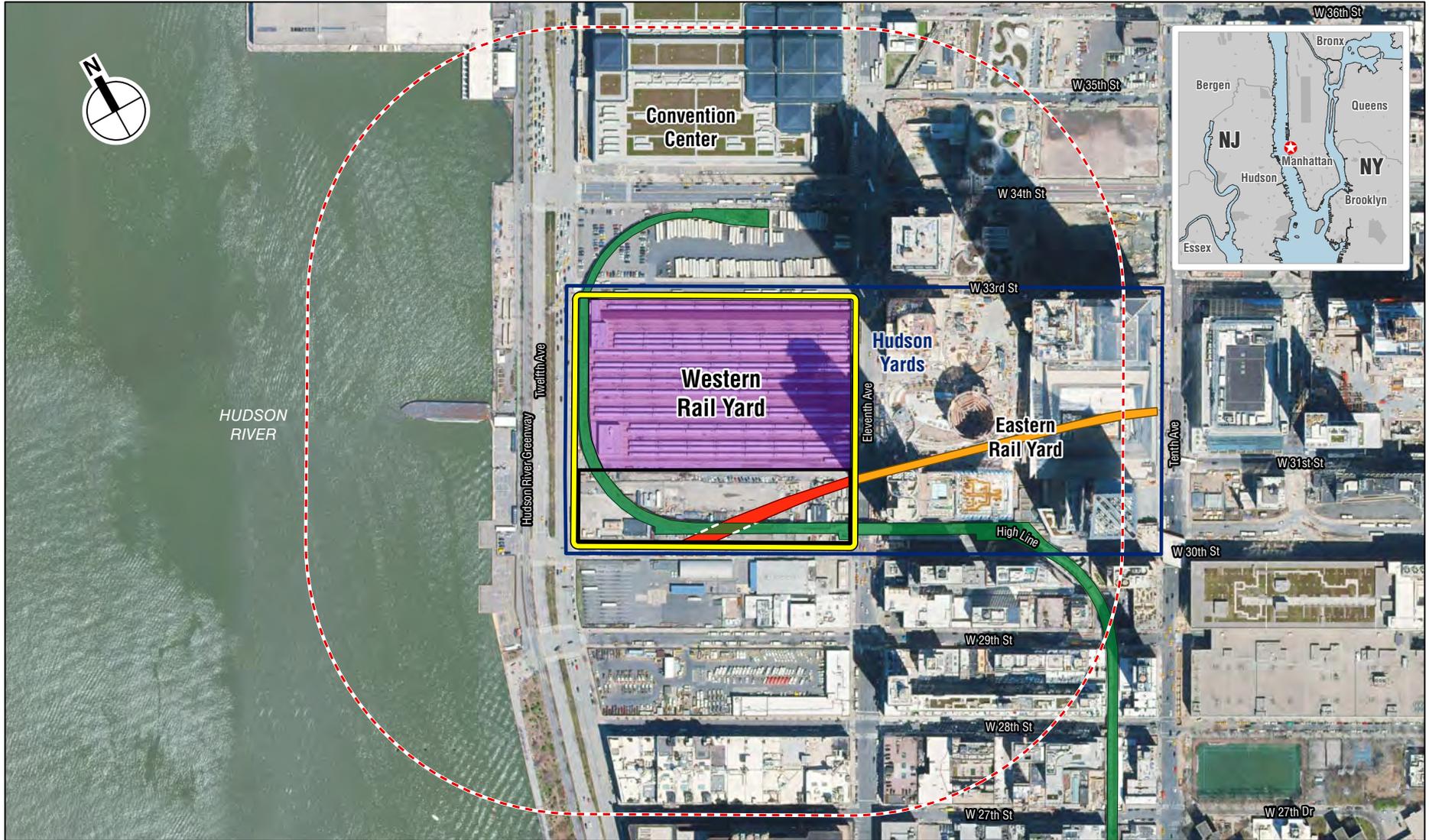
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Robert Hammond
Co-Founder and Executive Director
Friends of the High Line
820 Washington Street
New York, NY 10014

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Robert Hammond:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹³ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹³ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁴ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁴ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

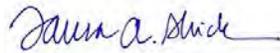
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

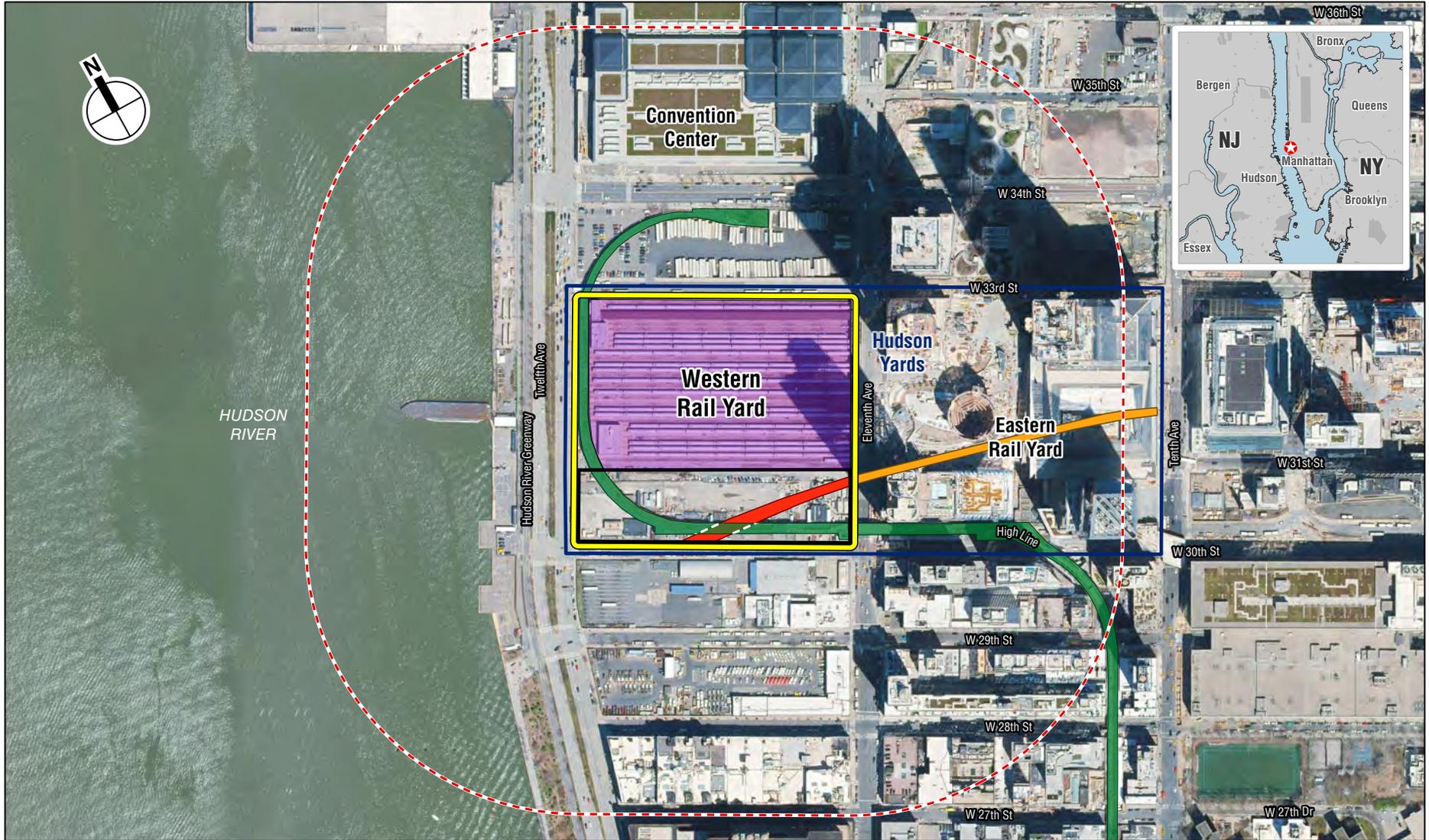
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects
Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Noreen Doyle
Executive Vice President
Hudson River Park Trust
Pier 40, 2nd Floor
353 West Street
New York, NY 10014

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Noreen Doyle:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹¹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity

¹¹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹² For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway*

¹² *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

Extension-Hudson Yards Rezoning and Development Program FGEIS (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

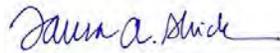
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

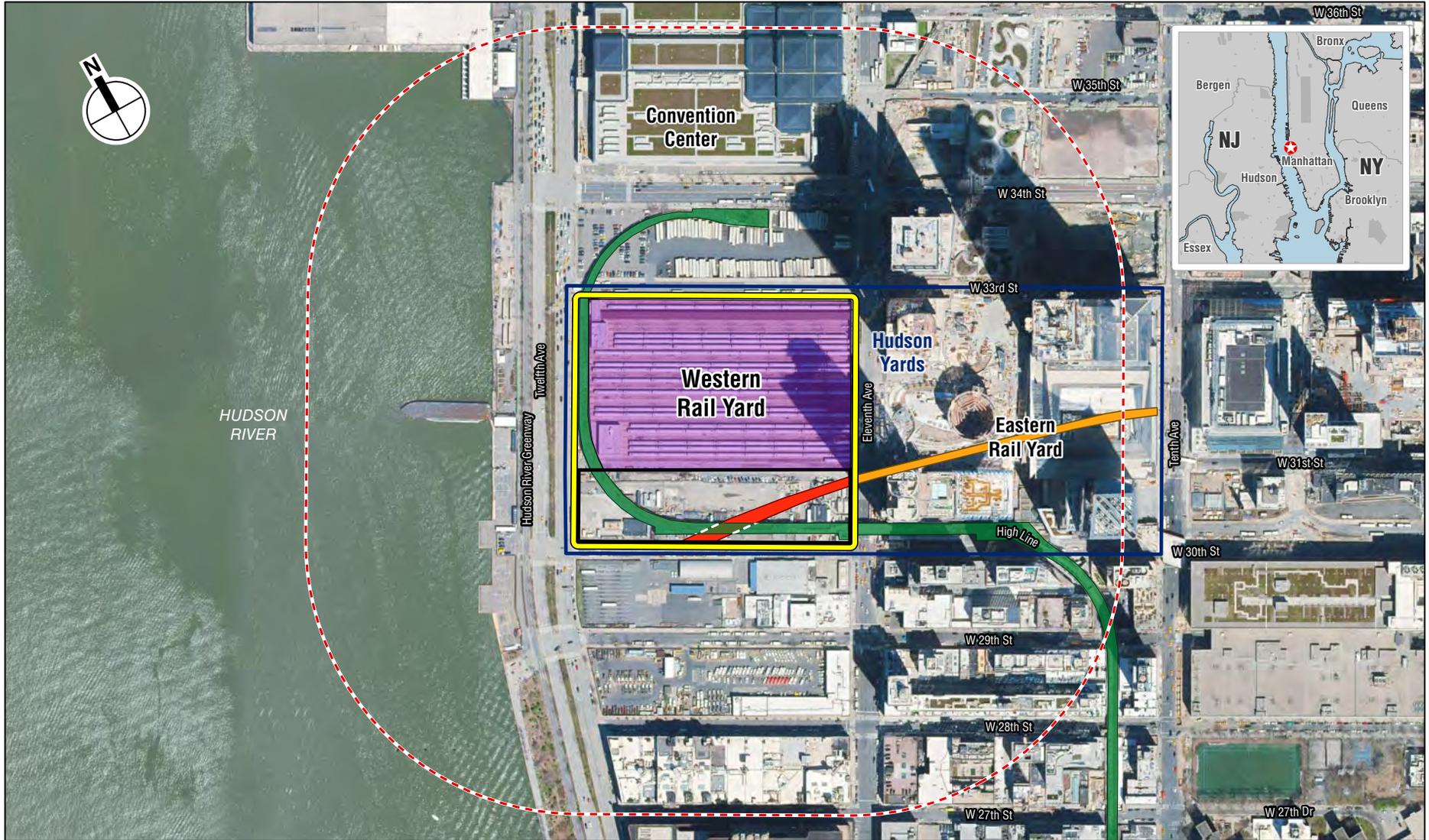
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

August 6, 2020

Lenape Nation of Pennsylvania
169 Northampton Street
Easton, PA 18042

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

To Whom It May Concern:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.³ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform

³ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.⁴ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's

⁴ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

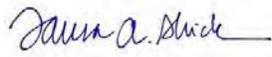
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your tribe to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential cultural resources in the APE or issues to be considered in the Section 106 process is welcome.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

Western Rail Yard Infrastructure Project 4

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

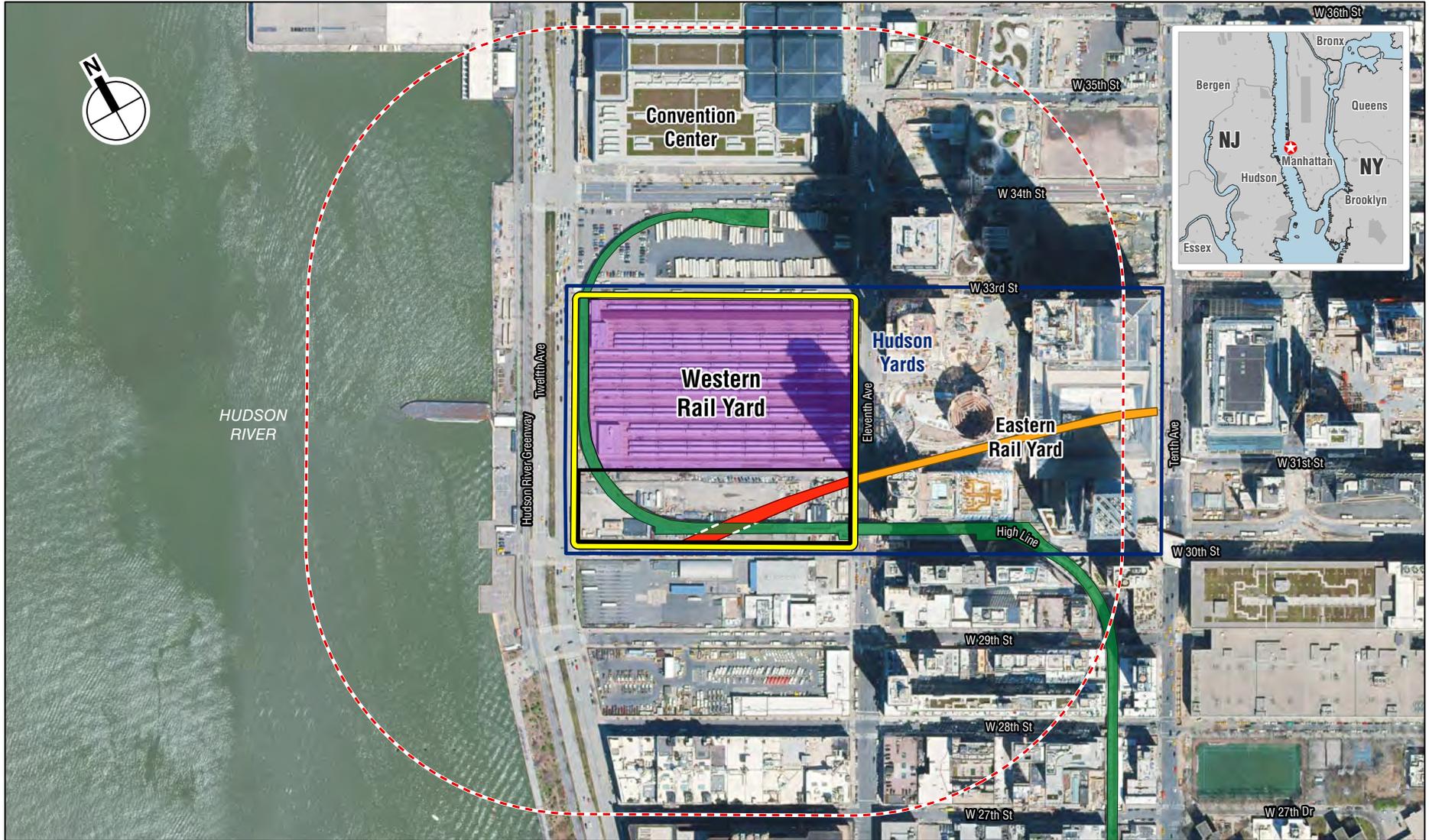
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick" followed by a horizontal line.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYS DOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects
Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Albert L. Papp, Jr., President
National Railway Historical Society, Inc.
New York Chapter
121 Northfield
Millington, NJ 07946

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Albert L. Papp, Jr.:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.²³ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

²³ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.²⁴ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

²⁴ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

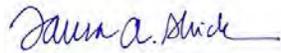
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

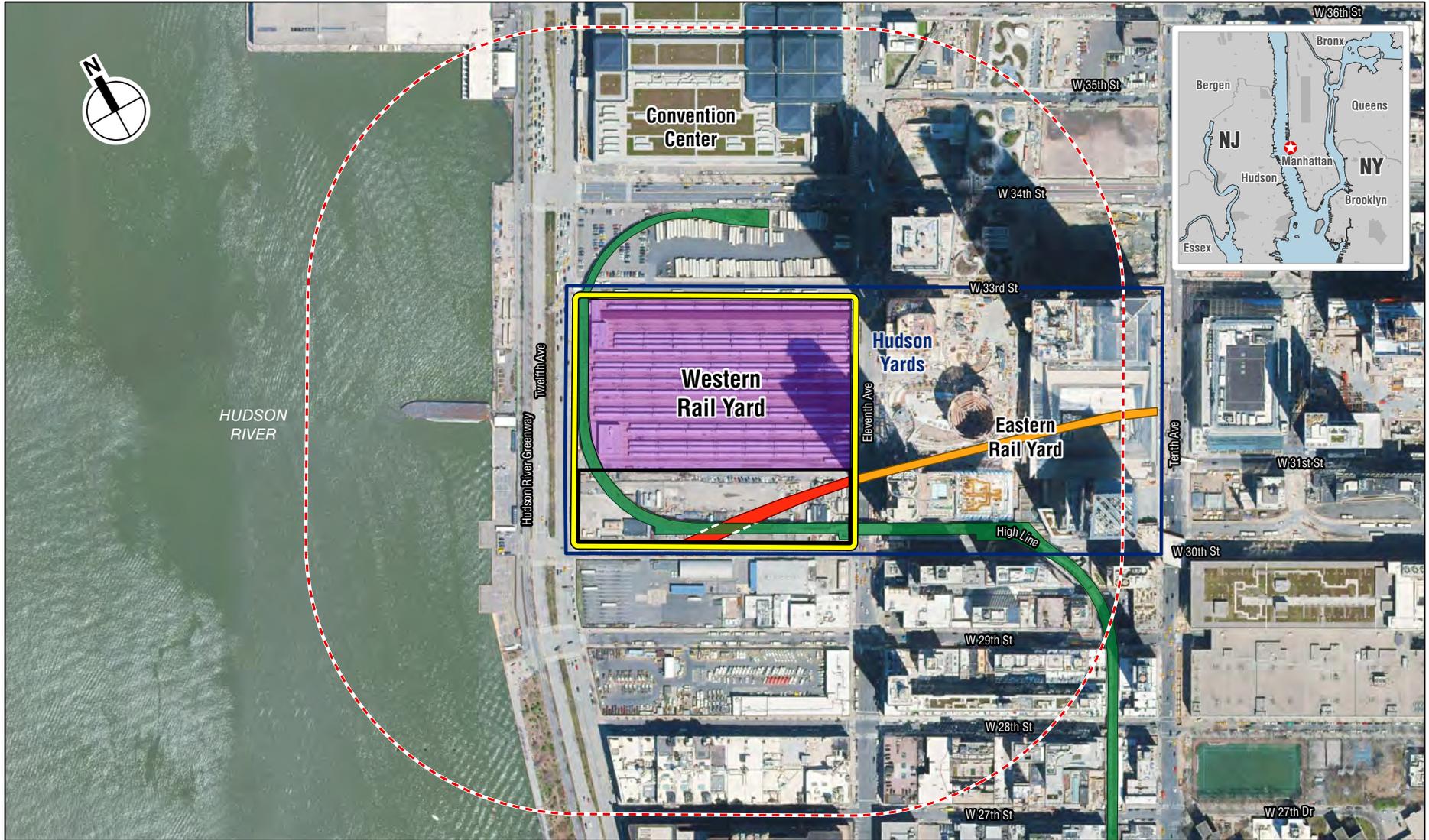
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Ms. Sarah Carroll, Chair
New York City Landmarks Preservation Commission
David N. Dinkins Municipal Building
1 Centre Street, 9th Floor, North
New York, NY 10007

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. Sarah Carroll:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

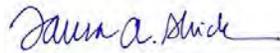
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

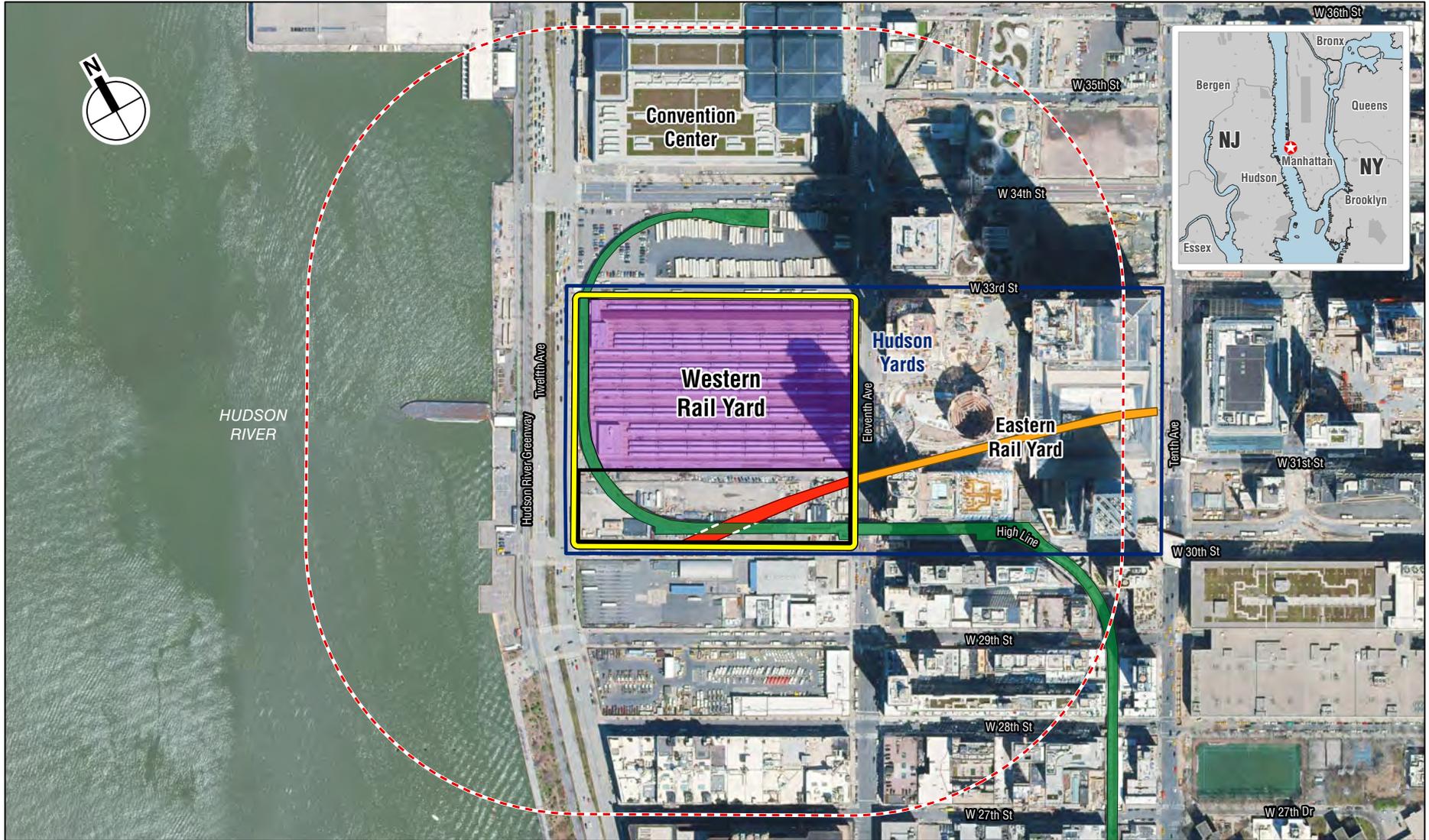
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Mitchell J. Silver, Commissioner
New York City Department of Parks and Recreation
The Arsenal - Central Park
830 Fifth Avenue
New York, NY 10065

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Mitchell J. Silver:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.⁹ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

⁹ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁰ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁰ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

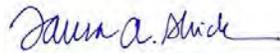
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

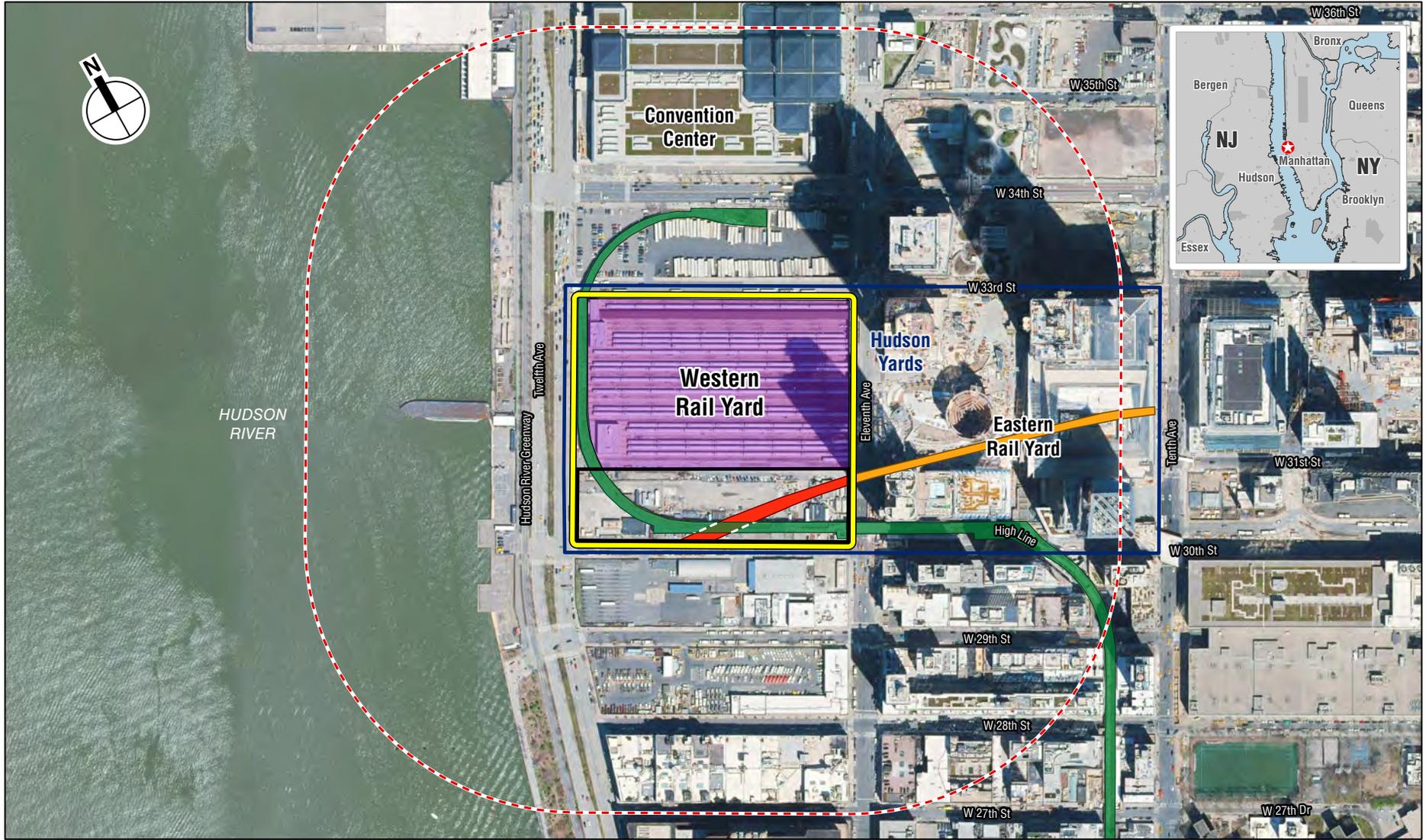
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Professional Archaeologists of New York City (PANYC)
c/o Ms. S. Spritzer
Murray Hill Station
P.O. Box 1503
New York, NY 10156-1503

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Ms. S. Spritzer:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

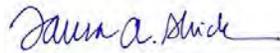
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

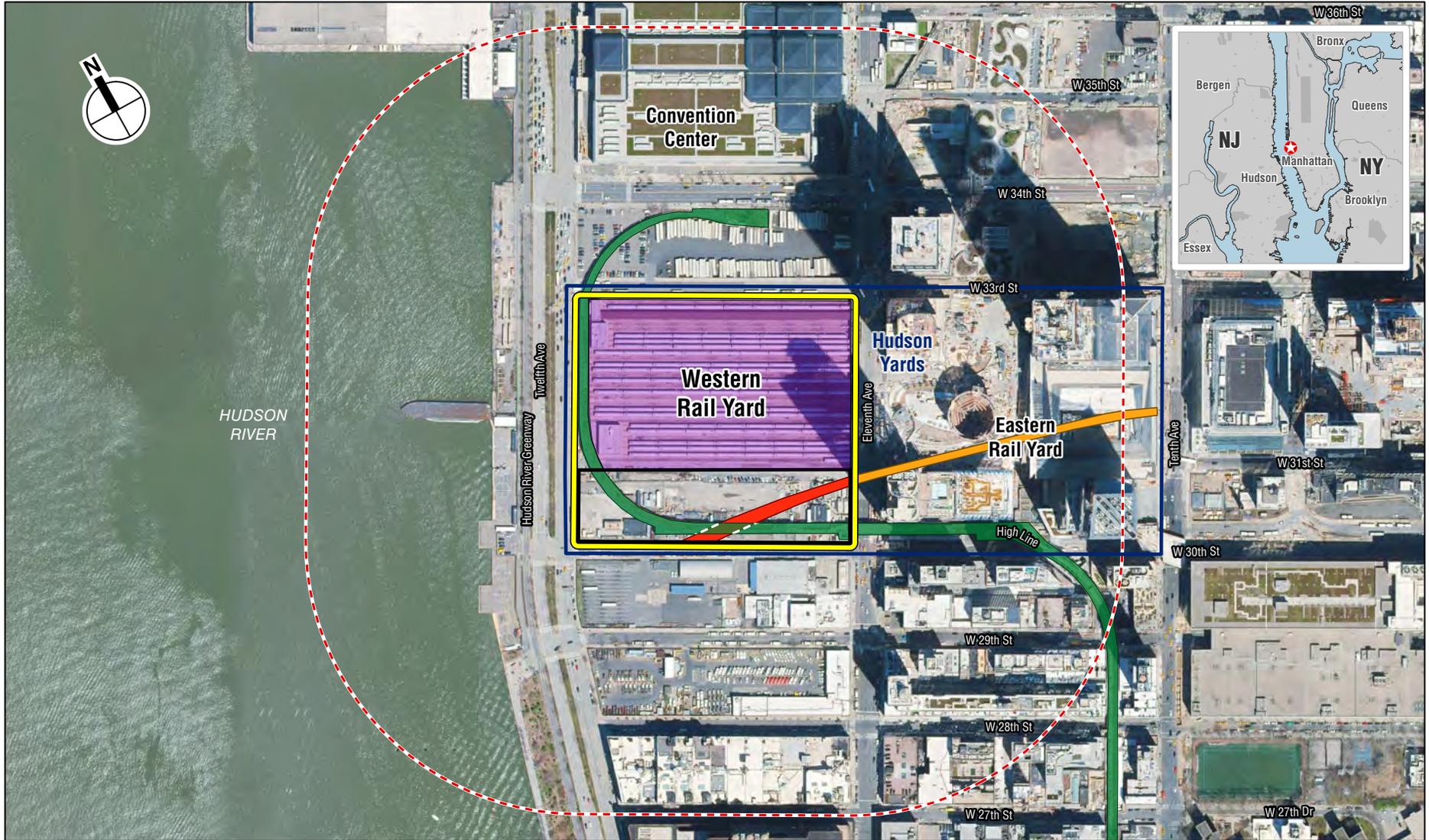
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Sandy Needham, President
Society for Industrial Archeology
Roebling Chapter
235 West End Avenue, Apt. 14C
New York, NY 10023-3648

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Sandy Needham:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.¹⁵ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing

¹⁵ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

support services for the yard, including new lighting, sprinklers and an extensive platform ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.¹⁶ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which

¹⁶ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

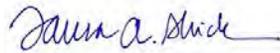
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

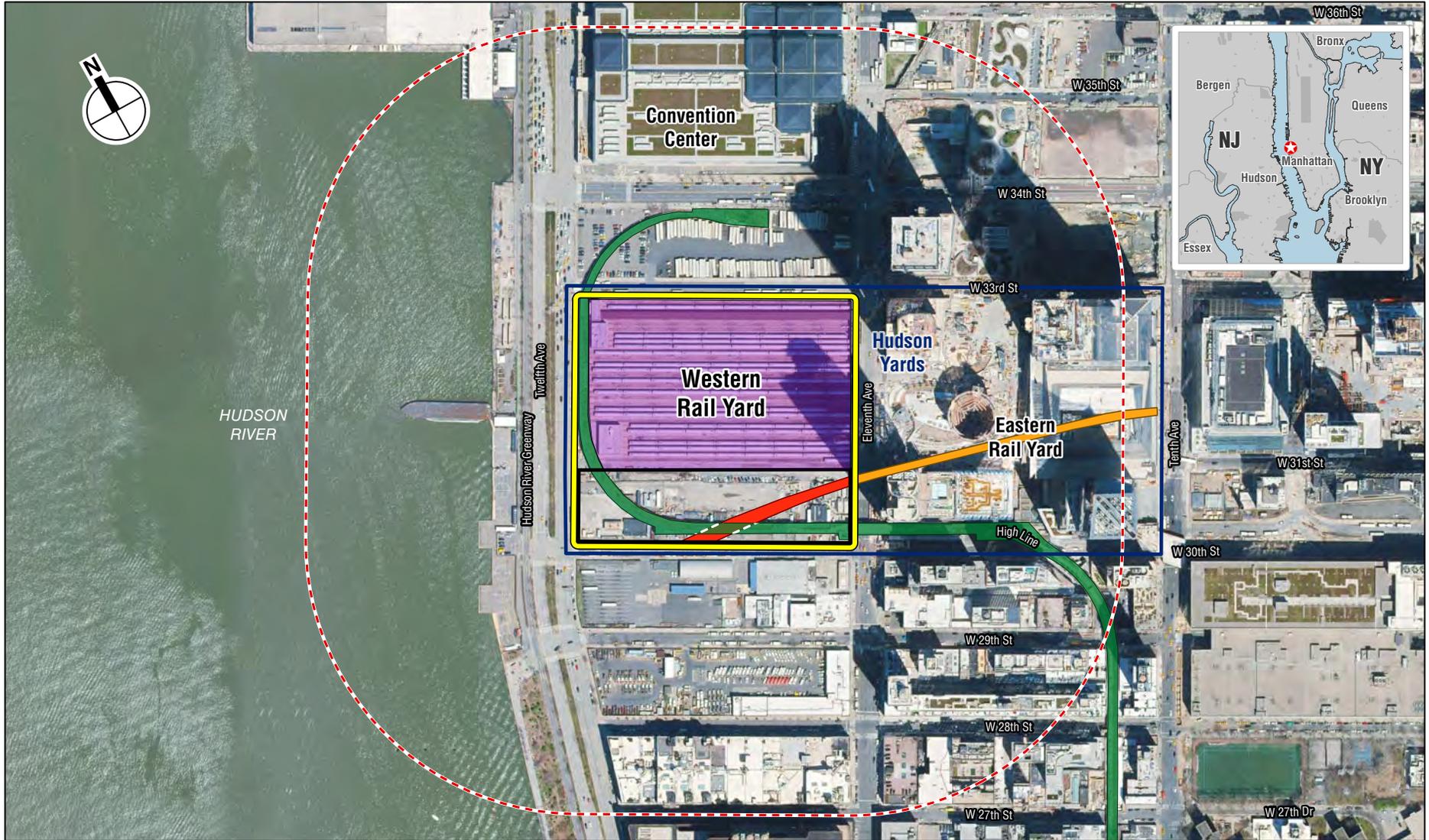
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYSDOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

August 6, 2020

Mr. Michael DelVecchio, President
Tri-State Railway Historical Society, Inc.
P.O. Box 1217
Morristown, NJ 07962

**Re: Invitation to be a Section 106 Consulting Party
Western Rail Yard Infrastructure Project
New York County, New York**

Dear Mr. Michael DelVecchio:

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (USDOT) Build America Bureau (Bureau). The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action includes: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action,” also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform. The mixed-use development (Overbuild) has been approved by the New York City Planning Commission (CPC), and adopted by the New York City Council into the New York City Zoning Resolution, for redevelopment of the Western Rail Yard parcel, which is located between West 30th and 33rd Streets and Eleventh and Twelfth Avenues in Manhattan.²⁷ The USDOT’s Federal Railroad Administration (FRA) is the lead agency preparing an environmental impact statement (EIS) for the Project to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental laws, including Section 106 of the National of Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation’s Section 106 implementing regulations at 36 Code of Federal Regulations Part 800 (Section 106).

The purpose of the Project is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the yard, including new lighting, sprinklers and an extensive platform

²⁷ The Overbuild development as currently designed will include: residential and commercial office towers ranging from 340,000 to 1.5 million square feet (between 350 feet to over 800 feet tall); more than five acres of public open space including new parks and playgrounds; a new 750-seat public school; and connections to the High Line. Upon completion, the new Overbuild will be home to up to 4,000 new residences and nearly 5,000 office workers.

ventilation system. The Platform would serve as the support for privately-funded mixed-use development and public open space above. Construction of the Platform would include the reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities, and rail car cleaning services. Once complete, the entire yard would contain comprehensive state-of-the-art life safety systems, securing this critical infrastructure and protecting both the workers and the railroad equipment in the yard. The Tunnel Encasement would be constructed underneath the Western Rail Yard site. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station. New rail infrastructure is part of Amtrak's effort to maintain a functional, resilient, and improved trans-Hudson passenger rail crossing into New York Penn Station, maintain existing Amtrak intercity and NJ TRANSIT commuter rail service on the Northeast Corridor, and to support future increases in the capacity of the regional rail system should they be pursued. The Project does not include any efforts to make the encasement operational. This preserved right-of-way may be used by a new Hudson River Tunnel that is being evaluated by FRA as part of the separate and independent Hudson Tunnel Project, which is the subject of an on-going Environmental Impact Statement (EIS).

Potential effects as a result of construction of the Project could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements; falling debris, and/or inadvertent damage caused by heavy machinery, among other things. Construction of the Project would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. At-grade and subsurface ground disturbance also would occur in the construction staging areas for the Project. No subsurface ground disturbance would occur outside the project site. Once constructed, the Project would not introduce any permanent visual components above grade; it would be covered by the privately-funded, as-of-right Overbuild (described above).

The two components of the Project have previously been reviewed by FRA, the New York State Historic Preservation Officer (NY SHPO), the New York City Landmarks Preservation Commission (LPC), and other appropriate New York City and New York State agencies, in accordance with local, state, and federal environmental planning requirements, as described below.

The proposed Platform and mixed-use development (Overbuild) were reviewed in 2009 in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project (08PR03724, 08PR04116) as documented in the *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS).

The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent NEPA reviews led by FRA, which included Section 106 reviews.²⁸ For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS* (2004 FGEIS), which concluded that the Western Rail Yard was not an archaeologically sensitive area, based on LPC's

²⁸ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014)

review of contextual studies, historic maps, and existing subsurface information, including boring logs, to confirm prior subsurface disturbance, as well as the likelihood of initial resource deposition. Similarly, for the concrete casing, FRA determined, and NY SHPO concurred, the undertaking would have no adverse effect on historic properties, including archaeological resources, provided that construction monitoring of the High Line would occur per the *New York City Building Code Technical Policy and Procedure Notice #10/88* (14PRO2712). The historical maps of the study area referenced in the cultural analyses conducted for the 2009 SEQRA/CEQR FEIS, the 2004 FGEIS, and 2013 Concrete Casing EA, show that the shoreline prior to approximately 1850 was further east than the location of the present project site. Furthermore, the project area has previously been subject to extensive ground disturbance from construction of the Western Rail Yard.

FRA is preparing an EIS for the Project in compliance with NEPA, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR parts 1500-1508), 23 U.S.C. §139, and 23 CFR part 771 and 774. The Notice of Intent was published on June 15, 2020 (*Federal Register, Vol. 85, No. 115*). FRA intends to coordinate the Section 106 process with the preparation of the EIS. FRA recently initiated Section 106 consultation with the NY SHPO on July 3, 2020. In its response to FRA dated August 3, 2020, NY SHPO indicated that it concurs with FRA's proposed Area of Potential Effects (APE), and noted that it has no archaeological concerns with the proposed undertaking. The Project APE is described in **Figure 1**.

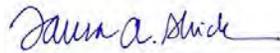
As the lead Federal agency for the Project, FRA is contacting you to notify you about the Project and invite your organization to participate in consultation pursuant to Section 106. As a consulting party, you will have an opportunity to share your views regarding the potential effects of the Project on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with FRA, NY SHPO, and other consulting parties. Information you may wish to share regarding potential historic properties in the APE or issues to be considered in the Section 106 process is welcome, particularly regarding changes in the built environment since 2009 and 2013/2014. If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps in the Section 106 process.

Due to the ongoing coronavirus disease 2019 (COVID-19) public health emergency, and consistent with the Centers for Disease Control and Prevention's guidance regarding large events and mass gatherings, FRA will conduct a virtual public scoping for the Project. FRA will also hold other Project meetings virtually, including Section 106 Consulting Parties meetings, and encourages submission of comments for the Project electronically. Such meetings will be advertised as required. The EIS is being prepared on an accelerated schedule. The schedule for the environmental review and other project information is posted at www.westernrailyardinfrastructure.com and at Regulations.gov, Docket Number: FRA-2020-0039.

If you have any questions regarding the Project or wish to be a Section 106 consulting party, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Western Rail Yard Infrastructure Project 4

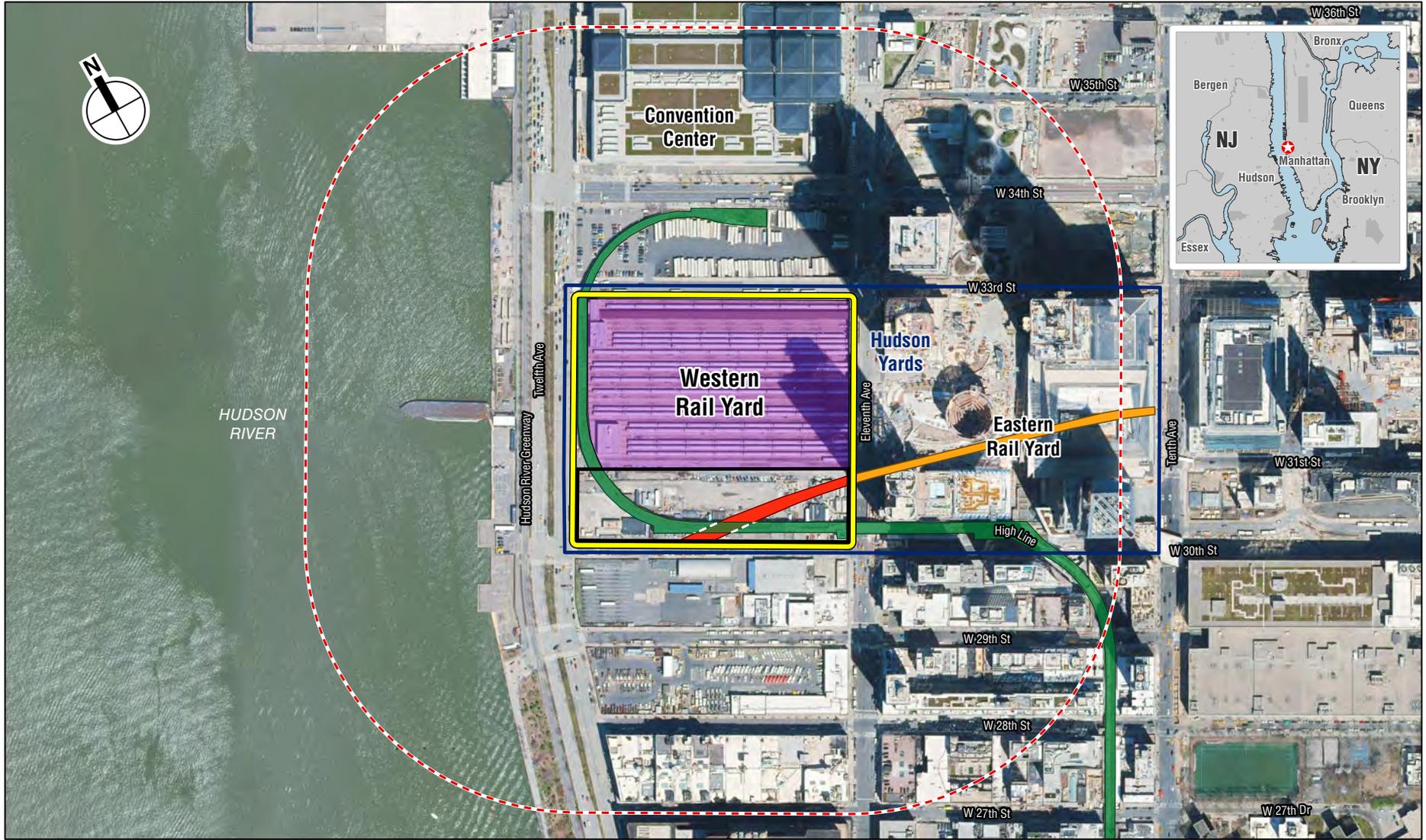
Sincerely,

A handwritten signature in blue ink that reads "Laura A. Shick". The signature is written in a cursive style with a horizontal line at the end.

Laura Shick
Supervisory Environmental Protection Specialist
Office of Railroad Policy and Development

Enclosures

Data source: NYS ITS GIS Program Office; NYS Digital Orthoimagery Program (NYS DOP), 2018 Imagery



WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Project Location and Area of Potential Effects

Figure 1

Western Rail Yard Platform Project
Section 106 Documentation
Proposed Area of Potential Effects (APE)
July 3, 2020

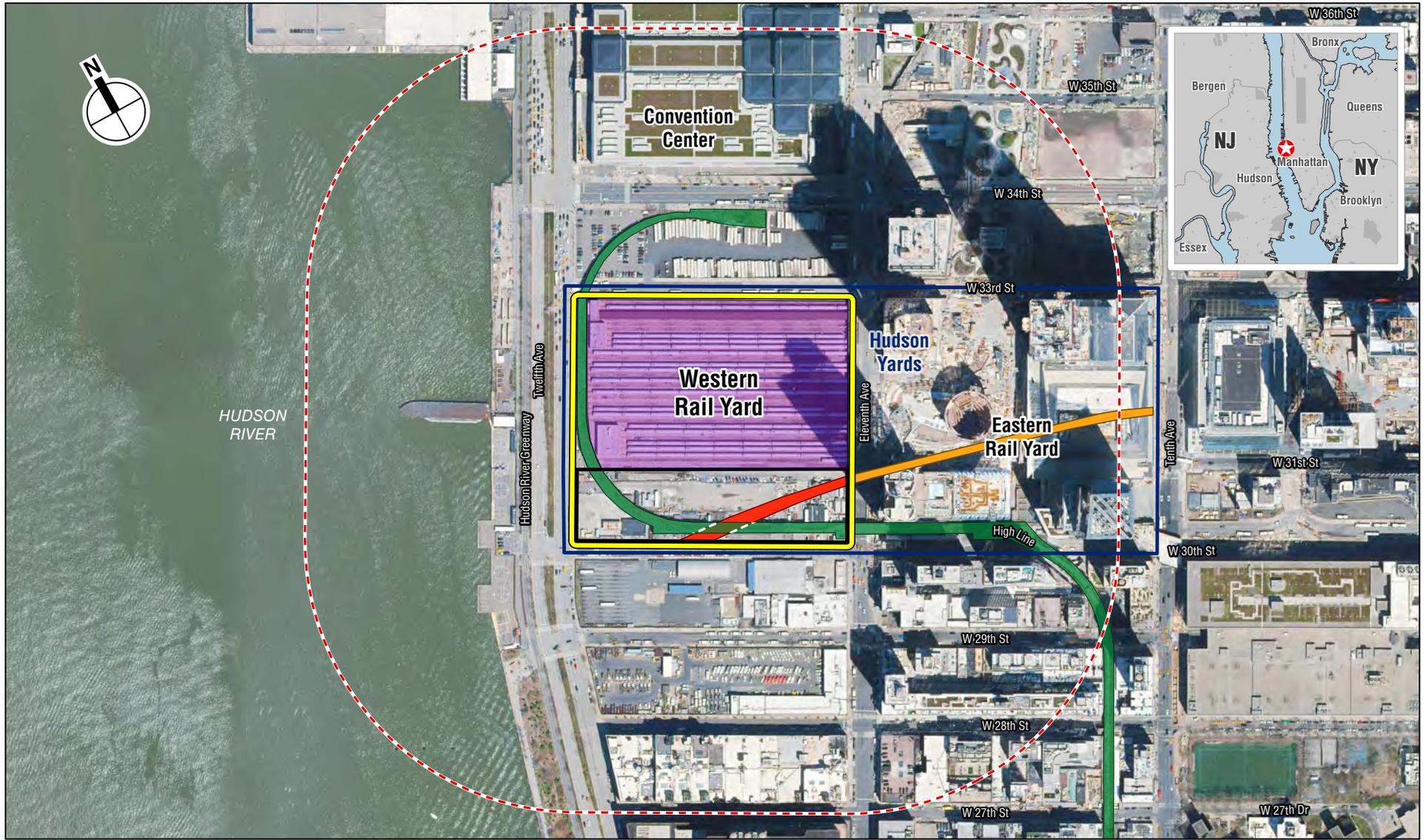
A. PROJECT OVERVIEW AND BACKGROUND

WRY Tenant LLC and the National Railroad Passenger Corporation (Amtrak) are partnering in a joint venture (the Project Sponsor) to seek Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which is administered by the U.S. Department of Transportation (DOT) Build America Bureau (Bureau). The Federal Railroad Administration (FRA) is the lead agency preparing the environmental impact statement (EIS) to ensure compliance with the National Environmental Policy Act of 1969 (NEPA) and other environmental laws. The Project Sponsor has expressed an interest in seeking financial assistance provided by the Bureau to fund the construction of a Platform and a Tunnel Encasement on the 13-acre Western Rail Yard site located on the western half of the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) John D. Caemmerer Yard (aka “Hudson Yards”) (Block 676, Lot 3) in New York County (Manhattan), New York (**Figure 1**). The Proposed Action would include: (1) a structural Platform (Platform); and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) (the “Proposed Action”, also referred to here as the “Project”) to allow for privately-funded mixed-use development and public open space above the Platform as described below.

The two components of the Project have previously been reviewed in accordance with local, state, and federal environmental planning requirements as follows:

- The Platform and mixed-use development (Overbuild) were reviewed in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) review for the Western Rail Yard Project (08PR03724, 08PR04116) in the 2009 *Western Rail Yard Project Final Environmental Impact Statement* (2009 SEQRA/CEQR FEIS). As part of that evaluation, New York State Office of Parks, Recreation and Historic Preservation (SHPO) determined that construction near and around the High Line in Western Rail Yard is appropriate (since historically buildings have been located in this manner) subject to the stipulations in a Letter of Resolution developed with MTA and the New York City Planning Commission. For archaeological resources, the 2009 SEQRA/CEQR FEIS relied on the assessment of potential archaeological sensitivity prepared for the 2004 *No. 7 Subway Extension-Hudson Yards Rezoning and Development Program FGEIS*, which concluded that the Western Rail Yard was not sensitive for archaeological resources. In a comment letter dated April 29, 2009, SHPO confirmed it had no further archaeological concerns with the Western Rail Yard Project. The Overbuild was approved in 2009 by the New York City Planning Commission and adopted by the New York City Council as zoning text and map amendments to the New York City Zoning Resolution. The Overbuild development is now as-of-right development, since it will be built in accordance with the New York City Zoning Resolution’s existing zoning controls, which regulate type of use, building envelopes, publicly accessible open space areas, street wall controls, retail continuity, and maximum floor area ratio (i.e., the ratio of floor area to lot size).
- The Tunnel Encasement is the third and westernmost segment of the entire right-of-way preservation concrete casing that previously underwent environmental reviews¹ led by FRA, which included reviews

¹ *Finding of No Significant Impact, Environmental Assessment for Construction of a Concrete Casing in the Hudson Yards, New York, New York*. (FRA and Amtrak, May 2013); and *Finding of No Significant Impact, Supplemental Environmental Assessment for Construction of a Concrete Casing Extension in the Hudson Yards, New York, New York*. (FRA and Amtrak, November 2014).



- Project Site (Western Rail Yard)
- Area of Potential Effects (see accompanying APE Memo)
- Hudson Yards
- Approximate Terra Firma Area
- Proposed Platform
- Existing Concrete Encasement
- Proposed Tunnel Encasement
- Existing High Line Park (Remains Unaltered)

Project Location and Area of Potential Effects

WESTERN RAIL YARD INFRASTRUCTURE PROJECT

Figure 1

in accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended). In a letter dated April 1, 2013, SHPO confirmed the agency had no archaeological concerns regarding the concrete encasement. In a letter dated July 22, 2014, SHPO concurred with FRA's determination that the undertaking would have no adverse effects on historic properties provided that construction monitoring of the High Line would occur per the New York City Building Code *Technical Policy and Procedure Notice #10/88* (14PRO2712).

As described in the Notice of Intent (*Federal Register* [June 15, 2020/Vol. 85, No. 115]), the purpose of the Proposed Action is to cover and protect the active railroad tracks and LIRR support facilities in the Western Rail Yard so that the Project Sponsor can provide additional new capacity for real estate development and house critical life safety and mechanical, electrical and plumbing support services for the Yard, including new lighting, sprinklers, and an extensive platform ventilation system. The purpose of the Tunnel Encasement is to preserve a right-of-way through the Western Rail Yard to support the future construction of a trans-Hudson passenger rail crossing into New York Penn Station.

FRA is coordinating the NEPA process for the Project with compliance with Section 106 of the National Historic Preservation Act (Section 106). FRA intends to identify a Preferred Alternative for the Project in the Draft EIS. The Project, which is also the undertaking for purposes of Section 106, would include the following major components:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform on the Western Rail Yard site, to be supported by approximately four hundred (400) caissons drilled up to 120 feet deep into bedrock below. The Platform would serve as the support for the as-of-right Overbuild of approximately 5.7 million gross square feet of new commercial, residential, and school uses and public open space.
- Installation of life safety and mechanical, electrical and plumbing support services for the Western Rail Yard, including new lighting, sprinklers and an extensive platform ventilation system, which would be integrated into the system for the Eastern Rail Yard site, across Eleventh Avenue.
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services. At its northern end, the Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment that is currently not in use because operations were moved offsite before construction of the adjacent Eastern Rail Yard. The cleaning platform and three LIRR service buildings on the western edge of the Western Rail Yard will be demolished to allow for the Platform construction. These structures have been built since the rail yard was reconstructed in 1986 and are not historic. Once construction of the Platform is completed, the cleaning platform will be reconstructed in its former location. Interim service buildings will be constructed on the western portion of the *terra firma* (at grade solid ground) site, adjacent Twelfth Avenue; LIRR's security fence would be extended around the interim service buildings site and would be controlled by LIRR. The service buildings will be reconstructed in approximately the same footprint, and in accordance with LIRR program requirements. The service buildings will be designed to comply with applicable codes for an enclosed rail yard, New York State Building Code requirements, and to meet accessibility requirements.

TUNNEL ENCASEMENT COMPONENT (RAILROAD RIGHT-OF-WAY PRESERVATION)

- The Tunnel Encasement would be an extension of the existing concrete casing, and would extend from Eleventh Avenue to 30th Street, to preserve railroad right-of-way through the southern portion of the Western Rail Yard site. This segment of Tunnel Encasement would connect to the recently constructed underground right-of-way preservation concrete casing, which begins just east of Tenth Avenue

(between 30th and 32nd Streets), runs beneath the Eastern Rail Yard, and terminates at the eastern edge of Eleventh Avenue just north of 30th Street (completed in 2015). The Tunnel Encasement would be 605 feet long, between 50 and 65 feet wide and between 27 and 38 feet high beneath Western Rail Yard. This Tunnel Encasement would be constructed through a *terra firma* portion of the Western Rail Yard site that will not be covered by the new platform. The Tunnel Encasement would originate at the western end of the underground concrete casing in the Eastern Rail Yard, extend under the Eleventh Avenue viaduct, and continue diagonally across approximately two-thirds of the Western Rail Yard, underneath a portion of the High Line², and end at 30th Street.

B. DEVELOPMENT OF THE AREA OF POTENTIAL EFFECTS

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, or approve. If a federal or federally-assisted project has the potential to affect historic properties, a Section 106 review is required. Federal agencies carry out their Section 106 obligations according to the regulations issued by the Advisory Council on Historic Preservation at 36 CFR Part 800. Section 106 is a four-step decision-making process; one required step is to define the Area of Potential Effects (APE), which is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist” (36 CFR § 800.16[d]). Historic properties are buildings, structures, sites, objects, or districts that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The APE is influenced by the scale and nature of an undertaking.

The proposed APE described herein and depicted in **Figure 1** has been developed by FRA to account for potential effects of the Project on historic properties, based on the conceptual design for the Project available at this time. In general, potential effects on historic properties can include demolition, physical alteration, or damage, including effects caused by vibration; isolation of a historic property from its surrounding environment; and the introduction of visual, audible, or atmospheric (e.g., pollutants) elements that are out of character with a historic property or that alter its historic setting and context.³ Effects may include reasonably foreseeable effects caused or enabled by the Project that may occur later in time, be farther removed in distance, or be cumulative with other effects from other projects. Adverse effects can occur when a project may alter any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

FRA anticipates that the following types of construction activities and permanent features would be necessary for the Project:

PLATFORM COMPONENT

- Construction of a 425,000 square foot (9.8 acre) structural platform, including new lighting, sprinklers and an extensive platform ventilation system, to be supported by hundreds of caissons drilled up to 120 feet deep into bedrock below;
- Reconstruction and upgrades to other LIRR support services including existing emergency electrical equipment, approximately 20,000 square feet of railroad staff facilities and rail car cleaning services.

² The High Line is an historic elevated former freight rail line, which has been converted into a public aerial linear park and greenway. The High Line was determined eligible for listing on the State and National Registers of Historic Places in 2004.

³ National Register Bulletin, Defining Boundaries for National Register Properties, prepared by the National Park Service.

At its northern end, Western Rail Yard contains a 12-car cleaning platform used to service and clean railroad equipment. The cleaning platform, and service buildings, will be demolished to allow for the Platform construction, and will be reconstructed as part of the Project, as described above. The interim service buildings will be constructed on the western portion of the *terra firma* site, adjacent Twelfth Avenue.

- Construction staging areas for the construction of the Platform (most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction). No off-site staging is anticipated.

TUNNEL ENCASEMENT COMPONENT

- Excavation of approximately 66,000 cubic yards of soil and 14,000 cubic yards of rock for the construction of the Tunnel Encasement for the preservation of rail right-of-way. The volumes of soil and rock to be excavated have been estimated by Amtrak based on the Tunnel Encasement design; these volumes will be more precisely determined during the bid process for procuring the Tunnel Encasement construction contractor.
- Demolition of LIRR's Emergency Services Building (ESB) (a structure that primarily houses utility infrastructure) in the Western Rail Yard, temporary relocation of ESB functions, and reconstruction of the building following completion of the Tunnel Encasement. The temporary ESB functions will be located in the southeast corner of the Western Rail Yard on a small portion of existing elevated concrete (at street level to maximize flood protection). This relocation will provide redundant fire water sourcing to the yard, eliminating the need for the existing secondary water tank and fire pump room. Therefore, the interim emergency services facility will function essentially as a substation for emergency facility (not train) power and communications.
- Temporary underpinning of the High Line. Temporary underpinning may be required where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. This work will include approximately 280 feet of underpinning and re-support onto new foundations of either total (both) columns or partial (one) columns, as described in more detail below. The westernmost 80 feet of underpinning on 30th Street will re-support columns of the High Line that would require re-support for the Hudson Tunnel mining approach.
- Construction staging areas for the construction of the Tunnel Encasement. Most staging is planned to occur on the Project site; possibly extending into some adjacent sidewalks and parking lanes during certain phases of construction. No off-site staging is anticipated.

In addition, the privately-funded Overbuild, which would be enabled by the Project, includes 5.7 million gross square feet of residential, commercial, school, and open space uses on top of the Platform and on the *terra firma* portion of the Western Rail Yard site. Construction of the Overbuild would introduce new, permanent visual components on the Western Rail Yard site.

The proposed APE for the Project is discussed in greater detail below. Existing conditions in the proposed APE are depicted in **Figures 2 through 5**.

C. DESCRIPTION OF THE PROPOSED AREA OF POTENTIAL EFFECTS

The proposed APE (depicted in red-and-white dash in **Figure 1**) encompasses the area 800 feet in all directions from the Western Rail Yard site boundary (depicted in yellow in **Figure 1**). The proposed APE takes into account construction-related effects as well as the visibility of permanent above-grade Project components, including the proposed Platform and Tunnel Encasement. The proposed APE also accounts for the potential indirect effects of the Overbuild. The proposed APE encompasses a sufficiently large area



Source: AKRF

View south from West 34th Street and Hudson Boulevard East 1



Source: AKRF

View south from West 34th Street and Eleventh Avenue 2



Source: AKRF

View southeast from northern end of High Line, near Twelfth Avenue and West 34th Street 3



Source: AKRF

Eleventh Avenue, view north from West 30th Street 4



Source: AKRF

South side of West 30th Street, west of Eleventh Avenue 5



Source: AKRF

West 30th Street, view west from Eleventh Avenue 6



Source: AKRF

View east toward project site, from Route 9A at West 30th Street 7



Source: AKRF

North side of West 29th Street, west of Eleventh Avenue 8



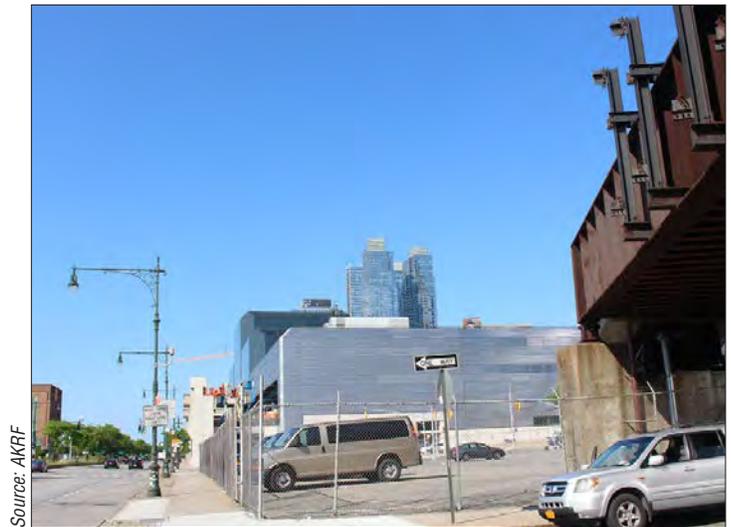
Source: AKRF

View southeast from High Line, from roughly West 31st Street 9



Source: AKRF

Eleventh Avenue looking north from near West 33rd Street 10



Source: AKRF

Route 9A, looking north from near West 33rd Street 11

to account for permanent visual impacts of the Project. The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines. Field reconnaissance conducted by AKRF and information provided by the Project Sponsor regarding the characteristics of the Project components were utilized to help define the proposed APE. The analysis of potential effects to below-ground (archaeological) resources will be limited to the area of anticipated ground disturbance, which is within the Western Rail Yard site boundary.

The proposed APE for the Project is consistent with the APE developed for the 2009 SEQRA/CEQR FEIS for the Western Rail Yard site, and encompasses the smaller APE developed for FRA's previous evaluation of the entire right-of-way preservation concrete encasement (of which the Tunnel Encasement is the westernmost third segment, as described above).

PLATFORM COMPONENT

Potential effects as a result of construction of the Platform are included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. The Platform development would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Platform would not introduce any permanent visual components; it would be covered by the privately-funded, as-of-right Overbuild (described above).

TUNNEL ENCASEMENT COMPONENT

Construction of the railroad right-of-way preservation Tunnel Encasement is included in the proposed APE. Construction effects could include noise and vibration effects to nearby architectural resources from construction activities, including heavy truck movements. Construction of the Tunnel Encasement would involve subsurface ground disturbance on the site, which could directly impact archaeological resources if any are present. Once constructed, the Tunnel Encasement would not introduce any permanent visual components above grade.

CONSTRUCTION STAGING AREAS

The proposed APE includes the construction staging areas for the Platform and the Tunnel Encasement. At-grade and subsurface ground disturbance would occur in these areas, which could directly impact archaeological resources if any are present. The construction staging areas would not have permanent visual impacts. Therefore, the potential for construction-related impacts for these two Project components would be limited to a 100-foot buffer around the Western Rail Yard site boundary, that falls within the 800-foot APE.

UNDERPINNING OF STRUCTURES

Underpinning, which consists of the re-supporting of the below-grade foundations of an existing building or structure on new foundations, may be required beneath the High Line where the Tunnel Encasement would cross beneath a portion of the High Line that runs along West 30th Street between Eleventh and Twelfth Avenues. In general, beams will be installed across the proposed open cut (one on each side of the columns), the High Line columns will be supported on those beams utilizing brackets mounted to the columns, new foundations will be built down to the concrete casing roof of other new deep foundations, and support of the High Line will be transferred onto these new, permanent foundations.⁴ Underpinning

⁴ In accordance with High Line Park's easement to utilize the rail structure, which states that the original rail use must be able to be restored, the underpinning for permanent re-support of the High Line incorporates full historic rail live loading, which is significantly greater than the current park use.

the High Line would not have permanent visible impacts. The potential for construction-related impacts for this work, which could occur as a result of vibration from construction activities, falling debris, and/or inadvertent damage caused by heavy machinery, among other things, would be limited to a 100-foot buffer around the portions of the High Line to be underpinned, that falls within the 800-foot APE.



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:55 PM

To: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>

Cc: Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, WRY Project <WRYProject@dot.gov>

Bcc: johnette.davies@amtrak.com, Marie.Corrado@amtrak.com, sstokely@achp.gov, scarroll@lpc.nyc.gov, Mitchell.silver@parks.nyc.gov, "Doyle, Noreen" <ndoyle@hrpt.ny.gov>, robert@thehighline.org, scotsloon@gmail.com, info@panycarchaeology.org, president@anthraciterailroads.org, dstart.elhs@gmail.com, nrhs-nyc@msn.com, tmeehan0421@gmail.com, mike@tristatetrail.org, corrine.remington@yahoo.com, info@lenape-nation.org

Dear Consulting Party:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:53 PM

To: nalligood@delawarenation.com, epaden@delawarenation-nsn.gov, dkelly@delawarenation-nsn.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Stephen Holley <sholley@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Ms. Alligood, Ms. Thompson-Paden, and Ms. Kelly:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:53 PM

To: bobermeyer@delawaretribe.org, cbrooks@delawaretribe.org, temple@delawaretribe.org

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Stephen Holley <sholley@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Chief Brooks, Mr. Obermeyer, and Ms. Bachor:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:54 PM

To: josephinesmith@shinnecock.org

Cc: charlotteroe@shinnecock.org, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, Rebecca Kriss <rkriss@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, WRY Project <WRYProject@dot.gov>

Dear Ms. Smith:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 **2020-07-03_WRY APE Memo.pdf**
6055K



Jennifer Morris <jmorris@akrf.com>

Western Rail Yard Infrastructure Project, Area of Potential Effects (APE) Memo

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Aug 17, 2020 at 1:55 PM

To: nathan.allison@mohican-nsn.gov

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, shannon.holsey@mohican-nsn.gov, WRY Project <WRYProject@dot.gov>

Dear Mr. Allison:

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) (Section 106) and following the methodology outlined in the 2014 *New York City Environmental Quality Review (CEQR) Technical Manual*^[1], FRA has determined and documented the Area of Potential Effects (APE) in which to assess the potential effects of the Western Rail Yard Infrastructure Project (Project) on historic properties. A required step in the Section 106 four-step decision-making process is determining and documenting the APE, which is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). The Section 106 APE and the study area for assessing the Project's potential impacts on historic properties pursuant to NEPA in the EIS are the same. The proposed APE is also the same as the APE established during the review pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law during the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) process for the Western Rail Yard Project in 2009 (08PR03724, 08PR04116).

A description of the APE, including the Project's components and their potential to affect historic properties (both directly and indirectly), a description of the geographic boundaries of the APE, and maps and photographs depicting the APE, are provided in the enclosed July 3, 2020 **Section 106 Documentation: Western Rail Yard Platform Project, Proposed Area of Potential Effects (APE)** document. The New York State Historic Preservation Officer (NYSHPO) concurred with FRA's proposed APE in its August 3, 2020 letter responding to FRA's initiation of Section 106 for the Project.

If you have any questions or comments regarding the APE, or would like additional information about this undertaking, please contact FRA by email at WRYProject@dot.gov. FRA appreciates your interest in the Western Rail Yard Infrastructure Project.

Best regards,

Jennifer Morris

on behalf of

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

[1] <https://www1.nyc.gov/site/oec/environmental-quality-review/technical-manual.page>

 2020-07-03_WRY APE Memo.pdf
6055K



Jennifer Morris <jmorris@akrf.com>

RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Nathan Allison <nathan.allison@mohican-nsn.gov>

Thu, Jul 30, 2020 at 4:40 PM

To: WRY Project <WRYProject@dot.gov>, Shannon Holsey <Shannon.Holsey@mohican-nsn.gov>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Jennifer Morris <jmorris@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, Bonney Hartley <Bonney.Hartley@mohican-nsn.gov>

Ms. Shick,

Good afternoon. Thank you for requesting comments from the Stockbridge-Munsee Community Tribal Historic Preservation Office. We have received both requests associated with the proposed Western Rail Yard Infrastructure Project. In accordance with Section 106 of the National Historic Preservation Act, the SMC THPO will review the document and respond back shortly with comments, if any we should have.

Since January I am the point-of-contact for all Section 106/NEPA reviews as well as state and local consultation requests. Ms. Hartley has transitioned to focus on NAGPRA and repatriation concerns for the Tribe. Future correspondence and consultation requests can be directed to me. Please see my contact information below for your records. We do ask that all consultation requests and associated documents be submitted electronically via email.

Please let me know should you have any questions.

Best,

Nathan

Nathan Allison

Tribal Historic Preservation Officer & Archaeologist

Stockbridge-Munsee Mohican Tribal Historic Preservation

Extension Office

65 1st Street

Troy, NY 12180

(518) 244-6891

nathan.allison@mohican-nsn.govwww.mohican-nsn.gov***Hours of Operation Update: Mon.-Thur. 7 am -5:30 pm***

From: WRY Project <WRYProject@dot.gov>
Sent: Thursday, July 30, 2020 3:21 PM
To: Shannon Holsey <Shannon.Holsey@mohican-nsn.gov>
Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Jennifer Morris <jmorris@akrf.com>;
Rebecca Kriss <rkris@akrf.com>; WRY Project <WRYProject@dot.gov>; Bonney Hartley <Bonney.Hartley@mohican-nsn.gov>;
Nathan Allison <nathan.allison@mohican-nsn.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear President Holsey,

Please find the attached correspondence from the Federal Railroad Administration regarding Government-to-Government Consultation pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Becky Blatnica

Becky Blatnica, AICP

Environmental Protection Specialist | Environmental Science and Engineering Division, V-326

Volpe, The National Transportation Systems Center | U.S. Department of Transportation

[55 Broadway, Cambridge MA 02142](#) | Web: www.volpe.dot.gov

Office: 617-494-2147 | Fax: 617-494-2789 | Cell: 857-600-6265 | Email: rebecca.blatnica@dot.gov

Advancing transportation innovation for the public good



Jennifer Morris <jmorris@akrf.com>

RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Corrado, Marie <Marie.Corrado@amtrak.com>

Mon, Aug 10, 2020 at 12:37 PM

To: "Davies, Johnette" <Johnette.Davies@amtrak.com>, Jennifer Morris <jmorris@akrf.com>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Nathan Riddle <nriddle@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, WRY Project <WRYProject@dot.gov>, Stephen Holley <sholley@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, "Poole, Andrea (FRA)" <Andrea.Poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <rebecca.blatnica@dot.gov>

Thanks, Johnette. I've made edits to my office address below in **red**, but otherwise confirm your message. And please use email instead of regular mail for 106 matters, in any case, since I will be working remotely for a while.

Marie Corrado

Senior Director, Gateway Program

2 Penn Plaza East

11th floor

Newark, NJ 07015

(973) 848-2177 (o)

(267) 290-4768 (m)

Marie.Corrado@Amtrak.com

From: Davies, Johnette <Johnette.Davies@amtrak.com>**Sent:** Monday, August 10, 2020 12:17 PM**To:** Jennifer Morris <jmorris@akrf.com>**Cc:** Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>; Corrado, Marie <Marie.Corrado@amtrak.com>**Subject:** RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

Good afternoon,

Amtrak accepts FRA's invitation to participate as a consulting party for the above referenced project. Our primary contact will be Marie Corrado (copied here), and I will support Marie in Section 106 matters. Please make Marie your primary contact and copy me on transmittals. Here is Marie's contact information:

Marie Corrado

Senior Director Gateway

Amtrak

~~41-43 Raymond Plaza West~~**2 Penn East**

11th floor

Newark, NJ 07102

Marie.corrado@amtrak.com

267-290-4768

Marie, please correct anything if needed.

Best regards,

- Johnette

Johnette Davies

Lead Historic Preservation Specialist

Amtrak | 30th Street Station | 2955 Market Street, Mailbox 41 | Philadelphia, PA 19104

Email: johnette.davies@amtrak.com | office: 215-349-1354 | ATS:728-1354



From: Jennifer Morris <jmorris@akrf.com>

Sent: Thursday, August 06, 2020 8:24 PM

To: Davies, Johnette <Johnette.Davies@amtrak.com>

Cc: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Nathan Riddle <nriddle@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; WRY Project <WRYProject@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Poole, Andrea (FRA) <Andrea.Poole@dot.gov>; Blatnica, Rebecca (Volpe) <rebecca.blatnica@dot.gov>

Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Davies:

Please find the attached correspondence from the Federal Railroad Administration regarding Consulting Parties pursuant to Section 106 of the National Historic Preservation Act for the Western Rail Yard Infrastructure Project in New York County, New York.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov



Jennifer Morris <jmorris@akrf.com>

Re: Western Rail Yard Infrastructure Project: Transmittal of Draft Agency Coordination Plan

1 message

Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Tue, Sep 22, 2020 at 12:42 PM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Gina Santucci (LPC)" <GSantucci@lpc.nyc.gov>, Stephen Holley <sholley@akrf.com>

Hi Jennifer.

Thanks for clarifying. Yes, LPC is interested in participating as a consulting party.

Best,

Tim

Please note LPC staff is working remotely. The best way to reach me by phone is to call (646) 659-4972.



Timothy Frye

Director of Special Projects and Strategic Planning

1 Centre St., 9th Floor | New York, NY 10007

p: 212.669.1917 | tfrye@lpc.nyc.gov

www.nyc.gov/landmarks



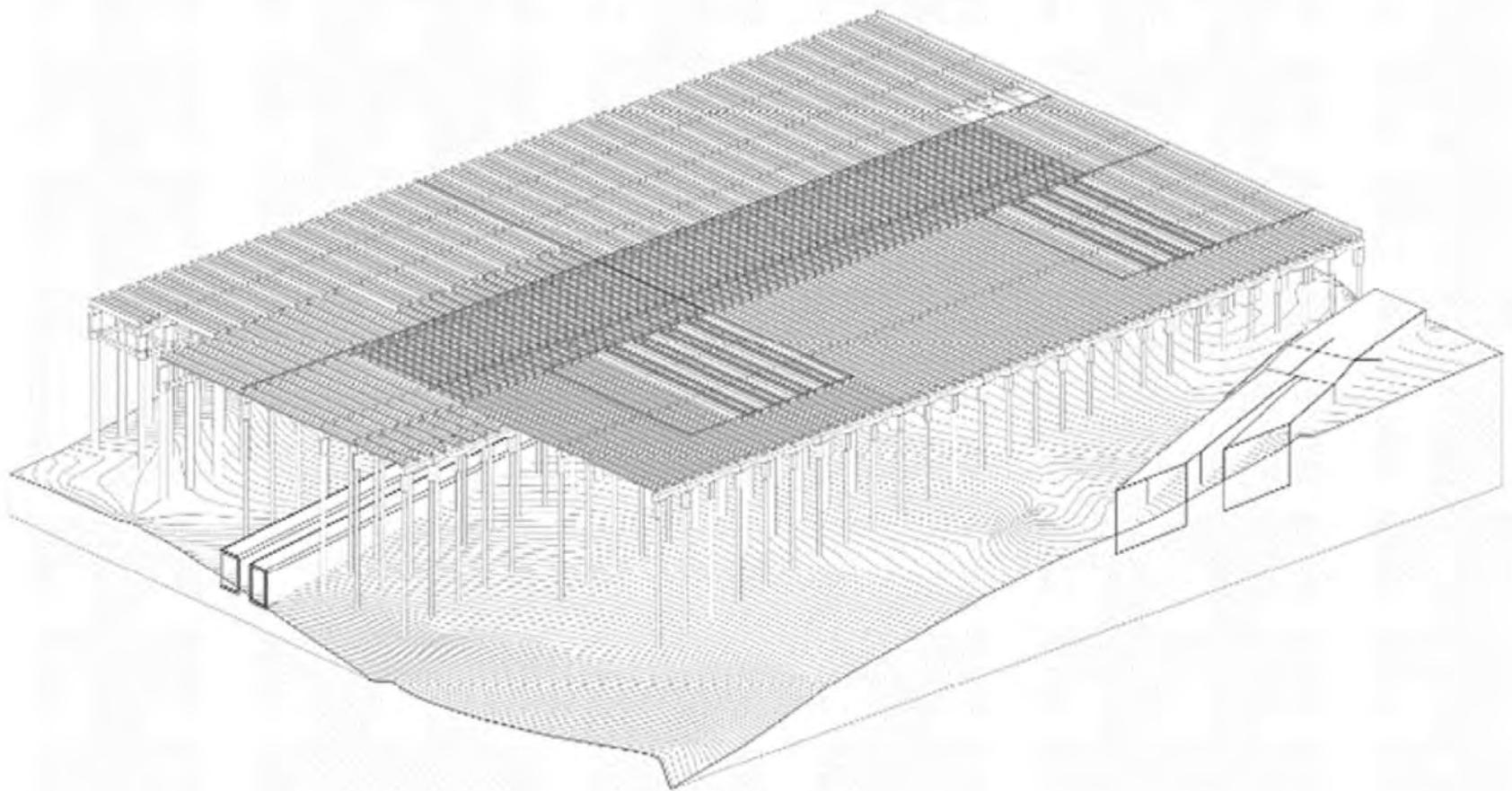
From: Jennifer Morris <jmorris@akrf.com>

Date: Tuesday, September 22, 2020 at 12:31 PM

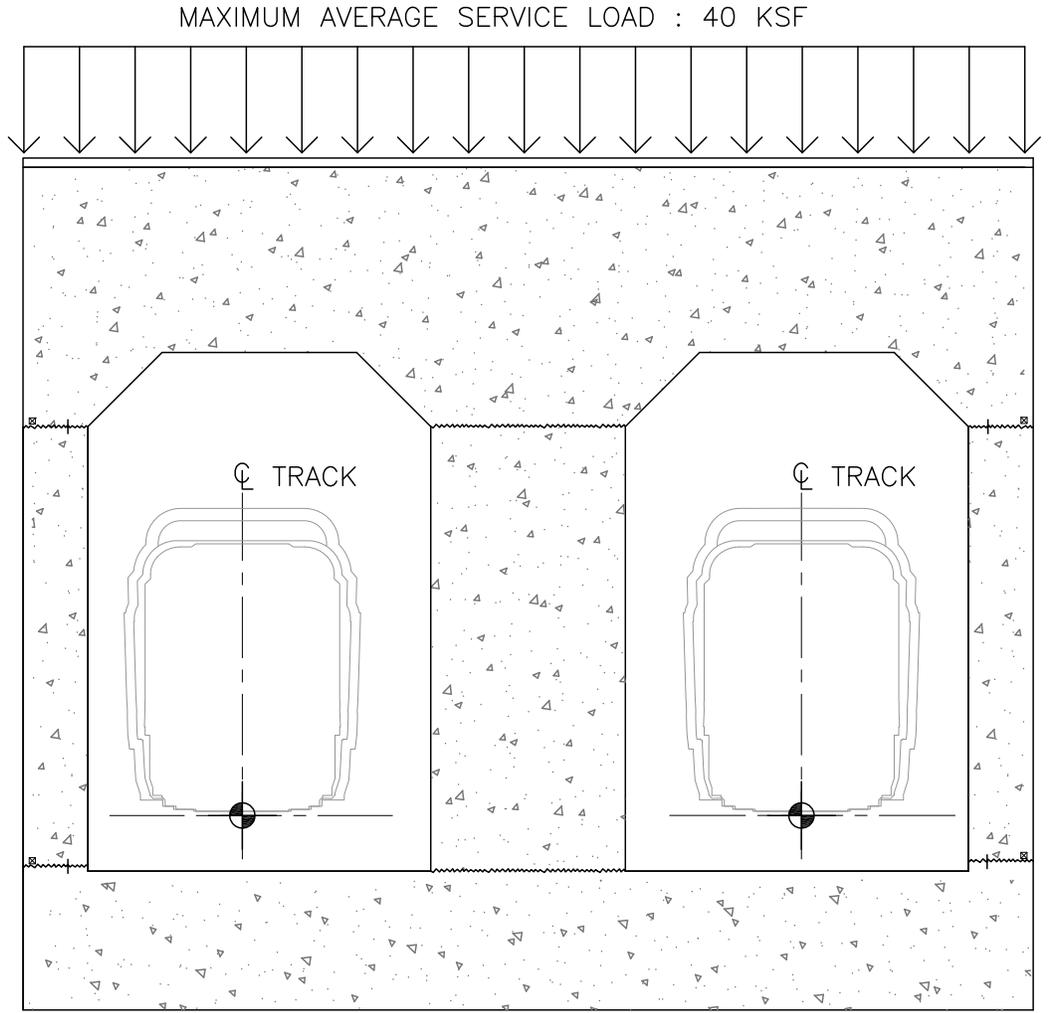
To: "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>

APPENDIX E

Project Plans and Drawings



Source: WRY Tenant LLC



Source: Amtrak

APPENDIX F

Previous Inventory Forms and National Register Eligibility
Determinations

RESOURCE EVALUATION

Date:	March 21, 2011	Staff:	Kathy Howe
Property:	New York Improvement & Tunnel Extension of the Pennsylvania Railroad	MCD:	06101 and 08101
Address:	from NJ to Manhattan to LIC Queens	County:	New York and Queens
Project Ref. No.:	11PR01891	USN:	06101.018103

- I. Property is individually listed on SR/NR :
Name of listing :
- Property is a contributing component of a SR/NR district:
Name of District:
- II. Property meets eligibility criteria
 Property contributes to a district which appears to meet eligibility criteria.
- Pre SRB: Post SRB: SRB Date

Criteria for inclusion in the National Register.

- A **Associated** with events that have made a significant contribution to the broad patterns of our history;
- B **Associated** with the lives of persons significant in our past;
- C Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose component may lack individual distinction;
- D **Have** yielded, or may be likely to yield information important in prehistory or history.

STATEMENT OF SIGNIFICANCE:

Based on the extensive historic context and integrity analysis provided, it is the opinion of the NY SHPO that the subterranean and subaqueous railroad tracks and tunnels of the New York Improvement and Tunnel Extension of the Pennsylvania Railroad meet Criterion A for transportation history and Criterion C for engineering design. Built between 1903 and 1910, this linear transportation corridor was the largest and most advanced metropolitan railroad project undertaken in the United States at that point in history. Extending from Weekhawken, New Jersey, beneath the Hudson River, beneath Manhattan, and under the East River to Long Island City, Queens, the system's engineering represents various construction techniques and designs that met the various needs of the project and the geological conditions.

If you have any questions concerning this Determination of Eligibility, please call Kathy Howe at 518-237-8643, ext 3266

Starting under North Bergen in Weehawken, New Jersey, two single track tunnels extend through a permanent subterranean shaft and beyond through subaqueous tunnels under the North River (Hudson River) and thence under 32nd Street, Manhattan, to the west end of 10th Avenue.

At the core of this system is the Pennsylvania Station beginning at 10th Avenue with the main portion from 9th to 7th Avenues between 31st and 33rd Streets with 21 parallel tracks of crossing and connecting mechanisms.

The area comprised of the footprint of the Pennsylvania Station Service Building and the below grade area beneath 31st Street connecting the Penn Station Service Building to the current Penn Station and the Cross-town tunnel system.

Beyond Penn Station, moving east from 7th Avenue, the tracks converge into three tracks under 32nd Street and 33rd Street respectively. Extending a short distance east, the lines converge into two-track tunnels which are continued under each street, to Second Avenue, curving north to a few feet east of First Avenue.

Continuing east, each of the four tracks travels in its own subaqueous tube, passing under the East River. Penetrating Long Island through two permanent shafts in LIC (Queens) these tunnels extend a short distance to the portal.

As previously noted, the proposed undertaking is limited to the Pennsylvania Station Service Building and the subaqueous portions of the tunnels and tracks that are now a part of Amtrak's Northeast Corridor. The Pennsylvania Station component of the APE only pertains to the tracks under the terminal and does not contain any portion of the building. The APE is narrow and long, following the general contour of the rail corridor within the interior of the tunnels. The above-ground APE for the project is depicted in Attachment 4. Photographic documentation of existing conditions is included in Attachment 3, while historical photographic documentation is included in Attachment 5.

Assessment of Archaeological Potential of the APE

The elements of this project do not have the potential for ground disturbance; therefore there is no effect on archaeological resources.

Evaluation of NRHP Eligibility

Identification of Historic Above-Ground Properties in APE

Fieldwork and research were conducted in four phases by two URS Architectural Historians. The first phase of fieldwork spanned a period from January 19-21, 2011. Research visits were conducted at the Avery Architectural Library at Columbia University in New York City, the New Jersey State Historic

Preservation Office in Trenton, and the New York State Historic Preservation Office near Albany. The second phase of fieldwork included a site visit to the Pennsylvania Station and the Pennsylvania Station Service Building in New York City on January 28, 2011. The third phase of research was conducted from January 30 through February 2, 2011, including primary source research undertaken at Hagley Museum and Library in Wilmington, Delaware; primary and secondary source research completed at the Pennsylvania Railroad Museum in Lancaster County, Pennsylvania; and primary and secondary source research undertaken at the Pennsylvania State Archives of the Pennsylvania Historical and Museum Commission in Harrisburg, Pennsylvania. A final research visit was conducted at the Smithsonian Institution's National Museum of American History Archives Center on February 24, 2011. The purpose of this visit was to examine a series of original construction photographs of the tunnel and Pennsylvania Station improvements for the 1903-1910 period.

Research was directed towards identifying all properties within the APE that were listed in or formally determined eligible for listing in the NRHP, as well as previously-identified properties that had not been evaluated for NRHP eligibility but were potentially eligible for listing. Identified properties are listed in the table below.

Table 1. Identified Historic Resource Sites within Above-Ground APE

<i>Resource Number</i>	<i>Resource Description</i>	<i>NRHP Eligibility</i>	<i>Reference</i>
95PR02554	Penn Station Service Building	Eligible; Local Landmark Eligibility	NYS OPRHP 06101.008140
HPO-K98-29	North (Hudson) River Tunnels	NRHP Eligible	NJ DEP HPO 06101.018103

(I)
(I)
~~06101.008140~~

URS Architectural Historians completed research at a series of other archival repositories to gather written, photographic and other illustrative information on the development of the Pennsylvania Railroad (PRR) and the construction of railroad tunnels associated with this undertaking. These repositories include those listed above and also Internet-accessible versions of similar repositories. Online repositories included Google Books, Hagley Library's Digital Collections, and various other repositories standard to our historic research methods on a desktop level at URS.

Amtrak has determined that utilizing information collected during previous identification and evaluation efforts, as documented at the SHPO, coupled with this additional archival information, represents a good-faith effort on the part of the agency to identify historic properties within the Above-Ground APE. Additionally, Amtrak has concluded that this project, as one of a larger group of security projects, has limited or no potential to cause indirect adverse effects on historic properties in the APE, should they be present.

Correspondence dated November 12, 1998 from the New Jersey Deputy State Historic Preservation Officer issued the following revised decision regarding the NRHP eligibility of the Hudson River Tunnels:

It is also my revised opinion that the North (Hudson) River Tunnels, Milepost 3.0 Bergen Portal to 10th Avenue Portal, Amtrak NEC, Hudson County and Weehawken, Township to New York City, New York, are themselves eligible under Criterion C as intact and significant early 20th century railroad engineering structures which combined advances in tunneling technology with advances in railroad electrification to form the first major direct railroad connection between New York and New Jersey. The tunnels were associated with the Pennsylvania Railroad New York Extension representing the continued expansion of the railroad and were planned as part of overall improvements in the New York metropolitan corridor (Criterion A).

Because the list of previously-evaluated resources and the NJ SHPOs comment on NRHP eligibility regarding the Hudson River Tunnels do not include information pertaining to other related components of the Pennsylvania Railroad improvements (e.g., Cross Town Tunnels and the East River Tunnels) potentially affected by this undertaking, one of the URS Architectural Historians communicated with staff of the NY SHPO regarding what additional information would be required to support this Section 106 letter report. In an e-mail dated January 21, 2011, Historic Preservation Program Analyst Kathleen Howe provided additional guidance. Ms. Howe stated: "The former Pennsylvania Railroad (current Amtrak tunnels) – spanning from Weehawken, NJ, under the Hudson River, through Manhattan, under the East River over the [sic.] Long Island City – have not been formally evaluated by the NY SHPO for their National Register eligibility. In order to evaluate the tunnels we will need to receive a narrative description of them including a discussion of their integrity, current photographs, maps showing their route, and a statement of significance."

The following information responds to this guidance.

Historic Context for the New York Improvement and Tunnel Extension of the Pennsylvania Railroad, 1903-1910

The first subway and tunnel systems were constructed in New York City in the late nineteenth century. Before the twentieth century, the Island of Manhattan was connected to the surrounding areas only by ferries and a limited number of bridges, which only spanned the East River connecting Manhattan to Brooklyn and later Queens.

The original Hudson River Tunnel was conceived by D.C. Haskins in 1871, and construction work began in 1874. Progress made on this tunnel was intermittent, and the project was delayed by both engineering and financial difficulties. The project was officially opened in 1908. The East River Gas Tunnel was constructed between 1892 and 1894. The Manhattan-Bronx Division of the New York Subway began

construction of a tunnel to provide a cross-borough connection in 1892. The Brooklyn-Manhattan Division of the New York Subway began a similar project in 1902.

The Pennsylvania Railroad's (PRR) New York tunnel system represented more than an additional tunnel between Manhattan and neighboring boroughs. As Jill Jonnes states in *Conquering Gotham: A Gilded Age Epic: the Construction of Penn Station and Its Tunnels*, this "vast, transforming transportation enterprise" was "the connecting of the nation's mainland and its greatest railroad to its most important port and city." The PRR's New York Terminal was formed through the combination of the PRR terminals, tunnels, and lines between Weehawken, New Jersey and LIC, Queens. Constructed and operated by the PRR, the components function as one system (Attachment 5, Figure 1)

Extending from the main line of the PRR at Harrison, New Jersey, this transportation corridor crosses west through Hackensack Meadows to the face of Bergen Hill. Continuing under Bergen Hill to Weehawken, New Jersey, two single track tunnels extend under the North River (Hudson River) and then under 32nd Street, Manhattan, to the west end of 10th Avenue and the Pennsylvania Station. The main portion of the station lies between 9th and 7th Avenues between 31st and 33rd Streets. Underneath the station, the tunnels continued alongside 21 parallel tracks with various crossing and connecting mechanisms (Attachment 5, Figure 2).

Beyond Pennsylvania Station, moving east from 7th Avenue, there are two tunnels each with two tracks under 32nd Street and 33rd Street. Extending east, the lines continue to Second Avenue, curving north to enter two tunnels a few feet east of First Avenue. Two tunnels of two tracks then became four separate tubes running under the East River. Continuing east, the track converged to their former arrangement of two tunnels each with two tracks to LIC (Queens) and continued eastward to Sunnyside Yard, terminating at Woodside Avenue. The estimated cost for the tunnels at the time of construction was reported to be \$100,000,000. The project included two divisions of the line and/or system, the North River Division and the East River Division.

North River Division

The North River Division runs between 10th Avenue in Manhattan to Bergen Hill in and Weehawken, New Jersey. Charles M. Jacobs, a PRR engineer, was in charge of the design and construction of the division. Several previous attempts to tunnel under the Hudson River had failed. A major factor in previous failures to construct underwater tunnels was the unstableness of the glacial silt that the *Engineering News* described in December 1901 as "about the most treacherous material through which submarine tunneling has ever been attempted...the silt is so unyielding and semi-fluid in consistency that it is quite doubtful whether an ordinary cast-iron-lined tunnel would not be distorted and fractured by the movements of the trains."

Jacobs devised a new scheme that would carry rolling loads on bridging that were supported on pier and/or piles. Attached to the tunnel itself, these piers and/or piles could maintain sliding joints in the tunnel shells if necessary, allowing the tunnel to be physically supported during construction. Every fifteen feet, the tunnel segments included a special "bore segment" that would allow the installation of screw piles that would attach the tunnel to the bedrock under the silt. This plan gained the confidence of the proper authorities and helped initiate the entire project (Attachment 5, Figures 3a and 3b).

Tunneling began with the construction of two vertical shafts, one in Manhattan and the other in Weehawken, New Jersey. The Manhattan shaft was typical of similar construction at the time being only 55 feet deep, with a cross-section of 32 by 22 feet. The Weehawken shaft was a more impressive engineering accomplishment being seventy-six feet deep, 100 by 154 feet at the top with a reduction to 56 by 116 feet at the bottom (Attachment 5, Figure 4).

Construction of the vertical shafts required the construction of power plants in both Manhattan and Weehawken, and plants to generate compressed air (to be forced into each tunnel shaft) on each side of the Hudson. Each shaft required three Class "F" Stirling boilers each with 5,000 square feet of heating space and 116 square feet of grate space. There were two feed pumps at each plant, as well as three Ingersoll-Rand low pressure compressors used to supply air to the subaqueous tunnels. The plants also included one high pressure Ingersoll-Rand compressor operated by a Corliss steam engine. The operation provided 4,389 cubic feet of air per minute. Condensing 22,500 pounds of steam per hour, each plant also contained two Worthing surface condensers, acting as vacuum pumps.

The North River Division was divided into three segments: 1) the Terminal Station-West; 2) the NRT; and 3) the Bergen Hill Tunnels

The Terminal Station-West

Under the authority of B.F. Cresson, Jr., Resident Engineer, the work conducted on the east side of 9th Avenue to the east side of 10th Avenue, included excavation, the construction of retaining and face walls, and underpinning 9th Avenue to support its elevated railroads, surfaces, and other structures. The underpinning of 9th Avenue meant accommodating the roughly 125,000,000 passengers carried on the Elevated Railroad and surface lines of 9th Avenue during the stage of underpinning.

During the construction, traffic on 9th Avenue was supported by a three-track elevated railroad structure and a two-track surface railway structure, over which a 375 foot viaduct was created to support the existing operations and to afford excavating 60 feet below the street (Attachment 5, Figure 5). The contract work for this section was let to the New York Contracting Company in April 1906. The works involved excavating roughly 517,000 cubic yards of material (87 percent of which was rock) and construction of approximately 2,000 linear feet of retaining and face walls containing about 185,000 cubic yards of concrete, and constructing support structures for 9th Avenue.

NRT

Between 1903 and 1906, two subaqueous tunnels were constructed using large-scale shields driven from each side of the North River. Operating the tunneling shields required three hydraulic power pumps in each power plant. O'Rourke Engineering Construction Company served as the contractors to the PRR. The soft alluvial muds and marine sediments of the North River were excavated by forcing an iron shield through the mud. This method allowed the excavated materials to pass through the shield doors to be removed on rail cars. This technique was invented by James H. Greathead and was employed in the construction of the first London Subway (1880-1890). A later technique known as the clay-blanket method was developed by Jacobs and Davies for the first Hudson River Tunnel. This method essentially consisted of blanketing the entire river bed along the line of excavation with impervious clay to prevent compressed the air from blowing through the river bed into the water above (Attachment 5, Figure 6).

A shield of 18 feet in diameter was used in the construction of the NRT. In *Conquering Gotham*, Jones described the shield and its operation as follows:

...the Greathead-style shield, a strange 193-ton behemoth of a machine, a gigantic mechanical mole that burrowed deep under the river as the tunnel's rings were assembled in its laborious wake. Charles Jacobs and James Forgie had designed their shields to be seventeen-foot-long cylinders that would snugly encase the forefront of each twenty-foot wide tunnel as it was being built. The shield face itself, constructed with three strong layers of two-inch-thick steel plate, had nine-compartments with doors so sandhogs (workmen) could excavate from the face. Or those compartments could be carefully opened to let in river muck as the shield pushed forward. The tunnel itself was series of gigantic cast-iron rings, each two-and-a half feet wide. Each ring was assembled with thirteen separate flanged segments, laboriously bolted together then attached to the previous ring. And so the tunnel advanced, two feet and six inches at a time Attachment 5, Figures 7-9).

This method used an incredible volume of compressed air, exerting a pressure of roughly 3,400 tons at a hydraulic pressure of 5,000 pounds per square inch. The shields used on the New York side were built inside the iron lining of the shield chambers and no falsework was required; whereas, on the Weehawken side, construction occurred through bare rock excavation with the required falsework.

The interior of the tunnel was specifically designed to accommodate one single line of tracks to eliminate the possibility of derailment and collision. Alexander Cassatt, President of the PRR, employed a tube design that featured a trough shape within the lower portion of the tunnel. On each side of the tracks, concrete "benches" formed the trough shape rising one foot above the ordinary Pullman car. This provided an absolute safeguard against derailment, but allowed access for maintenance and repair within the tunnel. The "benches" constructed on ceramic tile blocks also created a barrier between the tracks and the tunnel wall, providing another safeguard for the structure itself.

The benches were also designed as functional safety elements—three feet wide ledges that served as walkways. Ducts for electric cables, composed of stacked terra cotta channels, were built into the side walls (benches) of the trough with 15 ducts for high tension wires and 40 ducts for low tension wires. This provided conduit channels for the electrical components of the railroad system, including telephone, telegraph, signal and power wires (Attachment 5, Figures 10 and 11).

Between May of 1908 and May of 1909, the tunnels were lined with concrete, which included the installation of a monolithic masonry panels as a means of making the tunnel rigid and safe. A total of 150,000 cubic yards of masonry was used in the building of the two Hudson River tunnels. Each of the two tunnels is roughly 7,406 feet with an aggregate length of 15,668. The weight of the finished tunnel was roughly 31,469 pounds per linear foot. At the time of completion, the weight of the tunnel with the maximum train capacity and/or load was calculated at roughly 42,869 pounds per linear square foot.

Bergen Hill Tunnels

The Bergen Hill Tunnels were built as two single track lines, 37 feet from center to center and each extending a distance of 5,920 feet from the Weehawken Shaft to the Hackensack (Bergen Hill) Portal (Attachment 5, Figures 12a and 12b). On May 7, 1908, the last head of the Bergen Hill tunnel had broken through. By the time the excavations for the North River and Bergen Hill tunnels were completed, 750,000 pounds of dynamite had been used (Attachment 5, Figure 13).

East River Division

The construction of the ERT was carried out under the design and construction leadership of Charles M. Jacobs, engineer of the PRR. Borings along the line of the East River Tunnel involved penetrating a variety of materials, including quicksand, coarse sand, gravel, boulders, bedrock, and clay.

The East River Tunnel construction project was divided into the following three sections: 1) Crosstown Tunnels; 2) ERT; and 3) Sunnyside Yard.

The labor contracted to S. Pearson & Son on July 7, 1904, included the construction of permanent vertical shafts in New York City and LIC and the tunnels between these shafts, along with tunnel extensions east through LIC to East Avenue.

Similar to construction of the NRT, the ERT required new plants to generate large volumes of pressurized air, as well as power facilities. The Manhattan air compressor plant featured large air compression machinery that mechanically pumped air from the outside into the plant to, in turn, push pressurized air into the tunnels to keep river water from flooding construction areas. In turn, the machinery exhausted steam and musty air from the work zones so that the “sandhogs” could continue to work. . The air

compressor plants on each side of the river were installed by the Ingersoll-Rand Company of New York, producing a rated capacity of 25,000 cubic feet of free air per minute.

Two permanent shafts were built on each side of the river. The construction of just one shaft on the Manhattan side required boring through 123 feet of rock; 87 feet of earth and rock; 723 feet of earth; 515 feet of earth and rock; 291 feet of rock; and 56 feet of rock and earth. In LIC, the shafts were sunk as pneumatic caissons to a depth of 78 feet below the mean high water mark (Attachment 5, Figure 14). This type of caisson was required to maintain the air pressure necessary for excavation requirements for tunneling under the East River. While most caissons were sunk to or slightly below rock, these were driven 54 feet through rock (Attachment 5, Figure 15).

Crosstown Tunnels

As part of the East River Division, the Crosstown Tunnels were constructed between Pennsylvania Station at 7th Avenue to the vertical shafts at First Avenue. The "New York Station" tracks, totaling 2,985 linear feet, led to the Crosstown Tunnels, where they continued eastward and converged from three tracks into a two tracks before reaching the First Avenue vertical shafts. The length of track under Manhattan totaled 5,199 feet. The excavation of these tunnels involved drilling and blasting through the hard rock of Manhattan's geological spine (Attachment 5, Figure 16).

Excavation was carried out by modified versions of the top-heading and bench methods. A power house at the corner of 31st Street and Fourth Avenue provided compressed air for operating drills, shovels, pumps, and hoists within the tunnel.

East of Second Avenue, the tunnels curved to the north and passed under private property rather than city-owned streets (Attachment 5, Figure 17). The tunnel under 33rd Street was 1,418 feet east of Fifth Avenue and descended at a grade of 0.4 percent.

ERT

Between 1903 and 1908, four subaqueous tunnels were constructed by shields driven from each side of the East River. The company of S. Pearson & Son, Inc. served as the contractors to the PRR, and construction was completed by March 18, 1908. The sand and gravel bed of the East River posed a new type of problem -- the shield could not be forced through the sand and gravel, requiring excavation to take place in front of the shield. This could only be achieved by maintaining optimal caisson pressure, which allowed workers to excavate through openings in the shield.

Shield types in construction of the East Division tunnels varied—a heavy type was used in the tunnels under the river; a lighter type used in driving the land tunnels from East Avenue and in LIC. The shields used under the river were massive in size, extremely heavy and used "cutting edges" making them

effective excavators. The shields had transverse bulkheads that allowed the interior to be sealed off with the only openings being a door and a muck shoot. The bulkheads added needed rigidity during construction.

After the shields were built and pushed forward, it was necessary to close the space between the interior iron lining and the rock. Concrete bulkheads were then built with the necessary air-locks behind the shields. The shields were pushed roughly 60 feet forward and the permanent lining was erected as the shield advanced. The space at the portal was filled with concrete and rings erected throughout the tunnel at each joint of the shields. The shield method was altered and adapted to meet the needs of the specific excavation conditions.

The first of the four single-track cast-iron tube tunnels to connect mid-river was Tunnel D, in 1908, after 4 years of blowouts, fires, cave-ins, flooding, explosions, injuries, and deaths. Each of the tunnels was roughly 6,000 feet long with about 3,900 feet of the tunnels running below the riverbed then continuing east for about 2,000 feet below LIC. (Attachment 5, Figure 18).

Sunnyside Yard

Train tracks that extended from the tunnels under East Avenue in LIC became the Long Island Railroad. Original plans specified that the tunnel lines should pass under the passenger station building and passenger yard of the Long Island Railroad and then under streets and private property. These plans were abandoned and the portals were located in LIC. East of the portals, the track system was expanded to provide connections with the tracks of the Long Island Railroad to and from LIC with the New York Connecting Railroad and the New England lines. This area is known as the Sunnyside Yard, and included huge train storage and a cleaning yard. The facility was located roughly two and three-quarters of a mile east of the East River.

After nearly a decade of planning and construction, the first train departed the Pennsylvania Station at 12:02 a.m. on November 28, 1910. The local train to Perth Amboy was the first train to pass through the tunnel. The Washington Express was the first train to enter Manhattan and the Pennsylvania Station on that same day at 12:30 a.m. Later that day, the 1:00 a.m. express was the first train bound for Philadelphia from the Island of Manhattan. The majority of the line between Harrison, New Jersey and LIC, New York was complete with only minor details remaining to be completed.

Post-Construction Tunnel Improvements/Modifications

Throughout the next several decades, electrical updates and other types of system upgrades and maintenance work were completed on, and within, the tunnels. The following table provides a chronology of this work, as identified in PRR board meeting minutes and other primary source materials. Although not a comprehensive list, Table 2 provides a useful overview regarding the amount of equipment installed

in the tunnels and the degree to which changing technology needs to be accommodated to keep the tunnels operational.

Table 2: Post Construction Tunnel Improvements

<i>Date</i>	<i>Project/Update</i>	<i>Service Provider</i>	<i>Location</i>
September 18, 1929 to 1934	Electrification with Construction of Foundations, Guy Anchors, and Catenary Systems	Gibbs & Hill, Inc. Construction Contractor	Millstone, New Jersey to Sunnyside Yard
November 1930 to December 22, 1932	Installation of Duct Underground Conduit	Gibbs & Hill, Inc. Construction Contractor	Kearny, New Jersey to Sunnyside Yard
January 26, 1931 to December 5, 1932	Installation of 12,000 Volt Paper Insulated, Two-Conductor Concentric Lead Covered Cables	Henry Idle, Inc.	ERT and NRT, and other New Jersey Locations
May 1941	Update of Traffic Locking Circuits/Updating Interlocking of the Tracks	Unknown	NRT and ERT/Associated Yards
May 1941	Protection of the Weehawken Shaft	Unknown	Weehawken Shaft
Early 1940s	Flood Proofing/Including the Installation of Drop Flood Gates at Shafts and Portals/Installation of Swing Flood Gates	Salson Construction Company, Hallen Welding Services, J. Richard Steers Company	10 th Avenue Portal, 6 th Avenue Portal, North and South Tunnels of the Weehawken Shaft, and the NRT and East RT
May 21, 1942	Installation of 54 Paired Telegraph and Telephone Wires	Unknown	Long Island Shafts to Sunnyside Portal
May 21, 1942	Installation of Remotely Controlled Sectionalizing Switches for Signal Power Lines	Unknown	Shafts of the NRT and ERT
May 4, 1943	Updates of the Tracks	Unknown	Penn Station and New York Terminal
May 4, 1943	Increased Power Supply	Unknown	Penn Station Terminal
May 4, 1943	Installation of Dewatering Facilities	Unknown	Penn Station Terminal
May 4, 1943	Installation of Electric Strip Heaters within the Switch System	Unknown	Interlocking System

<i>Date</i>	<i>Project/Update</i>	<i>Service Provider</i>	<i>Location</i>
May 4, 1943	Installation of Overload Protection on Circuit Breakers and Disconnect Switches on Circuit Breakers	Unknown	Switching Stations of the ERT
May 16, 1944	Installation of Dragging Equipment Detectors and "A" Interlockers	Unknown	Hudson River Portal of the NRT
May 16, 1944	Installation of Remotely Controlled Sectionalizing Switches for Signal Power Lines	Unknown	North and East River Shafts
October 1963	Demolition of Facilities	Unknown	Penn Station

NRHP Evaluation for New York Improvement and Tunnel Extension of the Pennsylvania Railroad

For a property to be eligible for listing in the NRHP, it must be found significant under at least one of the NRHP Criteria for Evaluation and retain its historic integrity. Amtrak has completed its analysis of the Criteria for Evaluation for this resource as follows:

Criteria A and B – Events and People

The subterranean and subaqueous railroad tracks and tunnels of the New York Improvement and Tunnel Extension of the Pennsylvania Railroad is associated with transportation-related events that made a significant contribution to the broad patterns of our history (Criterion A), but does not appear to be associated with the lives of historically significant people (Criterion B).

The subterranean and subaqueous railroad tracks and tunnels were constructed between 1903 and 1910. This improvement project was the largest and most advanced metropolitan railroad project undertaken in America at this time in our country's history. Until these tunnels were constructed, the PRR terminated on the western side of the Hudson in Jersey City, New Jersey. Passengers wanting to go to Manhattan had to board ferries to cross the river. The chief rival railroad, the New York Central, ran down Manhattan from the north and terminated at Grand Central Terminal – a competitive disadvantage for the PRR.

Building a bridge across the Hudson River meant joint participation in the venture from the other railroads using ferries across the river – a requirement for obtaining state approval. The other railroads declined the offer to participate. Tunnels for steam locomotives were difficult to ventilate, but the early 20th century, development of the electric locomotive dramatically reduced the need for ventilation. With electrification of the line and the construction of these tunnels, the largest railroad in the county connected directly to the

heart of the country's largest city and largest port. The PRR New York System tunnels are significant for their association with the history of transportation, specifically with the process and technology of conveying passengers or materials.

Criterion C – Engineering

The subterranean and subaqueous railroad tracks and tunnels represent designs and construction methodologies that range from standardized types to specific designs for the particular project needs. The design of the tunnels included a system of iron support rings -- the installation of each ring required an advance of two to three feet. The construction of this component of the tunnels took place with record progress, as the average ring was installed in the course of one eight- hour day. The large shields used in tunnel construction not only drove the excavation, but also served as structural elements as these of 193 ton shields were pushed forward by hydraulic rams. Each shield was designed with nine doors that could be opened for the removal of subterranean and subaqueous materials. At the time, this feature was seen as a new precedent in engineering in terms of strength, safety, and permanence. In fact, the shields used in the south tube of the Hudson River were on exhibition at the 1907 Jamestown Exposition.

The two tunnels under the North River and the four tunnels under the East River were built by shields driven from each side of the respective rivers. These tunnels were the first constructed for standard railroad trains under these specific rivers. They were also the first tunnels completed in multiples to channel under the North and East Rivers as part of one general transportation system.

Based on unique geological properties of the New York City area, three different excavation methods were used. In subaqueous construction, different versions of the shield method were employed to excavate the two different river bed types. A third method was employed to penetrate the subterranean land mass of Manhattan. The New York Improvement and Tunnel Extension of the Pennsylvania Railroad is historically significant for its association with engineering: the practical application of scientific principles to design, construct, and operate equipment, machine and structures to serve human needs.

Criterion D – Information Potential

Research has not revealed that the resource has the potential to yield potentially important information.

Integrity Analysis

The NRHP recognizes a property's integrity through seven aspects or qualities: location, design, setting, materials, workmanship, feeling, and association. The following summarizes the historic integrity analysis for the subterranean and subaqueous railroad tracks and tunnels. The system of tracks and tunnels is being evaluated as one single property.

Location is defined as the place where the historic property was constructed or the place where the historic event took place. The subject property has not been moved; it retains its integrity of location.

Design is defined as the composition of elements that constitute the form, plan, space, structure, and style of a property. Despite the addition of numerous lines of conduit and electrical lines installed over the years, the property retains integrity of form, plan, space and structure, and is successful in communicating its original function and design intent.

Setting is defined as the physical environment of a historic-period property that illustrates the character of the place. The consecutive grouping of various components of the original tunnel extension retains its original relationship to the railroad tracks and terminals that comprise the line. Thus, the property retains integrity of setting.

Materials are defined as the physical elements combined in a particular pattern or configuration to form the historic property during a period in the past. Even with the changes in electrification as well as the physical changes and additions mandated for compliance with safety codes, these additional systems and/or conduit related physical features are minor when examined in context of this huge railroad track and tunnel system. As is evident in the photographs, there have been no substantial physical changes made to the property, resulting in only minor loss of material. Therefore, the property retains integrity of materials.

Workmanship is defined as the physical evidence of the crafts of a particular culture or people during any given period of history. Despite more modern electrical and safety equipment installed over the years, the property retains physical evidence of the construction techniques such as the trough-like design of the tunnels and the concrete finish of its interior, associated with train-related structures of the early 20th century.

Feeling is defined as the quality that a historic-period property has in evoking the aesthetic or historic sense of a past period of time. The existing tunnels convey a sense of utility associated with early 20th century transportation related structures. While some modern updates are obvious, these minor elements and additions do not detract from the integrity of feeling.

Association is defined as the direct link between a property and the event or person for which the property is significant. The property is directly associated with the New York Improvement and Tunnel Extension of the Pennsylvania Railroad during the early 20th century.

In summary, the subterranean and subaqueous railroad tracks and tunnels associated with the New York Improvement and Tunnel Extension of the Pennsylvania Railroad are significant under NRHP Criterion A for transportation and Criterion C for engineering, and possess integrity of location, setting, association, and feeling. The updates and modifications have not altered the structural and/or design characteristics

that are significant to this resource. The resource maintains integrity of materials, workmanship and design. This property retains sufficient historic integrity for listing in the NRHP.

NRHP Evaluation for the Pennsylvania Station Service Building

At 242 West 31st Street between 7th and 8th Avenues, the Pennsylvania Station Service Building exists as the only above-ground extant component of McKim, Mead and White's Pennsylvania Station. Historic American Buildings Survey (HABS) documentation number NY-547-A identifies this building as the Pennsylvania Station, New York Terminal Service Plant, but also refers to the building as the Penn Station Service Building throughout the October 1995 document.

The Pennsylvania Station Service Building is a steel frame structure clad in red brick and coursed, dressed pink granite ashlar on the north façade. The Neo-Classical styled building contains Doric pilasters, heavy cornices and a superimposed attic story. The building is four stories tall above grade and extends 49 feet below grade. The 16,000 square foot plan has a width of 160 feet and depth of 100 feet (Attachment 5, Figures 19 and 20).

The Service Building was constructed as the primary power plant that served Pennsylvania Station. It provided electricity, heat, light, and elevator hydraulics and compressed air and refrigeration. The building's interior fire wall separates its two main components: a boiler room and engine room. While much of the original machinery and equipment is no longer used, the building still serves the Amtrak line that runs in and out of Penn Station.

The Service Building was constructed as part of the Pennsylvania Station – the nucleus of the large New York Improvement and Tunnel Extension of the Pennsylvania Railroad, completed in 1910. Architects McKim, Mead and White designed the station and service building beginning in 1903 and the project was completed in 1909. The service building powered the 1910 Pennsylvania Station, which was the largest building in the world erected during a single continuous period of time. The post WWII decline in railroad ridership and revenues resulted in the 1963 demolition of the station. The only remaining above-ground feature of the Pennsylvania Station is this Service Building.

The massive scale of the Pennsylvania Station and associated infrastructure required a separate building to provide power. Although the design is attributed to McKim, Mead & White, PRR engineers designed the interior structural system, while the mechanical system was undertaken by Westinghouse, Church, Kerr & Company. The lower levels of the plant contained the steam engines and turbines that generated power for the station's lights, track signaling, and traction power, along with cable in-lets, bus-bar structures, cabling and switching equipment. The street level housed boiler rooms, coal bunkers, rotary converters, transformers and the sub-station switch board. The upper levels contained the engine room with generators, air compressors, hydraulic pumps, refrigeration compressors, and heating and circulation pumps for the station (Attachment F, Figure 21).

When completed, machinery in the Service Building included ten, 525 horse power water-tube boilers, with an 11 foot diameter brick smoke stack that extends 50 feet above the roof and is carried on steel framing from the basement. At first only five boilers and one smoke stack were installed, but five additional boilers and another smoke stack were added over the next few years. Coal that fed the boilers was delivered by railcar to a track in front of the plant and dropped into a hopper, elevated by belt system to feeding hoppers and then into a bunker with a capacity of 1,000 tons, which was one week's supply. Ash from the boilers was dumped into concrete-lined hoppers that discharged into hopper cars that moved on tracks to the 80-ton capacity ash bunker under 31st Street.

Water was obtained from one public and one private main. A backup supply came from the plant's five storage tanks having a combined capacity of 75,000 gallons. There was also a 5,000 gallon water tank on the roof which was feed with water from the refrigerating plant and compressors. Distribution of water was handled by three motor-driven centrifugal pumps having a capacity of 300 gallons per minute. Two Nordberg-Corliss valve type air compressors, each with a capacity of 2,000 cubic feet per minute, provided the compressed air for operating switches, signals, brake-testing in the yard, pumping in the tunnels and for sewage ejectors and air cleaning machines.

Refrigeration needs for the station and yard were estimated to be equivalent to the melting of 56 tons of ice per day during the summer. This need was met by installing a complete plant in the service building, consisting of two units each of 40 ton capacity, one unit being generally available as a spare. A water filtration plant having a 400 gallon per hour capacity and a cooling and storage tank with a 700 gallon capacity operated in connection with the refrigerator plant. The estimated five tons of wet kitchen garbage and five tons of dry garbage that were generated per day were disposed of by the furnaces in the Service Building's incinerator plant.

Electrical power needed to be generated for station and tunnel lighting, heating, ventilating motors, pumping motors, tunnel ventilation motors and power for the signal system. Two 1,000 kilowatt turbo-generators provided the electricity through step-up transformers, three-phase alternative current, at 11,000 volts and 60 cycles, to the building's service power switchboard. The Westinghouse electrical turbines housed in the building were at the time of construction the largest in the world.

Maintenance on this building and its equipment began to suffer with decreasing PRR revenues beginning in the late 1940s. During the 1950s and 1960s, few repairs or updates were completed. In 1994, the existing conditions of the building were thoroughly documented and are recorded as HABS number NY-5471-A. Much of the original mechanical equipment has been removed, with only isolated pockets remaining.

The building has been determined eligible for listing in the NRHP by the New York State Historic Preservation Office. Unfortunately, a visit to the New York SHPO and further communication did not

result in locating a copy of the documentation for this eligibility determination. In order to evaluate the potential effects on the building, the following application of the NRHP criteria and areas of historic integrity is provided below.

Criteria A and B – Events and People

For a property to be eligible for listing in the NRHP, it must be found significant under at least one of the NRHP Criteria for Evaluation and retain its historic integrity. Amtrak has completed its analysis of the Criteria for Evaluation for this resource as follows:

As a feature of the New York Improvement and Tunnel Extension of the Pennsylvania Railroad and as a functional component of the Pennsylvania Station, the Pennsylvania Station Service Building is directly associated with events that have made a significant contribution to the broad patterns of history of transportation and is eligible under Criterion A. The building does not appear to have direct association with the productive periods of a historically significant person's life, and is not eligible under Criterion B.

The Service Building functioned as the power plant for the Pennsylvania Station, including traction power for the movement of trains under the station on the 27 parallel tracks. The station was the largest of its kind when constructed and revolutionized rail transportation in the New York area. The power needed for the operation of the station, tunnels and yard was substantial. Along with the traction power, the plant had to power all the heating and lighting, steam, compressed air and water supply for cars, signal system, tunnel drainage pumping, sewage ejectors, fire protection, and refrigeration. The Service Building was an integral part of the station, yard, and tunnels collective ability to provide transportation services and is the only remaining above-ground structure associated with the 1910 New York Improvement and Tunnel Extension of the Pennsylvania Railroad.

Criterion C: Architecture/ Engineering

Designed by McKim, Mead and White, the Service Building is architecturally significant as an example of Neo-Classical style architecture and the design intent of the now-demolished Pennsylvania Station. The building is also considered a significant example of engineering for its structural support system housing several high-capacity power generating, ventilating, heating and cooling, and waste disposal systems.

Unlike the great train sheds of Europe, Pennsylvania Station did not evidence the standard urban train terminal form, with large semicircular ends of glass supporting expansive roofs that covered numerous tracks and platforms. Because the station tracks were so far below the surface of the streets, the large glazed shed form was not appropriate, although the sense of monumentality achieved by these structures within these 19th century cityscapes was a desired outcome of for the new station's design. Inspiration for the design was found in the Roman Baths of Caracalla, of Titus, and of Diocletian, along with the Basilica

of Constantine. Simple materials were used and ornamentation was limited in order to maintain the monumental mass and scale of the building in relation to the variety of building forms surrounding it.

The character and location of the station made it difficult to accommodate a power plant of the size needed for operation. Fortunately, the company owned a nearby property that was directly accessible under 31st Street to the station and yard. McKim Mead and White designed the Service Building to harmonize with the station, wishing to maintain an aesthetic standard for the company's buildings. The Stony Creek, Connecticut pink granite used for the façade was similar to granite used for the station's exterior. Other unifying elements include the Doric pilasters and the superimposed attic.

During the late 19th and early 20th centuries, the proliferation of new power station machinery was considerable. These new grates, hoists, turbines, cranes and conveyors were not often conceived with standard architectural load limits or passageway openings in mind. Architectural principles based on mass, proportion and relations of solid to void were not often integrated into the buildings functioning interior -- the application of these principles was left to the street façade.

The engineering significance of the Service Building is evidenced by the interior exposed structural steel frame, which was designed to withstand the heavy industrial loads imposed by the massive equipment. A total of 2,500 tons of steel were used to create this structural system that could support the machinery on various floors, the coal storage and the smoke stacks. The HABS documentation on the Service Building states that at the time of construction, the building was unique in the world for its scope and complexity.

With McKim, Meade and White, this firm also designed the structural steel concourse roof for the station, with its varying use of different sized arches, ribs, vaults and spring lines combined to create a dignified expression of transition from the architectural lines of the waiting areas to the utilitarian nature of the yards. Although the structural framework for the Service Building was probably not designed with aesthetics in mind, the engineering firm does provide another link back to the former station.

Criterion D – Information Potential

Research has not revealed that the resource has the potential to yield potentially important information.

Integrity Analysis

The NRHP recognizes a property's historic integrity through seven aspects or qualities: location, design, setting, materials, workmanship, feeling, and association. The following summarizes the historic integrity analysis for the Penn Station Service Building.

Location is defined as the place where the historic property was constructed or the place where the historic event took place. The subject property has not been moved; therefore, it retains its integrity of location.

Design is defined as the composition of elements that constitute the form, plan, space, structure and style of a property. The property retains integrity of form, plan, structure and style, and is successful in communication of its original function and design intent. This aspect of integrity is present despite the removal of mechanical features and systems within the building.

Setting is defined as the physical environment of a historic-period property that illustrates the character of the place. Constructed as an ancillary building to the Pennsylvania Station, the Station Service Building is no longer within its original setting. Even with the existence of an architecturally diverse urban environment in 1909 upon its completion, the building's intent to stand opposite the Pennsylvania Station is integral to its design and construction. Since the demolition of the original Pennsylvania Station building and the construction of Madison Square Garden and the greater context of Penn Plaza, this building has been removed from its original intent and context and as a result no longer retains integrity of setting.

Materials are defined as the physical elements combined in a particular pattern or configuration of form of the historic property during a period in the past. Despite the removal of much of the original machinery, the material related to the building's façade, side and rear elevations, as well as the structural system and interior finishes remain intact.

Workmanship is defined as the physical evidence of the crafts of a particular culture or people during any given period of history. The property retains physical evidence of the construction techniques such as the stone work of the building's façade, the brickwork of the side and rear elevation, the massive bolted and riveted steel beams, the interior stairwells, the multi-pane industrial windows, and even the original paneled wood doors all evidence the workmanship that went into its construction.

Feeling is defined as the quality that a historic-period property has involving the aesthetic or historic sense of a past period of time. The existing building conveys its historic industrial function through its extant physical characteristics. While some modern updates are obvious, these minor elements and additions along with the removal of mechanical elements, does not detract from building's ability to convey its industrial and power generating function for the PRR.

Association is defined as the direct link between a property and the event or person for which the property is significant. The property is associated with the 1910 New York Improvement and Tunnel Extension of the Pennsylvania Railroad and is a direct physical link with that time period. The property is also associated with the greater complex and above-ground components of the PRR.

In summary, the Station Service Building retains integrity of design, materials, workmanship, location, feeling and association and is eligible for listing in the NRHP under Criterion A for transportation and Criterion C for architecture and engineering.

Determination of Effects on Archaeological Sites

There is no effect because elements of this project do not have the potential for ground disturbance within the Service Building.

Determination of Effects on Historic Properties

Historic Above-Ground Properties

The location of the LIC portal for the ERT is significantly lower in elevation than the streets, neighborhoods and buildings surrounding it. Visibility of the portal is further minimized by the portal's embankments and contemporary retaining walls. Indirect visual effects of the undertaking on the portal will be minimal. The majority of the installation work will take place within spaces that are underground and not accessible to the public. Some of these spaces are considered historic, such as the pump rooms, the ERT tunnels, and the Penn Station Service Building interior. The scale and nature of these installations, however, indicate they will have minimal effect on the physical fabric of these structures and historic spaces.

Numerous conduits, panels, cabinets and equipment already characterize these spaces and have been part of the tunnels system's functional effectiveness since their initial use. A historic postcard from the nineteen-teens shows signal lines and hardware mounted to the sides of the tunnel interiors. The addition of a 2 x 3 foot metal panel box next to existing panels and boxes, or a run of 1-2 inch diameter conduit alongside existing and similarly sized conduit already lining the tunnels will not appreciably change the character of the spaces. In addition, the size, scale and dispersed locations of the new installations will not constitute a cumulative effect on the overall resource of the tunnel system stretching from North Bergen, New Jersey, under Manhattan Island to LIC, New York.

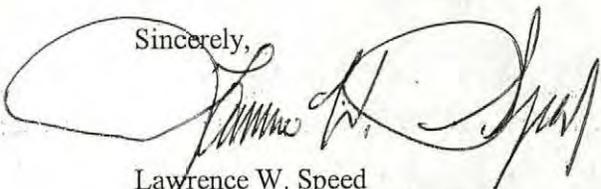
The F&LS SCADA System Upgrade project will not change the historic fabric, spaces or the associative qualities that make Pennsylvania Station Service Building eligible for listing in the NRHP under Criterion A for transportation significance and Criterion C for architectural and engineering significance. The undertaking will not change the New York Improvement and Tunnel Extension of the Pennsylvania Railroad potential eligibility for listing in the NRHP under Criterion A for transportation significance and Criterion C for engineering significance. The undertaking will not diminish the existing 1910 structures' integrity of design, materials, workmanship, setting, location, feeling or association. Pursuant to § 800.5(b), Amtrak has determined that the project will have no adverse effect on historic properties.

While Amtrak understands that your office has thirty (30) calendar days under 36 CFR Part 800 in which to respond to our determination, we would like to take this opportunity to point out that all projects that involve ARRA funding are on an extremely tight timeframe; literally every day counts in this effort to help rebuild the American economy. With this in mind, I am requesting that you provide comments to us within a two-week review window, or even sooner if at all possible. Your response should be addressed to me at:

Amtrak Police Department – Corporate Security
900 2nd Street, NE, Suite 309
Washington, DC 20002

Should you have any questions about this information, please contact me at speedl@amtrak.com (or at 202-906-3367), or speak with Amtrak Senior Associate General Counsel Michael Stern (sternm@amtrak.com; 203-773-6138), or with our senior URS cultural resource specialist Mark Edwards (Mark_Edwards@urscorp.com; 301-258-5877).

Sincerely,



Lawrence W. Speed
Chief Capital Programs Manager
Amtrak Police Department – Corporate Security

JSR/MRE:me
enclosures

cc: Michael Stern, Amtrak
Catherine Kauffman, FRA
Mark Edwards, URS

Sources Consulted

- Alexander, Edwin P. 1947. *The Pennsylvania Railroad: A Pictorial History*. New York, New York: WW Norton.
- American Society of Civil Engineers. 1910. *The New York Tunnel Extension, The Pennsylvania Railroad. Vol. I*. New York, New York.
- American Society of Civil Engineers. 1910. *The New York Tunnel Extension, The Pennsylvania Railroad. Vol. II*. New York, New York.
- American Society of Mechanical Engineers and Institute of Electrical and Electronics Engineering. 1982. *Alternating-Current Electrification of the New York, New Haven & Harford Railroad*. New York, New York.
- Amtrak (The National Railroad Passenger Corporation)
1992. "Sump Pump Replacement East River Tunnels Midriver Sumps." Office of Engineering, Engineering Design.
1994. "Mechanical & Electrical Rehabilitation for New York City Penn Station Part Plan Yard "A" 10th Avenue Pump Room Penn Central." Parsons Brinkerhoff/Quade Douglas, Inc.
1994. "Mechanical & Electrical Rehabilitation for New York City Penn Station Part Plan 9th Avenue Pump Room and Post Office." Parsons Brinkerhoff/Quade Douglas, Inc.
2004. "Part Plan Service Building Substation." Parson, Brinkerhoff/Quade Douglas, Inc.
2008. "Rehabilitation of Amtrak New York Railroad Tunnels Permanent Fire Standpipe." Parsons Transportation Group, Jenny Engineering Group.
2008. "Long Island City Portals Standpipe Installation 21st Street to ERT Line 2." Parsons Transportation Group, Jenny Engineering Group.
2008. "Long Island City Portals Standpipe Installation ERT Line 2 to ERT Line 4." Parsons Transportation Group, Jenny Engineering Group.
2010. "Fire and Life Safety Project in New York Tunnels Near Milestones." *Amtrak Ink*. Philadelphia, Pennsylvania.
2010. "Location Key Plan." Fire and Life Safety SCADA System Upgrade. *PB Americas, Inc.* New York, New York.
2010. "PLC & I/O Device Upgrade Overview." *Fire and Life Safety SCADA System Upgrade*. PB Americas, Inc. New York, New York.

2010. "Location Key Plan." *Fire and Life Safety SCADA System Upgrade*. PB Americas, Inc. New York, New York.

Avery Library, Columbia University, New York, New York.

Belson, Ken. 2008. "Tunnel Milestone, and More to Come." *The New York Times*. New York, New York (April 6).

Brace, James H. and Francis Mason, American Society of Civil Engineers. 1937. *The New York Tunnel Extension of the Pennsylvania Railroad. The Cross Town Tunnels*. New York, New York.

Condit, Carl. 1968. *American Building*. Chicago: The University of Chicago Press.

County, A.J. 1907. "The Economic Necessity for the Pennsylvania Railroad Tunnel Extension into New York City." *The Annals of American Academy of Political and Social Science, Volume 29*. Philadelphia, Pennsylvania (January-June).

Detroit Publishing Company. Between 1890 and 1912. Photographic Collection. American Memory Project, Library of Congress, Washington, D.C.

Federal Railroad Administration. 1995. "Pennsylvania Station, New York Terminal Service Plant, New York, New York (HABS No. NY-5471-A)."

Gilbert, Gilbert Haskell, Lucius Irving Wightman, & William Lawrence Saunders. 1912. *The Subways and Tunnels of New York: Methods and Costs*. New York, New York: John Wiley & Sons.

Henry, Bertram, Majendie Hewett, and Sigvald Johannesson. 1922. "Shield Tunneling." *Shield and Compressed Air Tunneling*. New York: McGraw-Hill Book Company.

Jones, Jill. 2007. *Conquering Gotham*. New York, New York: Viking.

Keenan. 2008. "McKim, Mead and White's 'Post-Modern Historical Society.'" The Municipal Art Society of New York. <<http://www.newpennstation.org/site/servicebuilding>>

Ledger

1908. "The Pennsylvania's New York Terminal." Philadelphia, Pennsylvania.

New Jersey State Historic Preservation Office. Files, Maps and Records. Trenton, New Jersey

New York Public Library. Digital Gallery. <<http://digitalgallery.nypl.org>>

New York State Historic Preservation Office. Files Maps and Records. Trenton, New Jersey

New York Times Historical, ProQuest Historical Newspaper, 1851-2003.

Pennsylvania Railroad Company.

1901. "May Build A Tunnel Under North River." New York, New York (December 11)

Pennsylvania Railroad Company

1909. "Sump and Pump Chamber Lines." New York, New York (December 11)

1908. "General Description of the New York Terminal with Reference in More Detail to East River Tunnels (Pennsylvania Tunnel and Terminal Railroad Company)". New York, New York.

1910. *The New York Improvement and Tunnel Extension of the Pennsylvania Railroad....*
New York, New York.

1912. History of the Engineering Construction and Equipment of the Pennsylvania Railroad Company's New York Terminal and Approaches

1934. "KN-Interlocking." New York Terminal.

1936. "General Plan." Flood Protection Project. Philadelphia: Office of the Chief Engineer.

1940. "Location and Size of Permanent Shafts." Proposed Location of Flood Gates.
Philadelphia: Office of Chief Engineer.

1940 (Revised). "New York Terminal."

1942. "Intercepting Arch Near 11th Avenue. N.Y." Flood Gates. New York, New York:
Office of Engr. Bridges & Bldgs.

1942. "6th Avenue & 32nd St. Tunnel Portal." Flood Gates. New York, New York: Office of
Engr. Bridges & Bldgs.

1942. "6th Avenue & 33rd St. Tunnel Portal." Flood Gates. New York, New York: Office of
Engr. Bridges & Bldgs.

1942. "Tunnel Portals—10th Avenue." Flood Gates. New York, New York: Office of Engr.
Bridges & Bldgs.

1942. "Weehawken Shaft Portals." Flood Gates. New York, New York: Office of Engr.
Bridges & Bldgs.

Correspondence Related to the Construction of Foundations, Guy Anchors, and Catenary System, Millstone Junction, N.J. to Sunnyside Yards, N.Y. (1929-1934). Hagley Museum and Library, Wilmington, Delaware.

Correspondence Related to the Construction of Multiple Duct Underground Conduit System, between Kearny Jct., N.J. to Woodside Avenue, Sunnyside Yard, Long Island, N.Y. (1930-1932). Hagley Museum and Library, Wilmington, Delaware.

Correspondence Related to the Electrification, Millstone Junction, N.J. to Sunnyside Yards, N.Y. (1929-1934). Hagley Museum and Library, Wilmington, Delaware.

Correspondence Related to Flood Protection (1942). Hagley Museum and Library, Wilmington, Delaware.

Correspondence Related to the Installation of 12000 Volt Paper-Insulated, Two-Phase Conductor Concentric, Lead-Covered Cables in the New York Tunnels. (1931-1934). Hagley Museum and Library, Wilmington, Delaware.

Correspondence Related to the New York Improvement and Tunnel Extension of the Pennsylvania Railroad (1902-1910). Hagley Museum and Library, Wilmington, Delaware.

Leahy, James W. 1910. *Railroad Track Construction*. Hagley Museum and Library, Wilmington, Delaware.

Leahy, James W. 1910. *Safe Track*. Hagley Museum and Library, Wilmington, Delaware.

Minutes of the Board, Volume 3 (April 18, 1941-April 12, 1951). Hagley Museum and Library, Wilmington, Delaware.

Scrapbook Pages. Hagley Museum and Library, Wilmington, Delaware.

Tunnels: Comparisons with Hudson and Manhattan RR Tunnels (Correspondence and Drawings). Hagley Museum and Library, Wilmington, Delaware.

Pennsylvania Railroad Company Papers. Hagley Museum and Library, Wilmington, Delaware

Pennsylvania Railroad construction photographs, 1903-1910 collection, Archives Center, National Museum of American History, Smithsonian Institution.

Press Publishing Company Pulitzer Building New York. 1909. *The World 1910 Almanac and Encyclopedia*. New York, New York: The Press Publishing Co.

Railroad Museum of Pennsylvania, Pennsylvania Historical and Museum Commission, Lancaster County, Pennsylvania.

Ringwalt, John Luther. 1888. "Construction of Railway Tunnels." *Development of Transportation Systems in the United States*. Philadelphia, Pennsylvania.

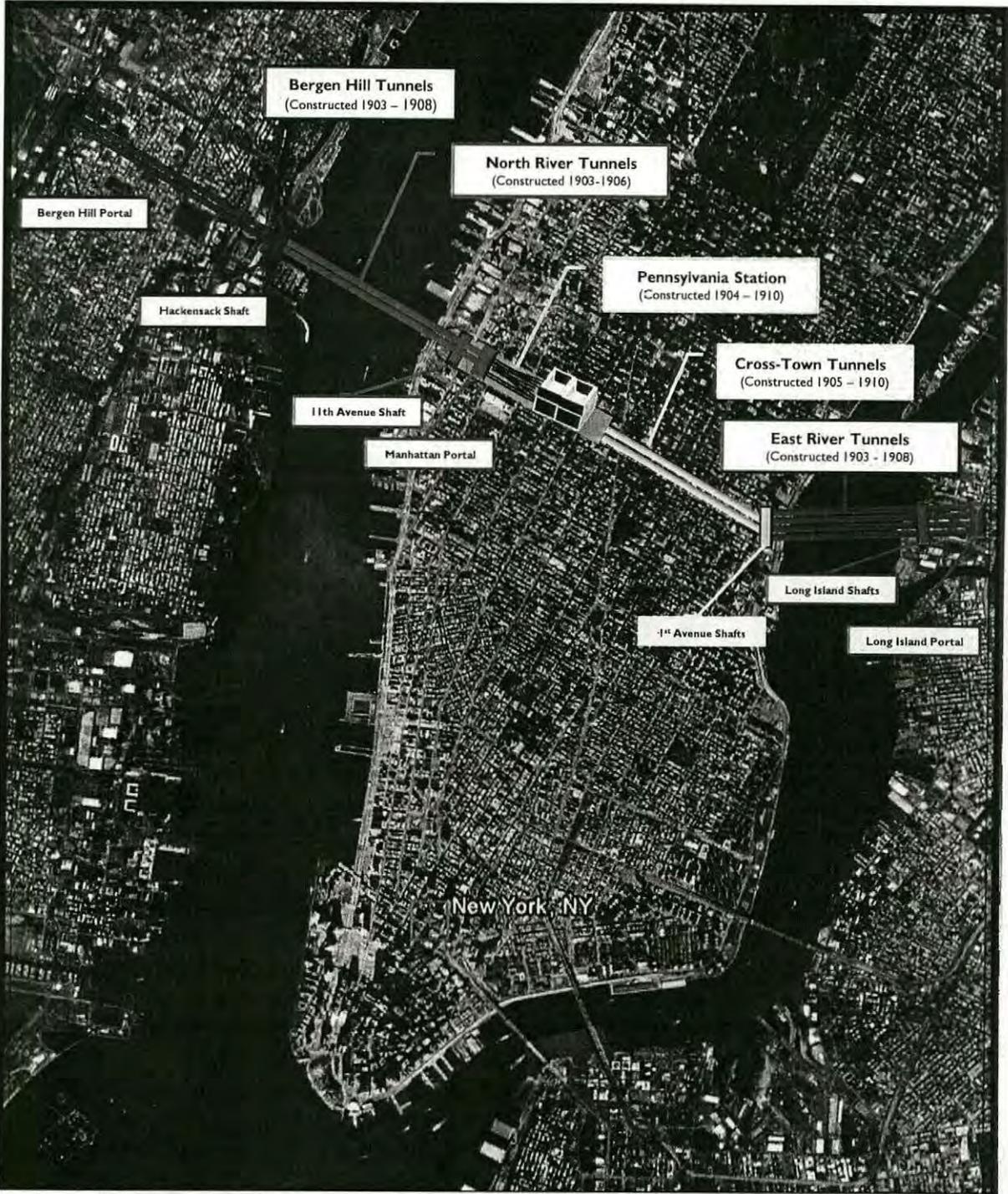
Stern, Robert with Gregory Gilmartin and John Massengale, 1987. *New York 1900*, New York: Rizzoli International Publications, Inc.

Stilgoe, John. 1983. *Metropolitan Corridor: Railroads and the American Scene*. New Haven: Yale University Press.

United States Government Accountability Office. 2007. *Critical Infrastructure Protection: Multiple Efforts to Secure Control Systems Are Under Way, but Challenges Remain*. Washington, D.C.

[Doe] 1887. "Tunneling Under the Hudson River." *The Manufacturer and Builder* (August).

[Doe] 1891. "The Hudson River Tunnel." *The Manufacturer and Builder* (August).



Scale



Pennsylvania Railroad New York Improvement and Tunnel Extension Sections

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	Pennsylvania Railroad New York Improvement and Tunnel Extension	
SCALE	1.2" = 1 Mile	URS	PROJECT No. PRJ29112351
SOURCE	Google Earth Professional 2010		ATTACHMENT 2

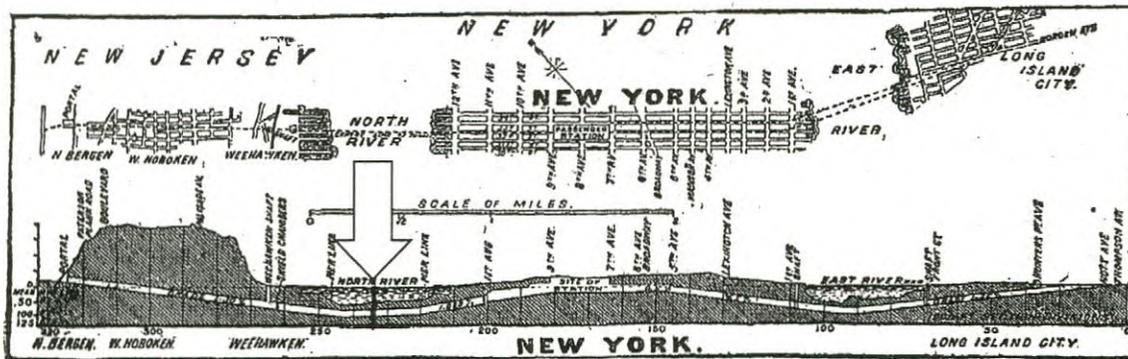


Figure 1 Diagram of Pennsylvania Tunnel System Between New Jersey and Long Island - Arrow Shows Where Connection Will be Made in North River (Penny's North River Tunnel a Marvel of Skill - New York Times, Sept. 9 1906.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 1	
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

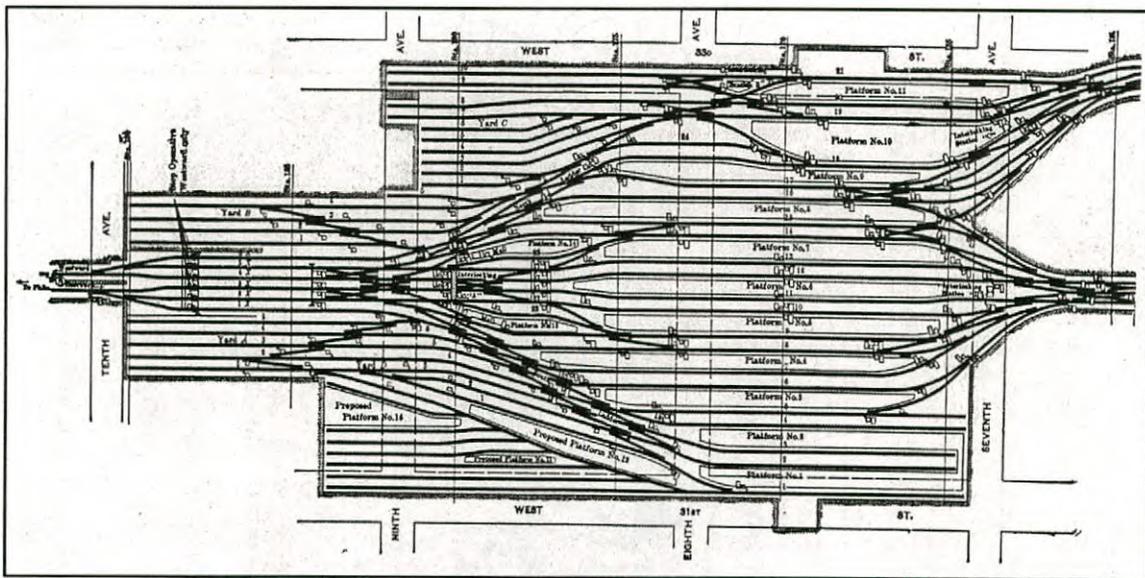


Figure 2 General Track Plan of Pennsylvania Station (History of the Engineering, Construction and Equipment of the Pennsylvania Railroad Company's New York Terminal and Approaches, p. 123.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 2	
SCALE N/A		
SOURCE See Above		

PLATE XXXI
 TRANS. AM. SOC. CIV. ENGRS.
 VOL. LXVIII, No. 1155.
 HEWETT AND BROWN CH.
 PENNSYLVANIA R. R. TUNNELS: NORTH RIVER TUNNEL.

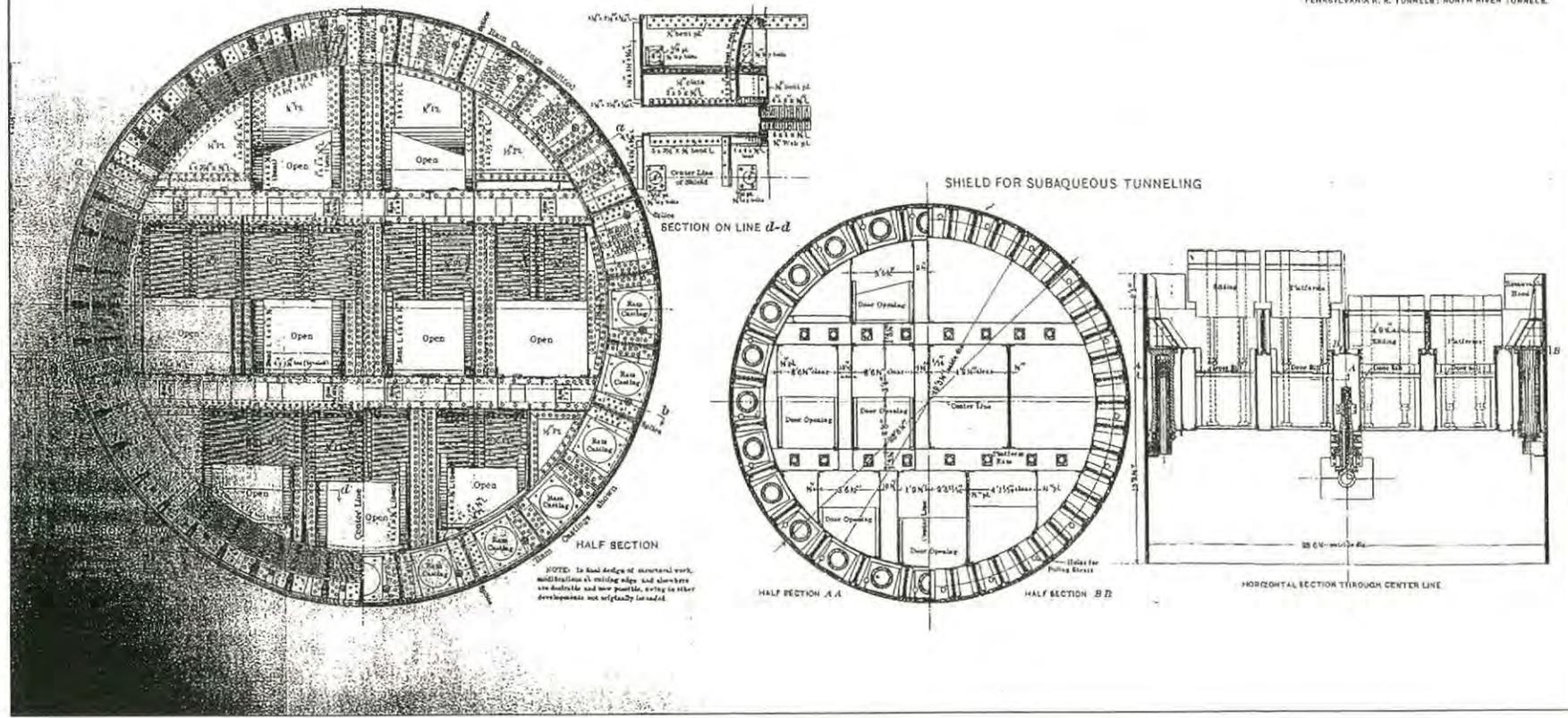


Figure 3a Shield for Subaqueous Tunneling (New York Tunnel Extension: Description of the Work and Facilities Vol. I, No. 1155, Plate XXXI.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	3a	
SCALE	N/A	URS	PROJECT NO.	PRJ29112351
SOURCE	See Reference to Left		ATTACHMENT	5

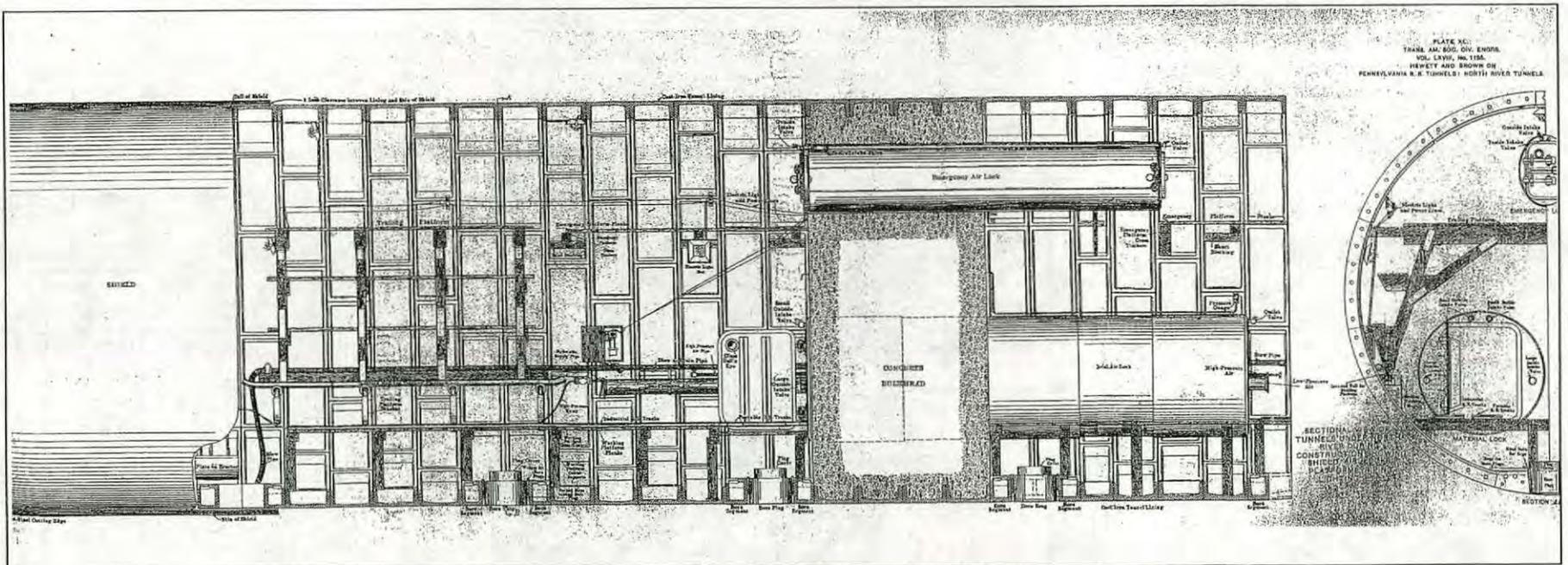


Figure 3b Section View of Tunnels Under North River During Construction Showing Shield, Air Locks, Platforms, Piping, Lighting etc. (New York Tunnel Extension: Description of the Work and Facilities Vol. I, No.1155, Plate XL.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading
SCALE	N/A
SOURCE	See Reference to Left

FIGURE NO. 3b

URS

PROJECT NO. PRJ29112351
ATTACHMENT 5

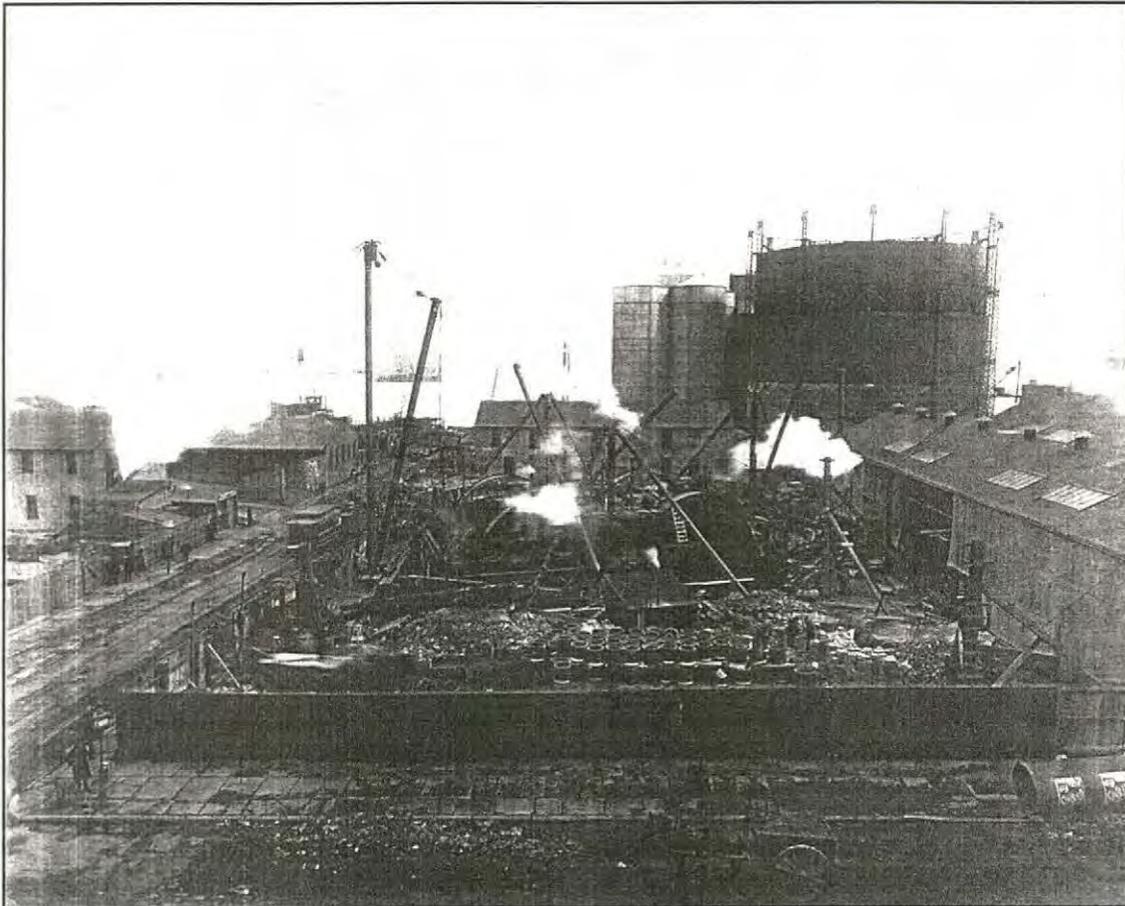


Figure 4 South Manhattan Shaft, February 27th 1909 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 0022.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 4	
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

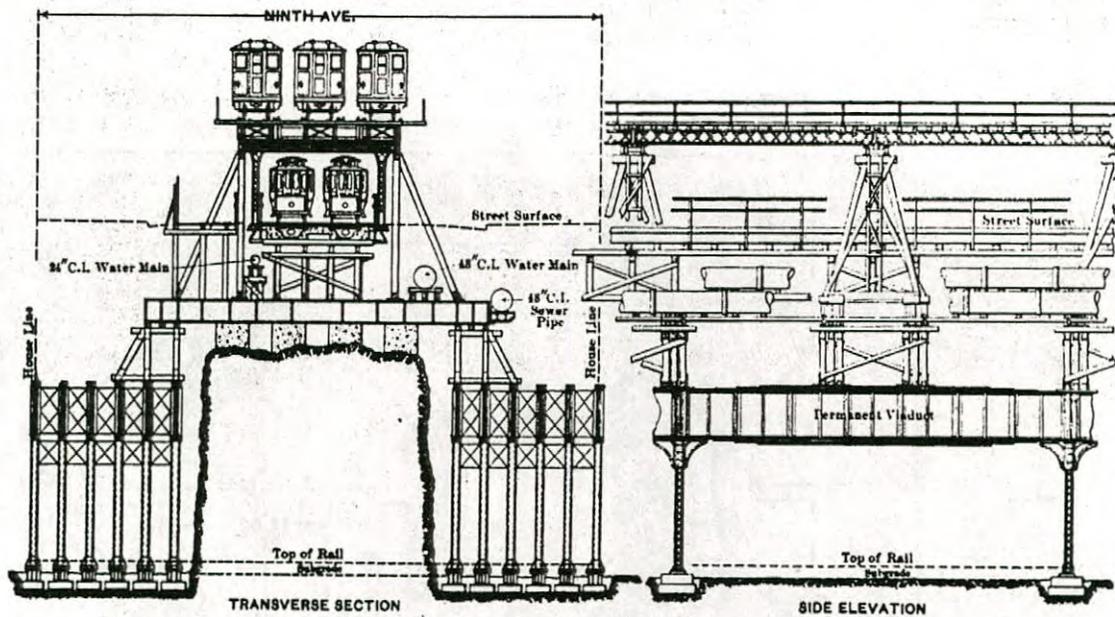


Figure 5 North River Division - Arrangement of Structures Supporting Ninth Avenue During Progress of Excavation (New York Tunnel Extension - The Pennsylvania Railroad Description of the Work and Facilities p. 53.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	5
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

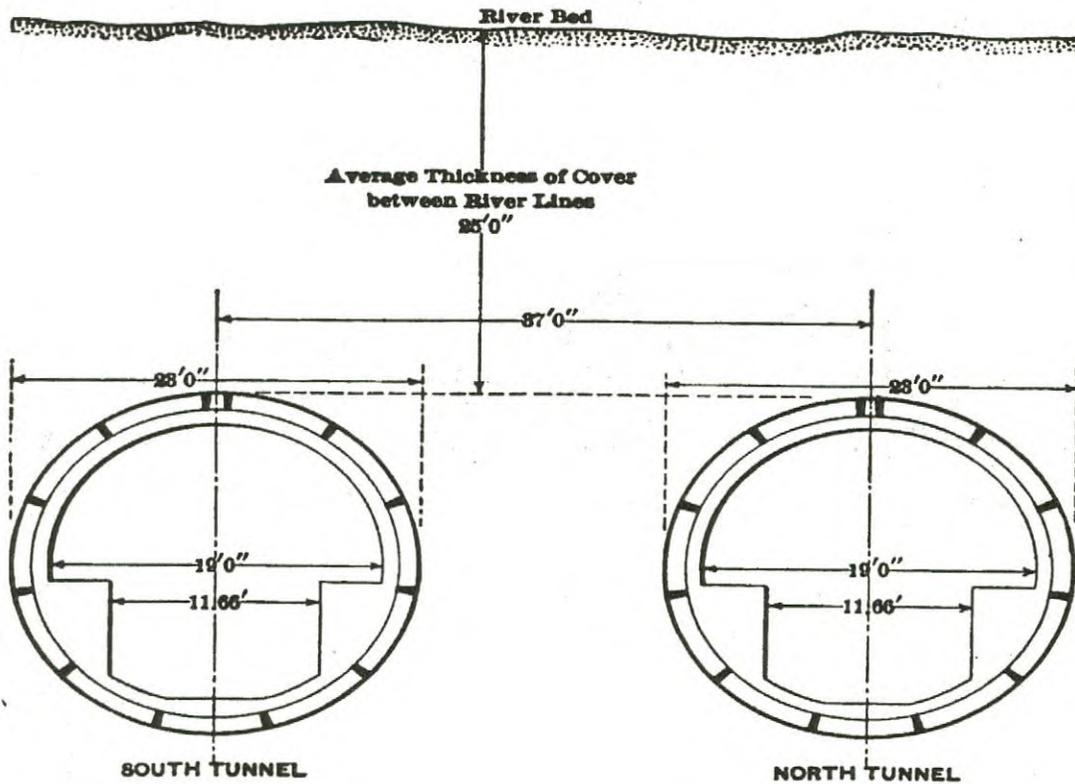


Figure 6 North River Tunnels - Typical Cross-Section Showing Relative Positions of Tunnels (The Subways and Tunnels of New York: Methods and Costs, p. 47.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	6
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

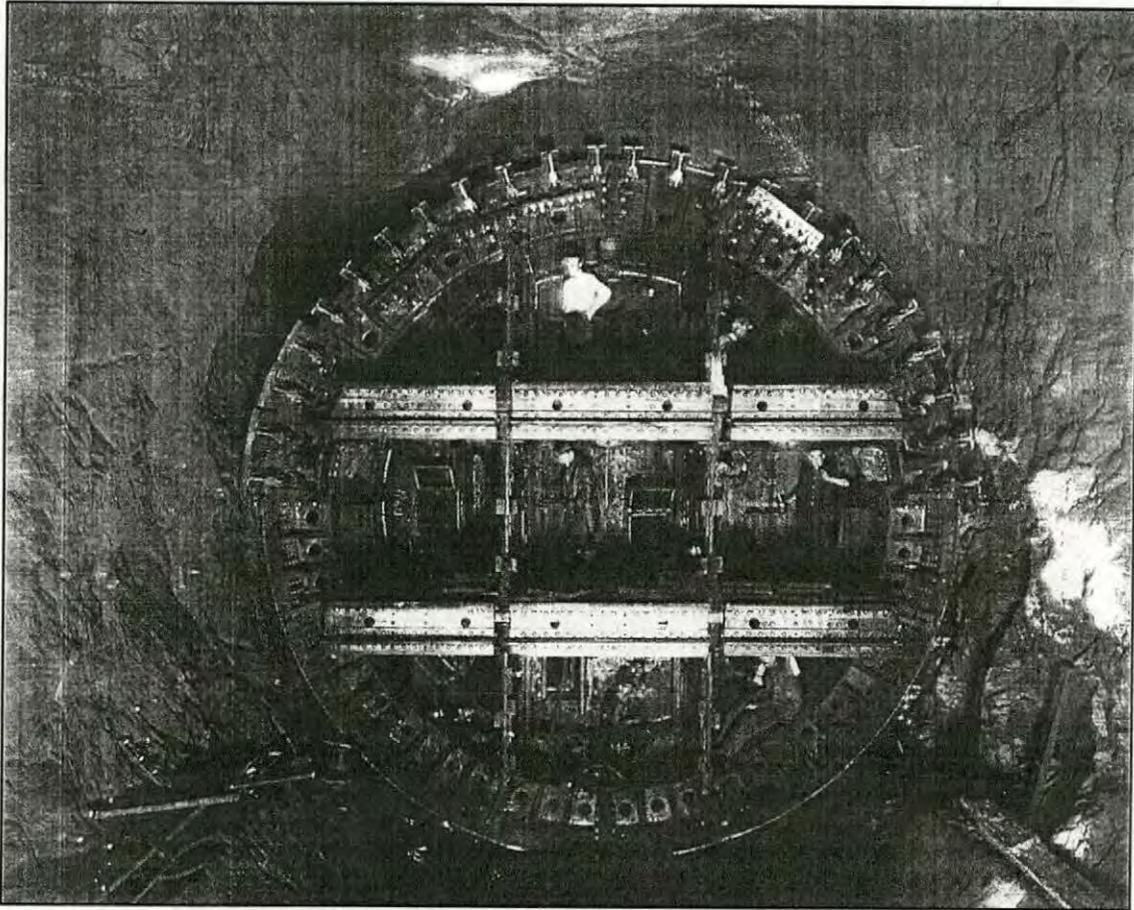


Figure 7 Manhattan Shaft - Front of "D" Heading Shield, August 28th 1909 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 1140.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 7	
SCALE N/A	URS	
SOURCE See Above		

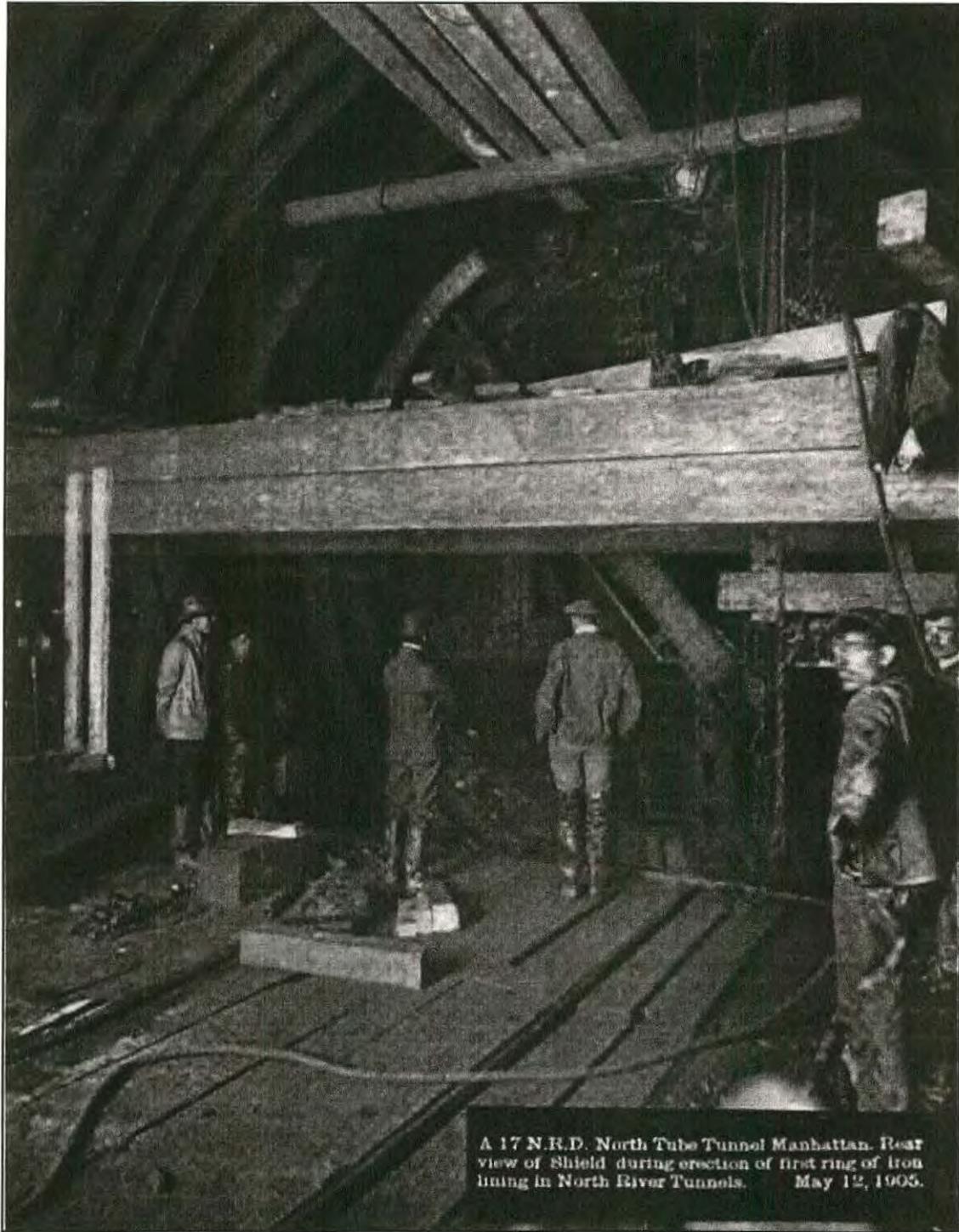


Figure 8 North River Tunnels Construction of Shields (1905) (New York Tunnel Extension: Description of the Work and Facilities Vol. I, No.1155, Plate XXXVIII, Fig 2.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 8	
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

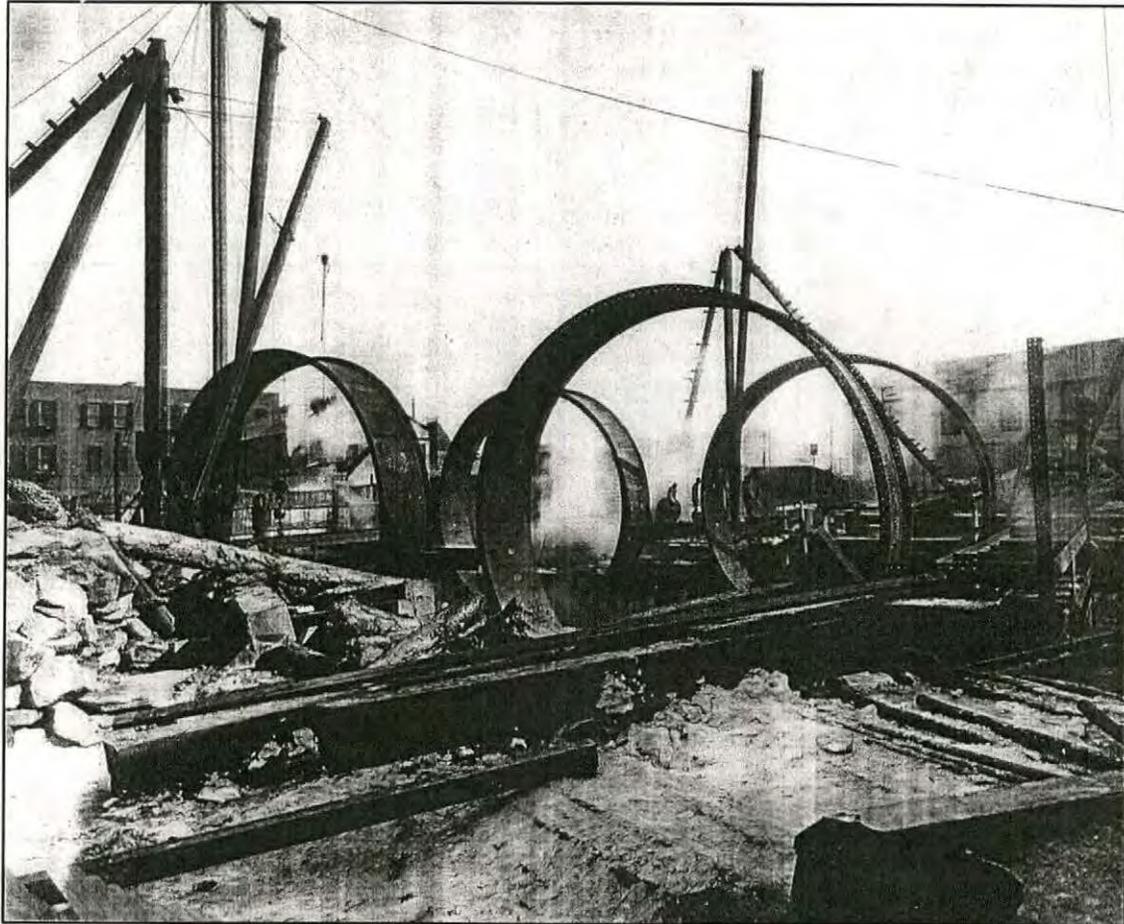
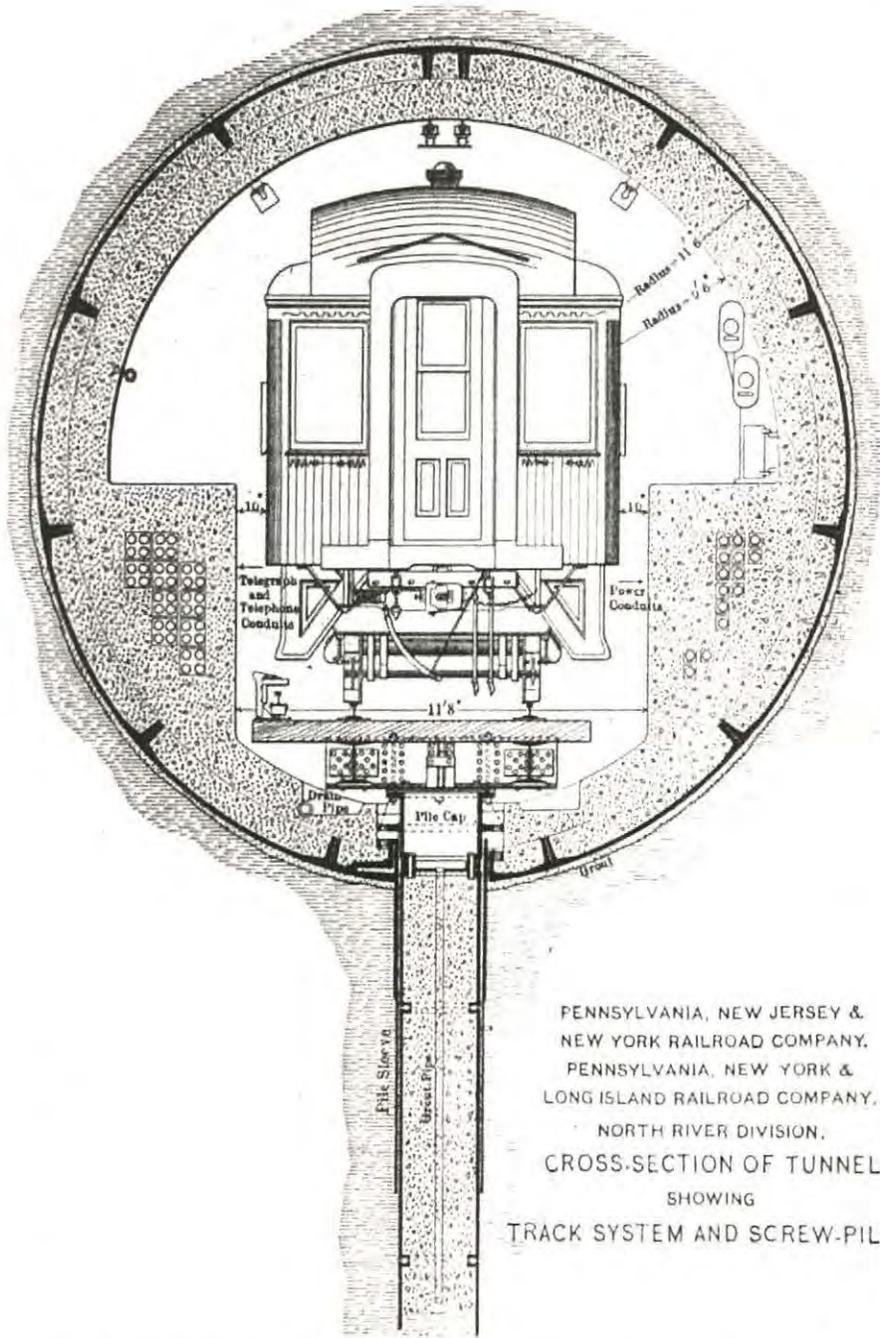


Figure 9 Caisson Work at South Manhattan Shaft, February 4th 1905 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 184.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	9
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5



PENNSYLVANIA, NEW JERSEY &
 NEW YORK RAILROAD COMPANY,
 PENNSYLVANIA, NEW YORK &
 LONG ISLAND RAILROAD COMPANY,
 NORTH RIVER DIVISION,
 CROSS-SECTION OF TUNNEL
 SHOWING
 TRACK SYSTEM AND SCREW-PILE

Figure 10 North River Division – Cross Section of Tunnel Showing Track System and Screw-Pile (New York Tunnel Extension - The Pennsylvania Railroad - Description of the Work and Facilities p. 53.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	10
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

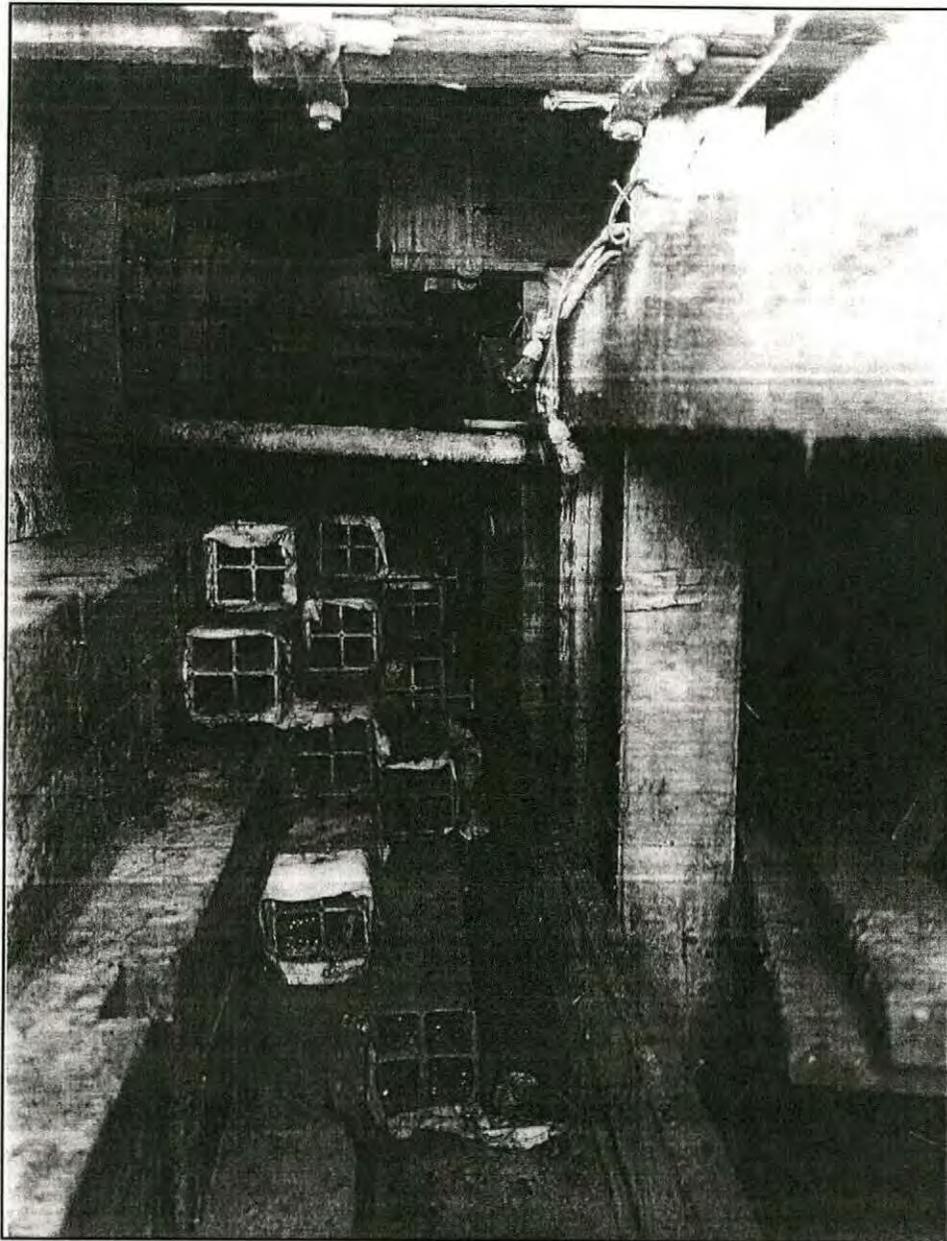


Figure 11 Front Street, Long Island City, "A", East of Shield Junction, Showing Ducts Laid, Not Yet Plastered October, 14th 1908 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 2409.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 11	
SCALE N/A	URS	PROJECT NO. PRJ29112351
SOURCE See Above		ATTACHMENT 5

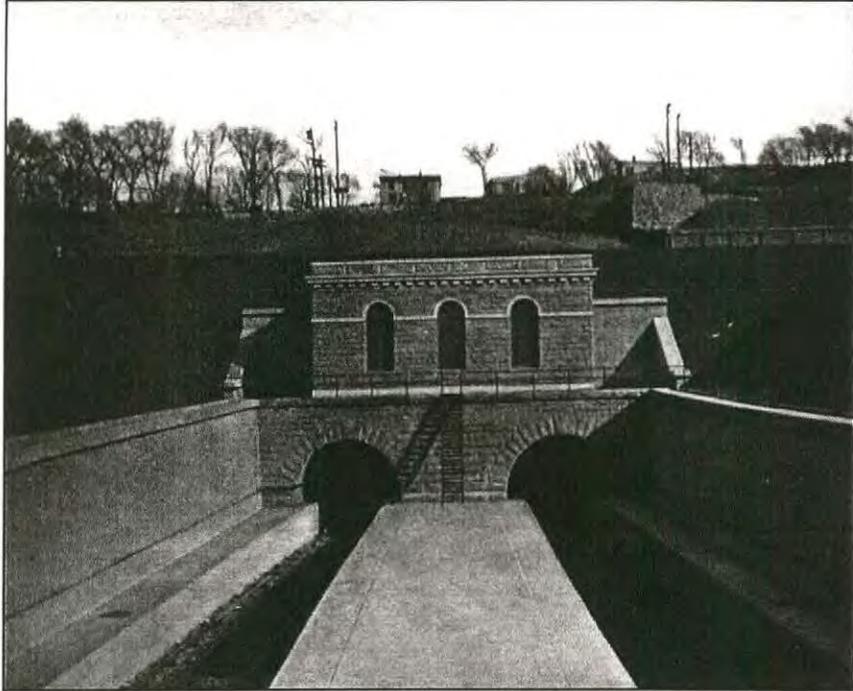


Figure 12a Hackensack Portals of Bergen Hill Tunnel (The New York Improvement and Tunnel Extension of the Pennsylvania Railroad p. 26.)

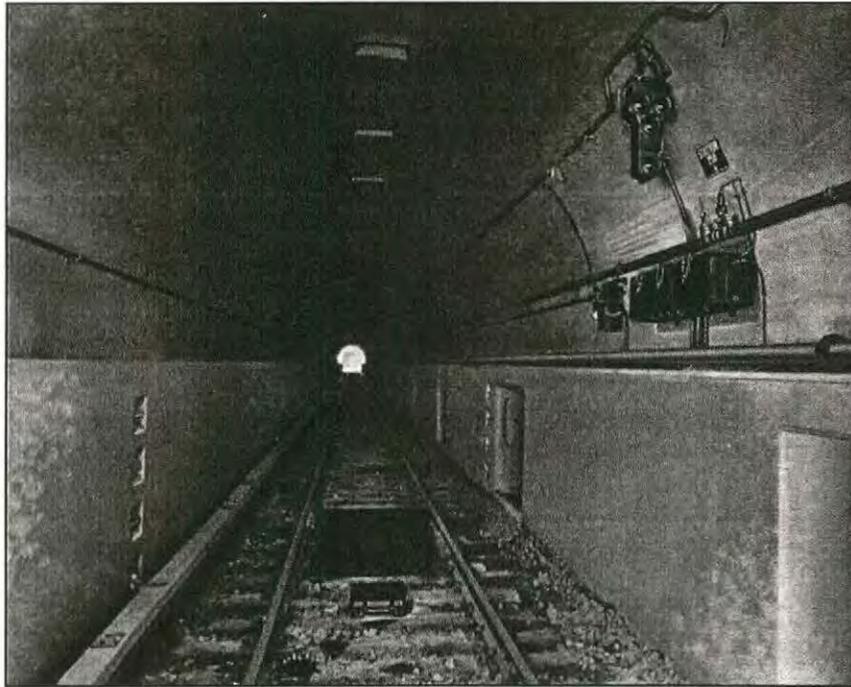


Figure 12b Interior Showing Signal Apparatus (The New York Improvement and Tunnel Extension of the Pennsylvania Railroad p. 26.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	12a and 12b
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

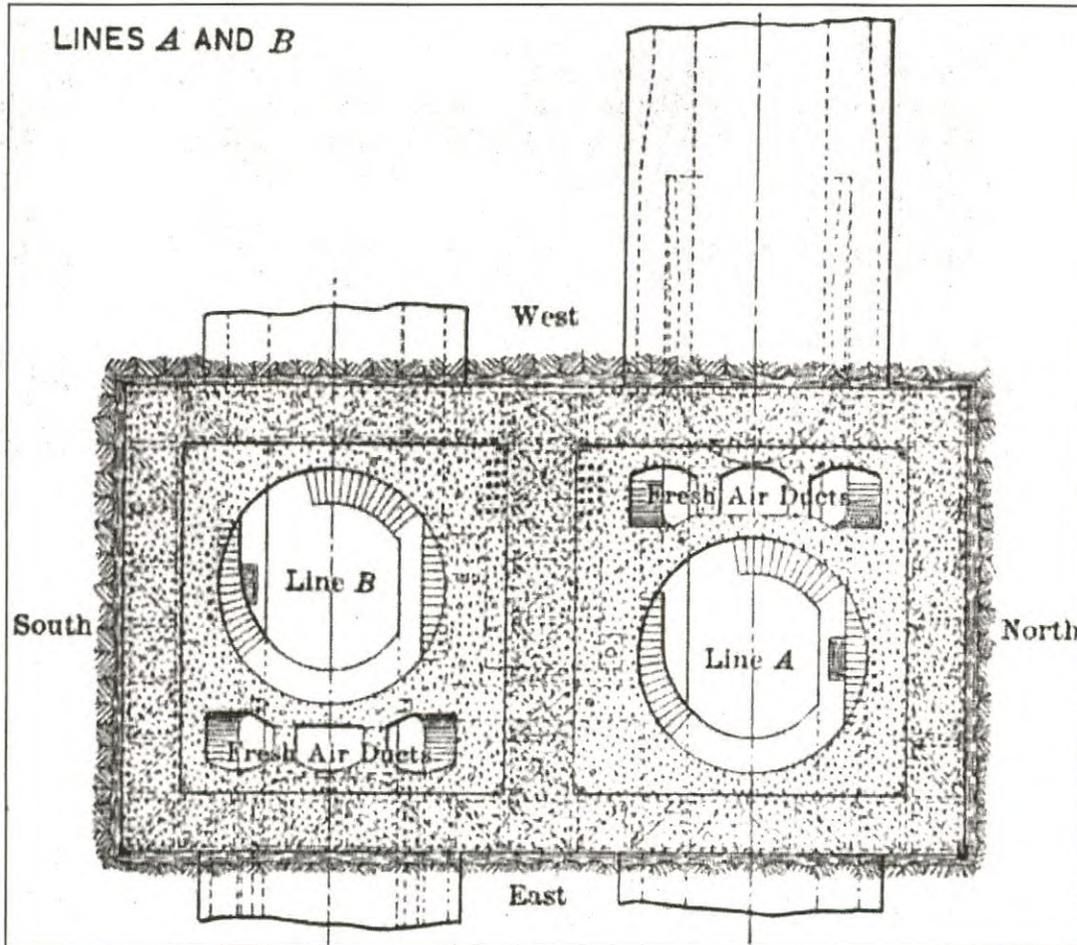
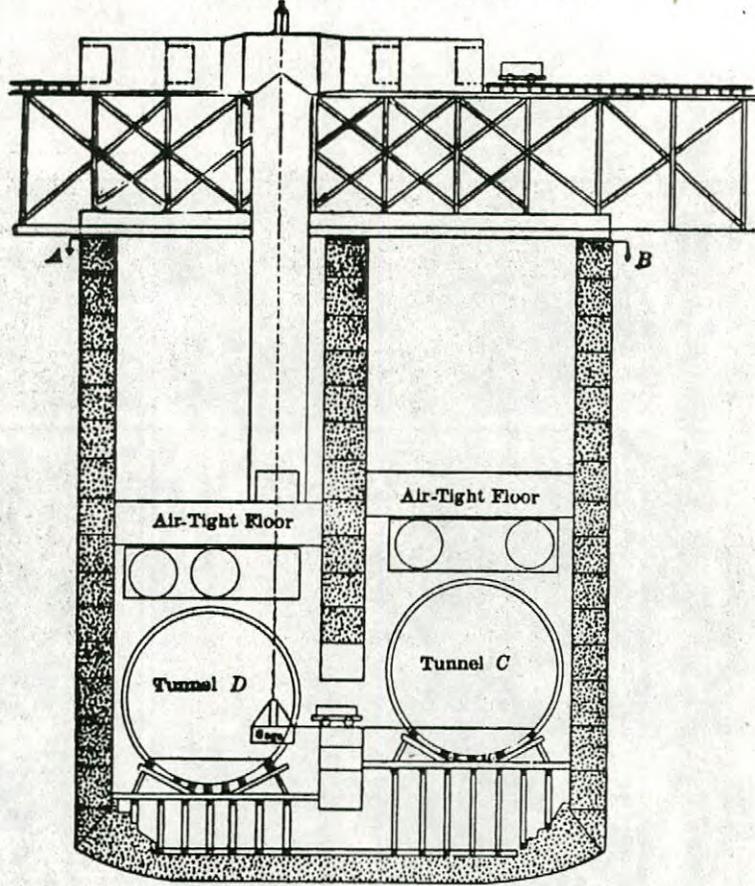


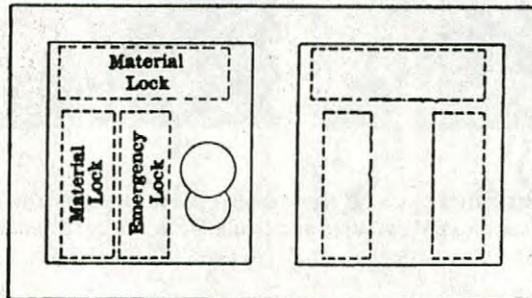
Figure 14 Long Island Shaft - Lines A and B (New York Tunnel Extension - The Pennsylvania Railroad - Description of the Work and Facilities p. 67, Plate XI.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	14
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

NO. 2 CAISSON WITH T-HEAD LOCK



SECTIONAL ELEVATION



PLAN AT AB

FIG. 10.

Figure 15 East River Tunnel - Two Caissons with T-Head Lock (New York Tunnel Extension: Description of the Work and Facilities, Vol . II, p. 65.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	15
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5

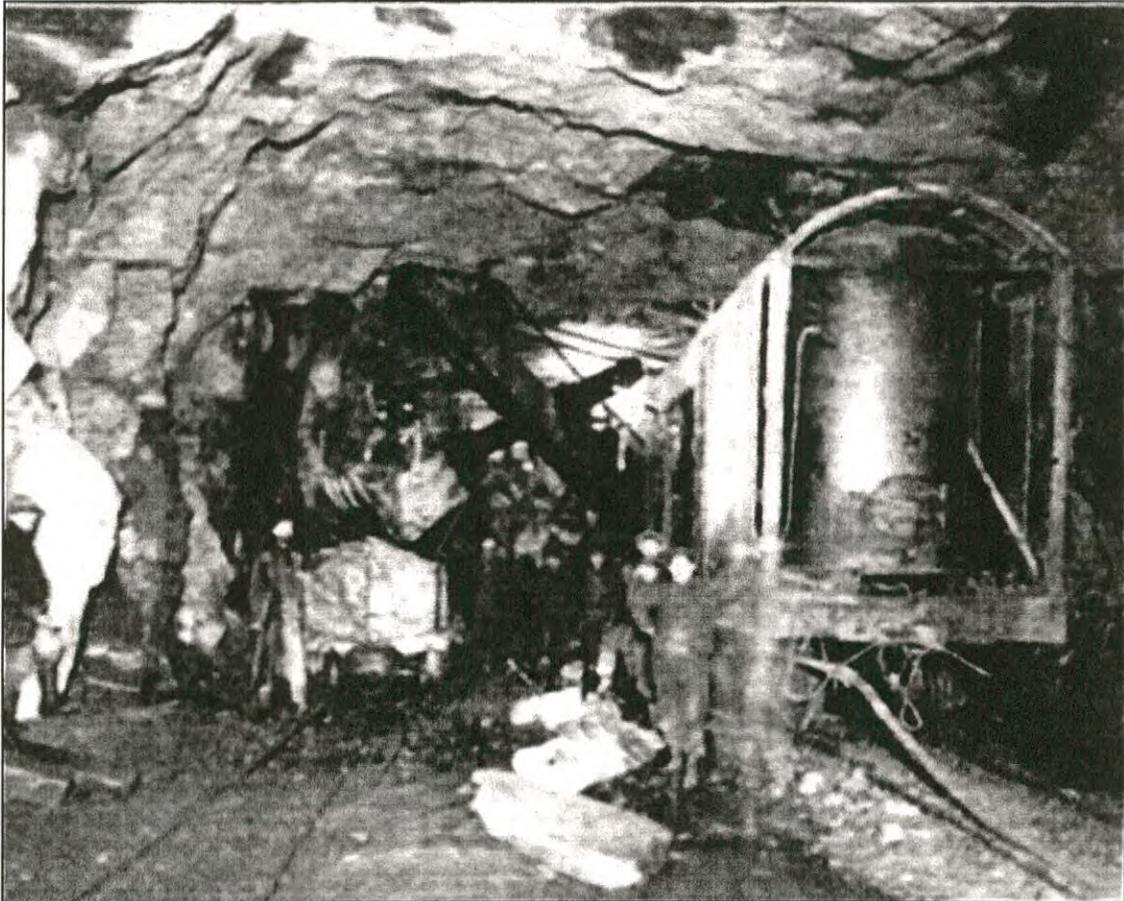


Figure 16 Air Operated Steam Shovel Used in Cross-Town Tunnel (The New York Tunnel Extension: Description of the Work and Facilities Vol. II, No.1158, Plate LIX, Fig. 1.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 16
SCALE N/A	<div style="text-align: center;">URS</div>
SOURCE See Above	PROJECT NO. PRJ29112351 ATTACHMENT 5

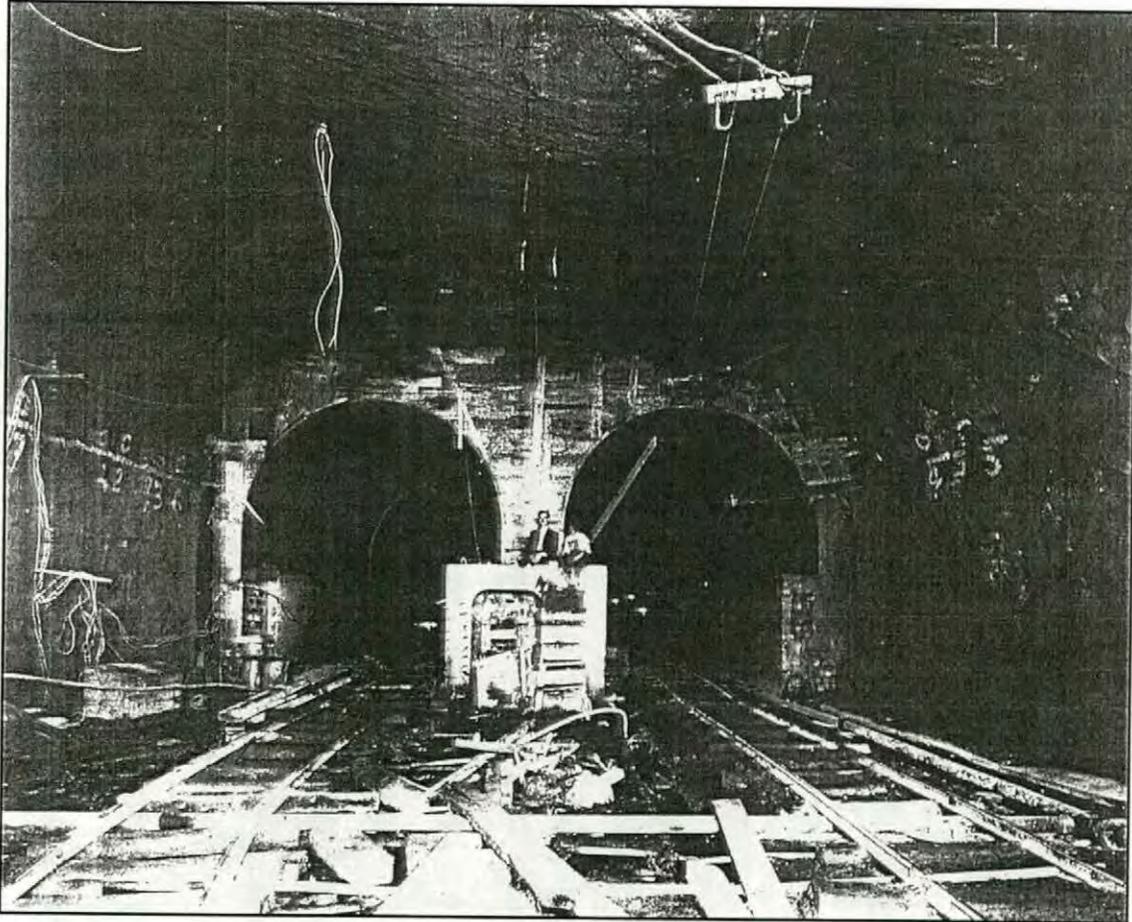


Figure 17 33rd Street Intermediate Shaft -Twin Tunnel - Showing Section of Telephone Chambers, August 19th 1908 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 2324.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 17	
SCALE N/A		
SOURCE See Above		



Figure 18 Front Street Long Island, "D" Line - Group of Workmen at Back of Trailing Platform Where Tunnels Meet, February 21th 1908 (The Smithsonian Institution, National Museum of American History, Archives Center - Catalog # 80.0032.0000 - Photo 2077.)

PROJECT AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO. 18	
SCALE N/A	<div style="text-align: center; font-size: 2em; font-weight: bold; margin: 0;">URS</div>	
SOURCE See Above		



Figure 19 Pennsylvania Station Service Building c. 1910 (Historic American Building Survey - HABS No. NY-5417-A.)

PROJECT	AMTRAK Fire and Life Safety SCADA Replacement and Upgrading	FIGURE NO.	19
SCALE	N/A	URS	PROJECT NO. PRJ29112351
SOURCE	See Above		ATTACHMENT 5



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

Bernadette Castro
Commissioner

RESOURCE EVALUATION

DATE: 2/20/04

STAFF: Kathy Howe

PROPERTY: The High Line

MCD: Manhattan

ADDRESS: vicinity of Tenth Ave. from Gansevoort St.
to W. 34th St.

COUNTY: New York Co.

PROJECT REF: 03PR00864

USN: 06101.014509

- I. Property is individually listed on SR/NR:
name of listing:
- Property is a contributing component of a SR/NR district:
name of district:
- II. Property meets eligibility criteria.
- Property contributes to a district which appears to meet eligibility criteria.
- Pre SRB: Post SRB: SRB date

Criteria for Inclusion in the National Register:

- A. Associated with events that have made a significant contribution to the broad patterns of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- D. Have yielded, or may be likely to yield information important in prehistory or history.

STATEMENT OF SIGNIFICANCE:

Completed by the New York Central Railroad in 1934 to replace its on-grade Tenth Avenue tracks, the High Line was a key component of the Lower West Side's unparalleled commercial transportation advantages. The 1.45-mile steel and concrete viaduct, abandoned since 1980, is located almost 30 feet above grade and today runs from Gansevoort Street to West 34th Street, roughly parallel to Tenth Avenue.

The High Line satisfies Criterion A as a significant transportation structure important to New York City's twentieth-century industrial development. The High Line connected the industrial concerns along its route with regional and national markets. The general objective of the High Line was to facilitate the movement of raw materials and products in and out of this industrial section of the city. The viaduct

passed through or along many industrial buildings.

The rise of trucking in the 1950s led to a drop in rail freight on the High Line, and in the 1960s, the southernmost portion, between Bank and Clarkson Streets, was torn down. In 1993, the southern section between Bank and Little West 12th Streets was demolished. In the early 1980s, the northern section of the High Line between West 34th and West 35th Streets was demolished for construction of the Jacob K. Javits Convention Center. Despite the removal of these sections, the High Line retains much of its historic integrity and is a visual reminder of one of Manhattan's important industrial transportation corridors.



Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

RESOURCE EVALUATION

DATE: 3/31/97

STAFF: Peter Shaver

PROPERTY: NYC Hudson River Bulkhead

MCD: Manhattan

ADDRESS: Battery Place to West 59th Street

COUNTY: New York

PROJECT REF: 97PR0483

USN: 06101.009182

I. Property is individually listed on SR/NR:

name of listing: _____

Property is a contributing component of a SR/NR district:

name of district: _____

II. Property meets eligibility criteria.

Property contributes to a district which appears to meet eligibility criteria. Pre SRB: Post SRB: SRB date _____

Criteria for Inclusion in the National Register:

A. Associated with events that have made a significant contribution to the broad patterns of our history;

B. Associated with the lives of persons significant in our past;

C. Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;

D. Have yielded, or may be likely to yield information important in prehistory or history.

III. Property does not meet eligibility criteria.

STATEMENT OF SIGNIFICANCE:

Based on the extensive information prepared by Raber Associates and Allee King Rosen & Fleming, it is the opinion of the State Historic Preservation Office that the Hudson River bulkhead from Battery Place to West 59th Street is eligible for listing on the State and National Registers of Historic Places. Constructed between 1871 and 1936, mostly of masonry faced with granite blocks, the bulkhead meets Criterion A for its importance in the development of the New York City waterfront. It also meets Criterion C as a monumental architectural and engineering achievement in the city. It may also meet Criterion B for its association with General Geroge B. McClellan, who was responsible for the planning and design of the bulkhead, and Criterion D for the potential of buried and underwater portions of the bulkhead to provide information about historic engineering methods. Despite the loss of integrity of setting of the buried sections of the bulkhead between Battery Place and Chambers Street and the loss of integrity of materials and design of some sections, the majority of the bulkhead retains a high degree of integrity of location, design, materials, workmanship, feeling, and association.



BUILDING-STRUCTURE INVENTORY FORM

FOR OFFICE USE ONLY	
UNIQUE SITE NO.	<u>06101.009182</u>
QUAD	_____
SERIES	_____
NEG. NO.	_____

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
DIVISION FOR HISTORIC PRESERVATION
(518) 474-0479

YOUR NAME: Michael S. Raber

DATE: February 20, 1997

YOUR ADDRESS: 81 Dayton Road
So. Glastonbury, CT 06073

TELEPHONE: (860) 633-9026

I

ORGANIZATION (if any): Raber Associates and Allee King Rosen & Fleming, Inc.
for the Hudson River Park Conservancy (HRPC)

IDENTIFICATION

- BUILDING NAME(S): New York City's Hudson River Bulkhead from Battery Place to West 59th St.*
- COUNTY: New York TOWN/CITY: New York VILLAGE: _____
- STREET LOCATION: Battery Place to 59th Street
- OWNERSHIP: a. public b. private
- PRESENT OWNER: New York City/New York State ADDRESS: Department of Transportation
- USE: Original Commercial Waterfront Wharfage Present: Commercial, Municipal Services, Recreation
- ACCESSIBILITY TO PUBLIC: Exterior visible from public road: Yes No
Interior accessible: Explain No; Structurally Inaccessible.

DESCRIPTION

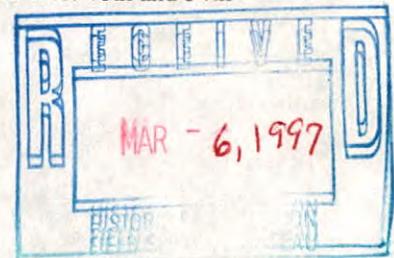
- BUILDING MATERIAL: a. clapboard b. stone c. brick d. board and batten
e. cobblestone f. shingles g. stucco other: Varied, including wood, granite, pre-cast concrete, mass concrete, cobbles, riprap, demolition debris, and ashes.
- STRUCTURAL SYSTEM: (if known) a. wood frame with interlocking joints
b. wood frame with light members
c. masonry load bearing walls
d. metal (explain)
e. other See attached page.
- CONDITION: a. excellent b. good c. fair d. deteriorated
See attached page.
- INTEGRITY: a. original site b. moved if so, when? _____
c. list major alterations and dates if known:
See attached page.

12. PHOTO:

See attached Photos 1-11.

13. MAP: See attached figure.

* Two areas along this stretch of the waterfront are outside the planning jurisdiction of the Hudson River Park Conservancy (HRPC). These are between West 35th and 38th Streets and West 48th and 54th Streets.



9. STRUCTURAL SYSTEM

Viewed from the water, there are three major kinds of Hudson River bulkheads retaining the landfilled waterfront south of West 59th Street: quarry-faced ashlar granite walls, pre-cast or cast-in-place concrete walls, and timber cribwork. The masonry bulkheads are much more varied in their foundation systems, and reflect all the evolutionary stages of about 50 years of Department of Docks design work. Masonry wall foundations reflect bottom conditions, the need for pile footings, and the use of pile-supported relieving platforms behind the walls to reduce live load pressure and lateral thrusts.

Masonry Bulkhead

There is no standard typology for the masonry bulkheads. Figures 1-6 show the distribution and typical design of different bulkhead types, based on a classification scheme that attempts to show the full range of design variations. Other classifications have also been used (e.g., Hoag 1906; Mueser Rutledge Consulting Engineers 1997). The classifications used here, and the respective percentages of all the masonry bulkheads built from Battery Place to West 59th Street*, are:

Type I. GRANITE OR CONCRETE BULKHEAD ON FIRM OR ROCK BOTTOMS (See Figure 2)

Type I was typically built on firm bottoms less than 40 feet below mean high water. Type I totals about 18.6 percent of the masonry bulkheads.

- IA Granite blocks on riprap, built at the Battery in 1871 as the first Department of Docks bulkhead—comprises about 2 percent of the masonry bulkheads.
- IB Granite wall supported by one to three pre-cast concrete blocks and bagged concrete, built ca. 1872-1920 at Cedar Street and between 52nd and 59th Streets—comprises about 7 percent of the masonry bulkheads.
- IC Concrete wall built ca. 1915-1936 between 44th and 52nd Streets—comprises about 9.5 percent of the masonry bulkheads.

Type II. PILE-SUPPORTED GRANITE BULKHEAD WITHOUT TIMBER RELIEVING PLATFORMS

(See Figure 3)

Type II was usually built on soft or deep mud bottoms 40-170 feet below mean high water. Type II totals about 23.1 percent of the masonry bulkheads

- IIA Granite wall on mass concrete block, resting on a 2-inch-thick concrete bed, built ca. 1873-1875 in several sections between Murray and Horatio Streets—comprises about 19.8 percent of the masonry bulkheads. Some sections of this type were replaced by Types IIIB and IV.
- IIIB Granite wall on concrete block resting on a 2-timber-thick grillage, with inclined bracing piles, built ca. 1875 at Morton Street to Christopher Street—comprises about 2 percent of the masonry bulkheads.
- IIC Granite wall on pre-cast concrete block, with mass concrete backing and inclined bracing piles—comprises about 1.3 percent of the masonry bulkheads. In this case, built ca. 1900 at Rector Street, the mass concrete backing served as an alternative to a Type IIIC timber-relieving platform.

Type III. PILE-SUPPORTED GRANITE BULKHEAD WITH TIMBER RELIEVING PLATFORMS

(See Figure 4)

Type III was built on soft or deep mud bottoms 40-170 feet below mean high water. The relieving platforms were encased in fill or cut off from open water. Type III totaled about 49.1 percent of the masonry bulkheads.

- IIIA A modified form of Type IIA, built ca. 1874 at Canal Street—comprises about 1.9 percent of masonry bulkheads.
- IIIB Granite wall on narrow concrete block, with inclined bracing piles taking lateral thrusts to below base block, and timber binding frame around piles; built 1876-1898 in many areas between Warren and 38th Streets—comprises about 21.5 percent of the masonry bulkheads.

* Percentages given in this form are based on the entire bulkhead from Battery Place to West 59th Street, including sections of the wall—between West 35 and 38th Streets, and West 48th and 54th Streets—that are outside HRPC's planning jurisdiction.

9. STRUCTURAL SYSTEM (CONTINUED)

IIIC Granite wall on wider concrete blocks, similar to Type IIIB without binding frame, built ca. 1899-1915 in many areas between Carlisle and 44th Streets—comprises about 25.6 percent of masonry bulkheads.

Type IV. CONCRETE BULKHEAD WITH TIMBER RELIEVING PLATFORM (See Figure 5)

Type IV generally replaced Type IIIC, with relieving platforms exposed to open water. This type was built in many areas ca. 1920-1960 for replacement of some older types, and as new construction. Type IV totaled about 8.8 percent of the masonry bulkheads.

From Battery Place to West 59th Street, the granite walls comprise approximately 81.3 percent of all the masonry bulkheads built in this area, and 77.9 percent of all masonry and timber bulkheads. In most cases, the granite walls rest on large pre-cast concrete blocks weighing 25-70 tons. The derrick-installed base blocks typically extend from about 2.5 feet below mean low water to 16-40 feet. Regardless of foundation, all the granite walls, except the very earliest (see Figure 2, Type IA), were backed by mass concrete and originally included four courses of granite blocks laid as alternating headers and stretchers to an elevation of about 9.4 feet above mean low water. These blocks were typically 4 feet long and 2 feet wide, with the lowest course 4 feet high and the others about 1.75 feet high. Additional courses were sometimes added as bulkheads settled.

Above the facing blocks, a coping of 8-foot-long, 3-foot-thick granite blocks rose about 2.5 feet to street level. Twelve-inch-square timber backing logs, bolted to the coping, rose above street level in most areas not covered by piersheds, bulkhead sheds, or other structures. The backing logs helped prevent wheeled vehicles from rolling over the top of the bulkhead into the river (see Photo 8 and Figures 2, Type IB; 3, Types IIB and IIC; and 4, Types IIIB and IIIC). Original or later variations in granite-face construction included round and rectangular openings for stream, sewer, or drainage outfalls (see Photos 3 and 5).

The concrete-face bulkheads total about 18.3 percent of the masonry walls (18.1 percent of the total masonry and timber bulkhead), and consist of sections resting on rock (see Figure 2, Type IC) and sections resting on relieving platforms (see Figure 5, Type IV).

Timber Bulkhead

Timber cribwork totals about 4 percent of all the current bulkheads south of West 59th Street, and is found at Little West 12th Street (built ca. 1870-1905) and outside HRPC's planning jurisdiction between West 35th and 37th Streets (built ca. 1885-1890) (see Figure 6: Type V and Atypical Significant Type 2). Typically, timber bulkheads from this era consist primarily of vertically layered timber cells, floated into place and sunk with rock and earth fill, which often reached 20-25 feet below mean low water and extended about 10 feet above this elevation. In section, cribs below mean low water typically extended to widths of 20 to 25 feet, sometimes tapering on the exterior or both faces as they rose. Above mean low water, crib widths in section narrowed to about 15 feet. Square timbers—spiked or bolted together in a smooth, continuous face and fitted onto notched cribwork logs—formed the outer face of the bulkhead above mean low water in most cases.

10. CONDITION

A thorough investigation of the condition of the bulkhead has been conducted for the Hudson River Park Conservancy (HRPC) by the firm of Mueser Rutledge Consulting Engineers in the fall-winter of 1996-1997. As part of this study, Mueser Rutledge reviewed previous inspection reports, including a study the firm prepared in 1989 for the New York State Department of Transportation as part of the Route 9A Reconstruction project; conducted inspections of the bulkhead from both land and water (during mid- and low-tide conditions); conducted limited diver inspections; took core samples of timber piles at relieving platforms to investigate the existence and extent of marine borer damage; and identified areas requiring repair, remediation, or new construction and developed concepts for basic repair types. The following excerpt is from Mueser Rutledge's Final *Hudson River Park Project Bulkhead Condition Review* report:

In general, the visible portions of the bulkhead are in fair to good condition. At some locations, the granite capstone has been replaced with cast-in-place concrete. Timber backing logs (curbs) along the top of the bulkhead and fendering piles, where installed, are typically in a deteriorated condition. Facing stones and capstones are missing in various sections along the bulkhead specifically at junctions with former piers. Mortar between stone facing blocks in the splash zone is typically weathered and often has been eroded away. Over much of the alignment, the stone facing blocks are chipped, eroded at the edges and portions of block are missing. This 'worn' condition is generally not considered to be a structural defect, but unless replaced, missing blocks could lead to structural degradation and loss of fill inboard. Although a number of blocks contain spalls that vary in degree, this condition, while not aesthetically pleasing, should not be viewed as a structural insufficiency. Other visible masonry and concrete elements are generally in good condition.

In the northern vicinity of the site, the bulkhead contains approximately one thousand feet of low-water relieving platforms over water where the timber piles that support the concrete bulkhead wall are visible above the mudline. Typically, the concrete bulkhead wall in this area contains spalls and cracks. Many of the outfalls which penetrate the bulkhead in this area are in poor condition. The timber piles, pile caps and decking in this area exhibit signs of marine borer infestation. At several locations, gaps between the piles and pile caps exist (non-bearing). Gaps of approximately one inch width between the timber deck plans exist at several locations. No fill loss through these gaps was observed at the time of the inspection.

At isolated locations throughout the park alignment, the surface inboard of the bulkhead generally contains small sinkholes and depressions. Although a fair amount of the surface immediately adjacent to the bulkhead has recently been repaved, the surface elevation generally varies. A significant amount of grade variation is due to the installation of multiple asphalt pavement overlays over time in adjacent areas.

11. INTEGRITY

As described above in response to Item 9, "Structural System," and Item 10, "Condition," when viewed from the water, there are three main types of Hudson River bulkhead: 1) quarry-faced ashlar granite walls constructed between ca. 1871 and 1920, which comprise nearly 78 percent of all the bulkhead between Battery Park City and West 59th Street; 2) concrete face bulkhead constructed between ca. 1920 and 1970, which comprises approximately 18 percent of the bulkhead between Battery Place and West 59th Street; and 3) timber cribwork built ca. 1870 to 1905, which comprises roughly 4 percent of all current bulkhead between Battery Place and West 59th Street. Thus, the appearance of the bulkhead is not consistent for its entire length, but rather contains a mix of materials.

In addition to the type of replacement of bulkheads of earlier design with later designs at the same locations, there have been two other major changes to the bulkhead that have affected its integrity. First, intact sections south of Harrison Street were buried ca. 1970 behind fill used to create Battery Park City. Second, since World War II, the uppermost elements of bulkhead wall and coping have frequently been altered. Modifications include vertical additions of granite block facing to address bulkhead settlement, and use of several kinds of concrete infill to replace granite coping blocks or areas formerly occupied by pier decks. These modifications were made by various agencies and tenants, often without any attempt to create a uniform appearance. The dates of these modifications are incompletely documented. In several locations, new railings or other edge treatments, have been mounted in the bulkhead. These include the new steel railings installed ca. 1994-96 along the western edge of the interim public safety zone (bikeway/walkway) on New York State Department of Transportation property between Battery Park City and 29th Street.

Other alterations reflecting lack of maintenance include loss of timber backing logs and coping blocks, weathering or wear damage to wall facing blocks, and recent marine borer damage to exposed timber-relieving platforms and piles. Changes made to bulkhead tops, and weathering or wear damage have generally not threatened the structural integrity of visible bulkhead components. Aside from the marine borer damage, foundations of the granite- or concrete-faced walls are evidently in good condition. Cribwork foundation conditions are not known.

20. HISTORICAL AND ARCHITECTURAL IMPORTANCE

Summary

Between 1871 and 1936, the City of New York built more than 5 miles of bulkhead along the Hudson River, extending in an almost unbroken line from the Battery to the south end of the New York Central Railroad's terminal at West 59th Street. The vast majority of this construction consisted of masonry walls on a variety of foundation systems, with quarry-faced ashlar granite block forming the visible face along nearly 80 percent of the armored frontage (see Photo 1). Masonry bulkhead construction was the "... most expensive and most important class of... permanent [waterfront] improvement" undertaken by the City (Hoag 1906: 107), during a long campaign to maintain New York's status as the premier American port. The carefully built granite walls created a consistent surface to waterfront sections seen by many thousands of transatlantic passengers, reinforcing an aura of commercial prominence. The City rarely made such investment in waterfront sections not used for shipping. North of 59th Street on the Hudson River, the only comparable construction was about 1,100 feet of masonry bulkhead built ca. 1902-1908 in an area used for the 130th Street ferry.

The City's waterfront redevelopment program was significant as the first and largest of its kind in the United States, and included construction of individual piers and four complete Hudson River terminals for transatlantic passenger traffic. With the disappearance of virtually all the original superstructures, the well-preserved bulkheads remain the principal artifacts of an unprecedented public effort that helped sustain Manhattan's maritime prominence until the era of airplane travel, containerized shipping, and interstate trucking after ca. 1960. The bulkhead line reflects large upland excavations at three of the passenger terminals, built between 1897 and 1936 in a race to accommodate ever-longer steamship liners within federally controlled pierhead limits. In addition to their importance in the history of urban planning and international commerce, the varied masonry bulkhead sections reflect evolving marine substructure design, including significant and influential innovations made by municipal engineers. The last general bulkhead form, including concrete facing on a low-water relieving platform (see Figure 5), became a standard for new or replaced pile-supported bulkheads after ca. 1920. Since World War II, a variety of repairs have been made by different agencies and tenants to the uppermost components of the granite walls, often without any attempt to create a uniform appearance.

Older timber bulkhead designs, built by the City or several railroads in areas not used for transatlantic shipping, may include significant but deeply buried, undocumented historic engineering information at cribwork bottoms. This information is probably at least 20-25 feet below mean low water.

Urban and Commercial Redevelopment Context

The City's waterfront redevelopment began in response to decades of deterioration, congestion, and siltation. Although privately owned, antebellum wharves and piers were too encumbered by municipal controls and often-corrupt bureaucracy to warrant investment. Accumulating sewage amidst rotting solid-fill wooden piers threatened public health as well as commerce. New York State's reorganization of the City's charter in 1870, a reaction to widespread public concerns, included creation of a Department of Docks to redevelop Manhattan's waterfront on the Hudson and East Rivers. The State deeded all previously ungranted underwater shoreline property to the City, and the Department was authorized to acquire, rebuild, and regulate existing commercial waterfront. Under the Department's first Engineer-in-Chief, Gen. George B. McClellan, a plan emerged in 1871 that in general form was followed until the last major Hudson River terminal was finished in 1936. Noting that the port's narrow tidal range did not require the enclosed tidal basins seen in Great Britain, McClellan proposed new bulkheads sufficiently outshore of existing waterfronts to create a 250-foot-wide marginal street, from which 60- to 100-foot-wide piers with cargo sheds would project 400-500 feet around 150- to 200-foot-wide slips. As property was acquired and as commerce warranted, the City built the bulkheads, built or rebuilt pier substructures, and leased redeveloped areas to private companies who were usually responsible for piershed and headhouse construction.

When McClellan's plan appeared, regional water pollution had already decimated the marine borers that destroyed wooden structures, allowing for open-pile wooden-pier construction. Open-pile piers had better tidal flow, less siltation, and greater flexibility in ship-versus-pier encounters than the more solid structures built earlier. In contrast to the piers, the bulkhead proposed by McClellan was all masonry above footings or piles. McClellan remains best known for his over-cautious command of Civil War armies, but he was by training and experience an excellent engineer. Before the war, he made surveys for various railroad and military installations, and served as chief engineer or president of several railroads. The need for very substantial footings in railroad construction may account in part for McClellan's emphasis

20. HISTORICAL AND ARCHITECTURAL IMPORTANCE (CONTINUED)

on bulkheads intended for unusual permanence. Origins of the Department's earliest bulkhead designs remain under-documented. McClellan was in Europe from late 1864 until 1868, and he may have seen designs for British bulkheads that resemble those built by New York City (cf. Bray and Tatham 1992). The choice of a quarry-faced bulkhead with concrete foundations likely reflects a widespread desire among New York's commercial leaders for a waterfront with the imposing character of European ports, commensurate with the City's growing international stature. McClellan ignored most recommendations for waterfront plans offered during public hearings, but it is probably no coincidence that many of these ideas included masonry bulkheads, piers, piersheds, and warehouses. Concrete above low water was not then regarded as sufficiently durable "...for a work of such monumental character" (Greene 1917: 62).

Surviving bulkheads from the 1870's include a number of sections south of Gansevoort Street, including the earliest Department project, built at the Battery in 1871 (see Figure 2: Type IA). Until ca. 1880, the pace of municipal waterfront redevelopment was slowed by depressed economic conditions following the Panic of 1873, limits on allowable annual bonding for property acquisition, and initial problems with soft-bottom bulkhead designs. As these economic conditions and engineering solutions improved, construction accelerated. By ca. 1905, the Department had built about 3.7 miles of Hudson River masonry bulkhead, most of it after 1880 (Hoag 1906: 120; Bittenweiser 1987: 83). The largest projects in this period were the liner terminals built in the Gansevoort (1897-98) and Chelsea (1902-08) sections, both of which involved upland excavation.

The section between these terminals was one of only two south of West 59th Street in which masonry bulkheads were not built. At Gansevoort Street, solid fill originally retained by timber-crib bulkheads served as a Department of Docks work yard, and was later redeveloped by the City as the second West Washington or Gansevoort Market in 1889. During part of the 20th century, the market site served as a garbage-processing facility, a use that continues today. Surviving cribwork along the north face of this site is partially visible, and has been classified as Type V in Figures 1 and 6 (Mueser Rutledge Consulting Engineers, 1997). Within HRPC's planning jurisdiction, an atypical waterfront section remains between West 34th and 35th Streets, where the shore consists of a low-rubble slope. It appears that no bulkhead of any kind was built along the current bulkhead line (see Photo 7).*

The remainder of the waterfront discussed here was used by cargo and passenger shipping firms, with the largest City projects after 1910 at the terminals between West 44th and 52nd Streets (1915-1936)** and West 55th and 57th Streets (1915-1917). Despite the effort to keep up with docking requirements of larger ships, some terminals proved not quite long enough as new vessels were built. Two curved indentations—9 and 40 feet deep, respectively—were made in the bulkheads at West 10th and 57th Streets to accommodate the bows of such ships.

Historic Engineering Context

The granite-faced masonry bulkheads built by the City until ca. 1920 were unique within the Port of New York. No commercial bulkheads in the region were ever finished in such a deliberately monumental manner. The City bulkheads were also perhaps the earliest American examples of granite seawalls placed on concrete bases, breaking a long tradition of bulkhead foundations made of various timber cribwork designs. Earlier stone-faced walls found in some New England ports appear to be on variants of crib foundations, or rest directly on shallow surfaces with timber reinforcing around the faces (Greene, 1917; Heintzelman, 1986). The Department of Docks made especially notable progress in the problem of supporting the bulkhead on soft-bottom or deep-mud conditions. After about 6 years of trial and error, including removal of some early bulkhead sections, the Department under Engineer-in-Chief George S. Greene, Jr. developed a remarkably successful design involving perhaps the earliest use of a relieving platform in the Port of New York (see Figure 4, Type IIIB). Although some sections of this type sank as much as 4 feet, no vertical deflection exceeding 6 inches was ever noted. Described as "[o]ne of the most remarkable...bulkhead walls" as late as World War I (Greene 1917: 88), the early relieving platform type used from 1876 to 1898 was praised in more detail by an 1895 Board of Consulting Engineers:

* Outside of HRPC's planning jurisdiction, there is an atypical cribwork section between West 35th and 37th Street. In this location, cribwork conditions and extent have been obscured by pile-supported platforms built offshore on deposits of riprap (Mueser Rutledge Consulting Engineers, 1997).

** The section of this terminal between West 48th and 52nd Streets is outside HRPC's planning jurisdiction.

20. HISTORICAL AND ARCHITECTURAL IMPORTANCE (CONTINUED)

To float a wall in mud when that wall must also take a horizontal thrust is a problem which can only be solved by care and experience, no formulas or mathematical rules being available. The wall, as now built, is a satisfactory solution of the problem. Your Board believes it to be a unique construction, one which is worthy of the most careful study, and deserves the strongest commendations...this wall...is remarkable for its originality and the excellence of its results (quoted in Hoag 1906: 117).

This design was modified slightly in 1899 with a wider concrete base block, which reduced timber and labor costs by eliminating the diver-installed timber binding frame used around the piles of the 1876 design. The surviving Hudson River bulkheads include examples of virtually all the granite-faced designs ever used by the Department, including those which led to the adoption of the most successful relieving-platform models (see Figure 3, Types IIA and IIB; Figure 4, Type IIIA).

The Department's designs probably influenced the early-20th-century adoption of relieving-platform construction for solid-fill structures by a number of railroads using the port. In these private designs, reinforced-concrete walls were supported on concrete and timber platforms set on timber piles cut off below mean low water. By ca. 1920, the Department eliminated its use of granite facing and began to use a similar design, with platforms set just above low water. This was the only type of municipal masonry bulkhead that left timber elements exposed to open water. Although not a problem when first built prior to ca. 1960, this design is now the most vulnerable to attacks by marine borers, which have reappeared in the port with the improvement of water quality since ca. 1980.

From ca. 1920 to 1960, concrete facing on a low-water relieving platform became a standard for new or replaced pile-supported bulkheads. Unlike the granite walls, which were dressed in an ashlar finish and divided into blocks, the concrete walls have a plain smooth finish and are monolithic. Approximately 18 percent of the bulkhead, scattered throughout the length of the waterfront, is of this design (see Figures 1 and 5). Since World War II, numerous other repairs have also been made, largely in an uncoordinated manner, to the bulkhead. The most common repair has been replacement of missing or damaged granite capstones with concrete that is cast in place (see Photos 2 and 5).

In addition to the masonry bulkheads, the Hudson River waterfront south of West 59th Street includes two sections of timber-crib bulkheads, noted above. The most exposed timber bulkhead is at Little West 12th Street (on the north side of the Gansevoort peninsula), and a buried section apparently survives outside of HRPC's planning jurisdiction from West 35th Street to 37th Street. Both timber bulkheads appear to be late-19th-century examples of what was, by then, a well-established and relatively standardized means of construction. When timber was relatively inexpensive, cribwork was a cheap form of bulkhead requiring only hand tools after any dredging phases. Disappearance of marine borers from the harbor beginning about 1850 made most bulkhead components permanent. Periodic replacement of all components subject to decay above mean low water complicates any identification of extant cribwork bulkheads with particular decades, and minimizes the significance of these upper elements. Cribwork bottoms are the least documented and probably most varied elements in timber bulkheads throughout the port, however, and tend to remain well-preserved under water. The bottoms of the Hudson River examples, buried at least 20 feet underwater, could include important information on once-widespread vernacular engineering practice.

National Register Criteria of Significance

As discussed under "Condition" (Item 10) and "Integrity" (Item 11), the masonry bulkheads are in fair to good condition. Beyond integrity, National Register eligibility is based on meeting at least one of four criteria of significance, summarized as follows:

- A. Association with important historic events or activities;
- B. Association with important persons;
- C. Distinctive design or physical characteristics, including representation of a significant entity whose individual components may lack distinction; and
- D. Potential to provide important information about prehistory or history.

The masonry bulkheads appear to meet at least Criteria A-C, and possibly Criterion D. The central place of the bulkheads in more than 60 years of City waterfront development, the considerable engineering and architectural investment made in bulkhead construction, and the influential role played by some bulkhead types in regional waterfront engineering, all appear to satisfy Criterion A. The central role of George B. McClellan (1829-1885) in initial bulkhead planning

20. HISTORICAL AND ARCHITECTURAL IMPORTANCE (CONTINUED)

and design appears to satisfy Criterion B. McClellan was one of President Lincoln's most important generals early in the Civil War, and was also an unsuccessful candidate for the American presidency in 1864. Criterion C is met by the presence not only of distinctive, influential engineering designs, but of the full range of bulkhead types built by the Department throughout the period of New York City's direct involvement in Hudson River waterfront development.

Even the latest type (see Figure 5: Type IV), similar to relieving-platform designs used elsewhere in the ports of New York and other cities, remains significant as part of the Department's long sequence of bulkhead designs. The masonry bulkhead appear well-documented in surviving drawings, descriptions of construction methods (e.g., Greene 1917: 88-94), and possibly in surviving original specifications. It is possible, however, that the surviving structures include undocumented details reflecting minor adaptations to bottom or other site conditions. Such undocumented details in the masonry or timber bulkheads could meet Criterion D.

21. SOURCES

Bray, R.N., and P.F.B. Tatham

1992 *Old Waterfront Walls: Management, maintenance and rehabilitation*. London: E & FN Spon.

Buttenweiser, Ann

1987 *Manhattan Water-Bound*. New York: New York University Press.

Engineering News

1893 New York Bulkhead Construction. Vol. 29: 104.

Greene, Carleton

1917 *Wharves and Piers: Their Design, Construction, and Equipment*. New York: McGraw-Hill Book Co., Inc.

Heintzelman, Andrea J.

1986 Colonial Wharf Construction: Uncovering the Untold Past. *The Log of Mystic Seaport* 37,4: 124-35.

Historic Conservation and Interpretation, Inc.

1983 Westside Highway Cultural Resource Survey Archaeological Work Program: Cultural Resources Research. Report prepared for New York State Department of Transportation.

Hoag, Sidney W.

1906 The Dock Department and the New York Docks. Municipal Engineers of the City of New York *Proceedings for 1905*: 31-155.

Mueser Rutledge Consulting Engineers

1997 Hudson River Park Project/Bulkhead Condition Review/Hudson River, New York. Final report prepared for Quennell Rothschild Associates/Signe Nielsen, P.C.

Raber, Michael S., Thomas R. Flagg, Ernest A. Wiegand, and John Antici

1984 The Evolution of Port Structures in New York Harbor, in Cultural Resources Reconnaissance, Edgewater, New Jersey Reach: New York Harbor Collection and Removal of Drift Project, pp. 40-90. Report prepared for New York District, U.S. Army Corps of Engineers.

Raber, Michael S., Thomas R. Flagg, Gerald Weinstein, John Antici, and Ernest A. Wiegand

1986 Cultural Resources Reconnaissance of the Manhattan Upper West Side Reach: New York Harbor Collection and Removal of Drift Project. Draft report prepared for New York District, U.S. Army Corps of Engineers.

Raber, Michael S.

1986 West 55th Street and West 56th Street Piers. HAER No. NY-147. Historic American Engineering Record.

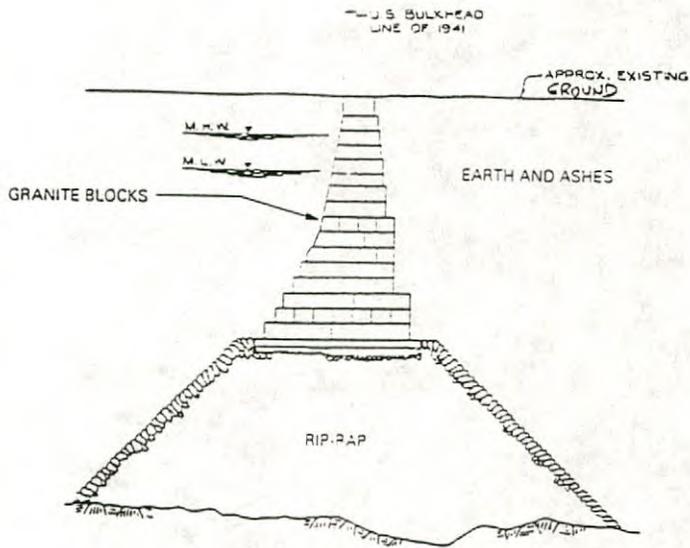
van Buren, John D.

1874 The Waterfront of the City of New York. *Transactions of the American Society of Civil Engineers* 3: 172-89.

Figure 2

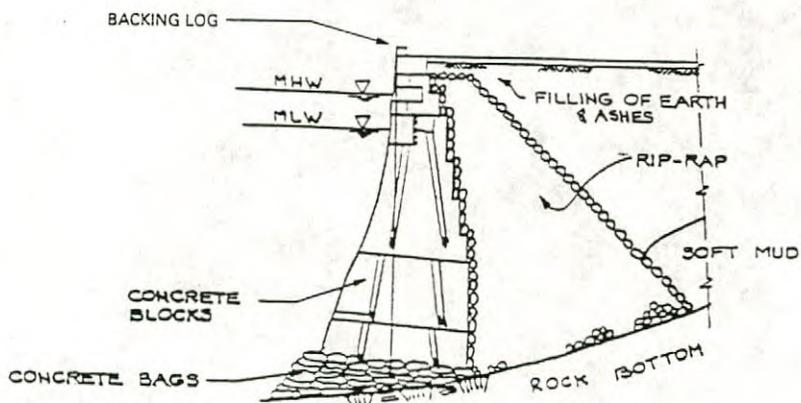
Bulkhead Type I Sections

Type I: Granite or Concrete Bulkhead on Firm or Rock Bottom



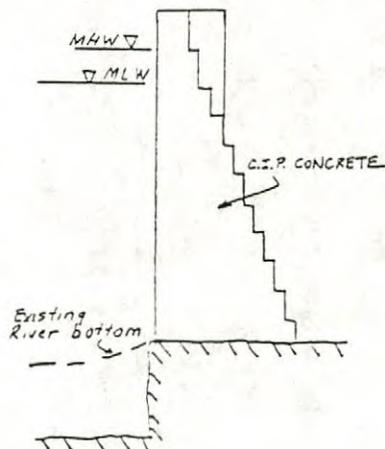
TYPE I-A

Granite blocks on rip-rap. Built in 1871 at Battery as first Department of Docks bulkhead.



TYPE I-B

Granite wall supported by 1-3 pre-cast concrete blocks and concrete base. Built c. 1872-1920 at Cedar Street and between 52nd-59th Streets. (Portion between 48th-54th Streets outside HRPC's planning jurisdiction.)



TYPE I-C

Concrete wall. Built c. 1915-1936 between 44th-52nd Streets.

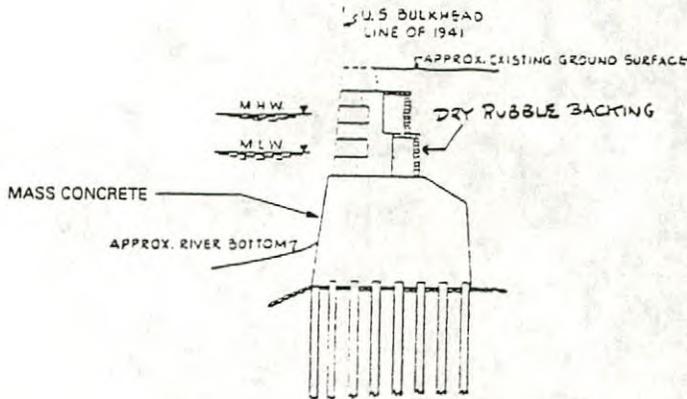
0 25 FEET
SCALE

Note: Type I was typically built on firm bottoms less than 40 feet below mean high water.
Source: Mueser Rutledge Consulting Engineers.

Figure 3

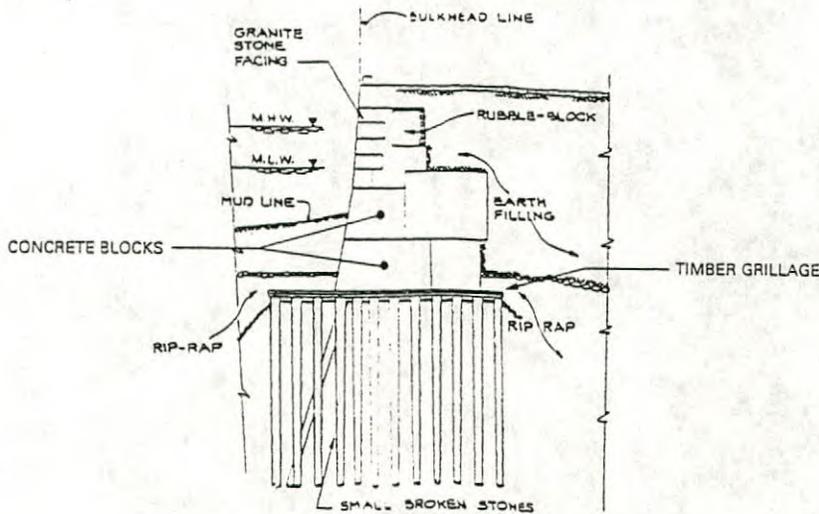
Bulkhead Type II Sections

Type II: Pile-Supported Granite Bulkhead Without Timber Relieving Platforms



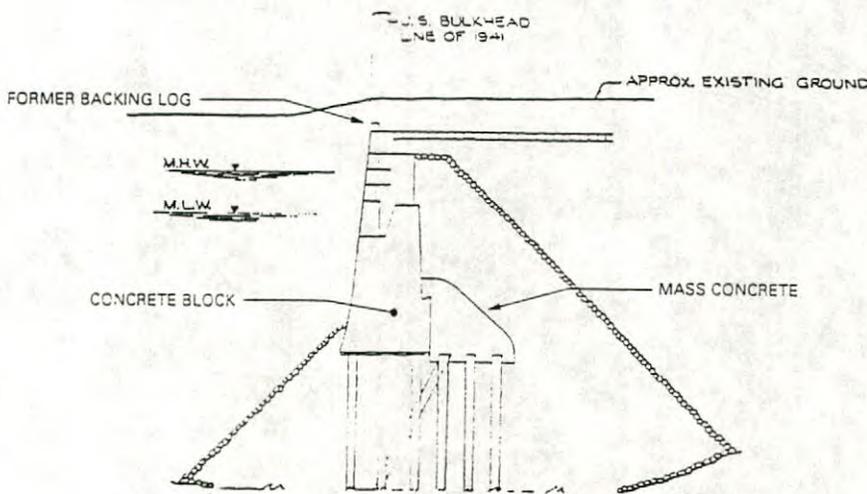
TYPE II-A

Granite wall on mass concrete block, resting on 2-inch thick concrete bed. Built c. 1873-1875 in several sections between Murray and Horatio Streets; some sections replaced by Types III-B and IV.



TYPE II-B

Granite wall on concrete block on 2-timber-thick grillage, with inclined bracing piles. Built c. 1875 at Morton and Christopher Streets.



TYPE II-C

Granite wall on pre-cast concrete block, with mass concrete backing and inclined bracing. An alternative to Type III-C timber-relieving platform. Built c. 1900 at Rector Street.

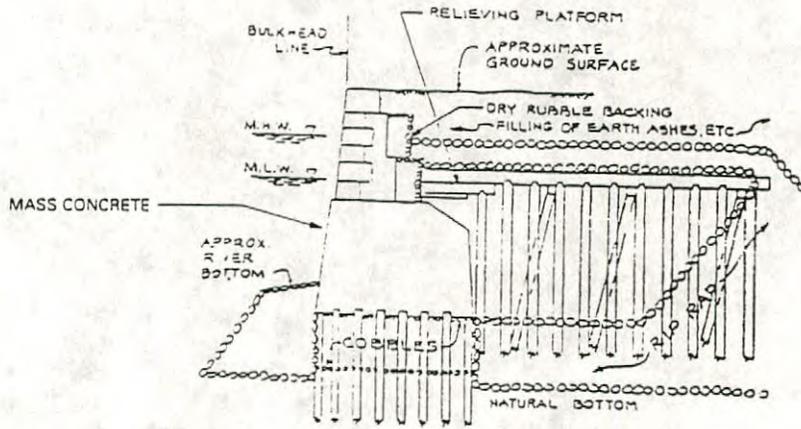
0 25 FEET
SCALE

Note: Type II was usually built on soft or deep mud bottoms 40-170 feet below mean high water.
Source: Mueser Rutledge Consulting Engineers.

Figure 4

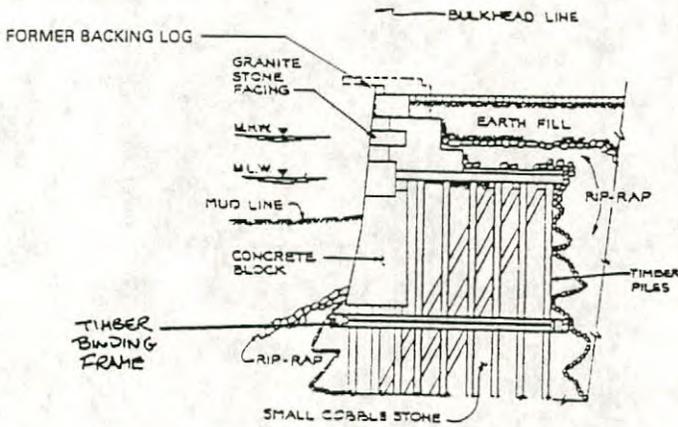
Bulkhead Type III Sections

Type III: Pile-Supported Granite Bulkhead With Timber Relieving Platforms



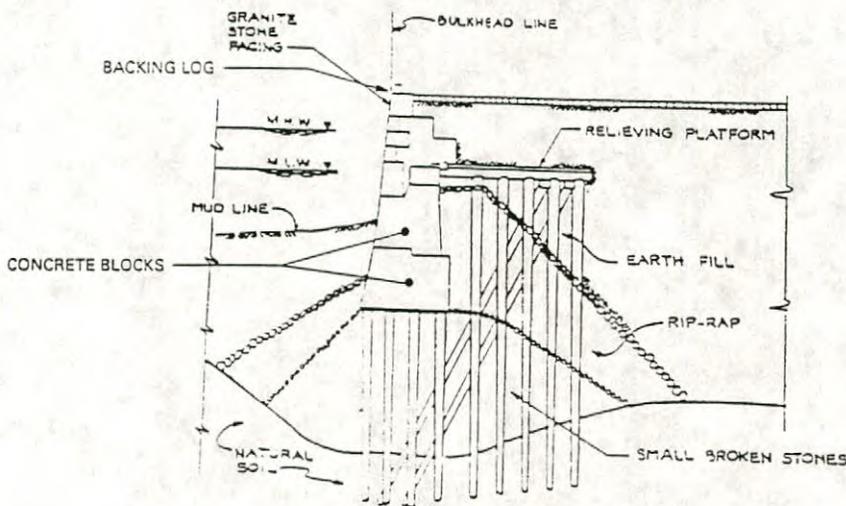
TYPE III-A

Modified form of Type II-A. Built c. 1874 at Canal Street.



TYPE III-B

Granite wall on narrow concrete block, with inclined bracing piles taking lateral thrusts to below base block, and timber binding frame around piles. Built 1876-1898 in many areas between Warren and 38th Streets.



TYPE III-C

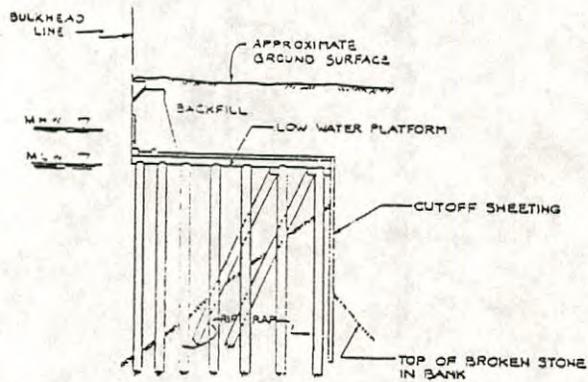
Granite wall on wider concrete blocks, similar to Type III-B without binding frame. Built c. 1899-1915 in many areas between Carlisle and 44th Streets.

0 _____ 25 FEET
SCALE

Note: Type III was built on soft or deep mud 40-170 feet below mean high water. The relieving platforms were encased in fill or cut off from open water.

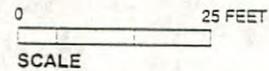
Source: Mueser Rutledge Consulting Engineers.

Figure 5
Bulkhead Type IV Section
Type IV: Concrete Bulkhead With Timber or Concrete Relieving Platforms



TYPE IV

Concrete bulkhead with timber or concrete relieving platforms on piles. Built c. 1920-1960 in many areas, as replacement of some older bulkhead types and as new construction.

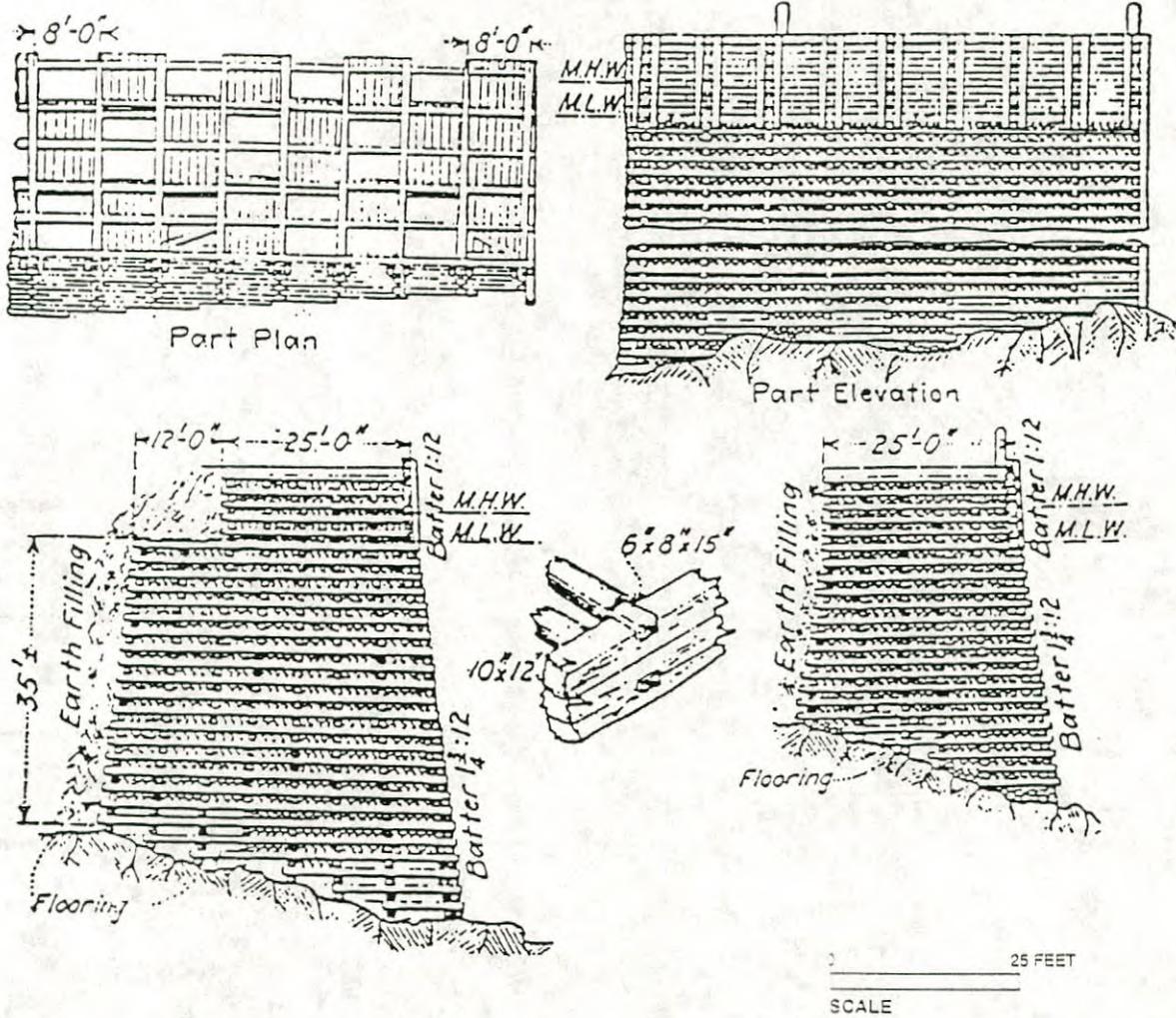


Note: Type IV generally replaced Type III-C, with relieving platforms exposed to open water.
Source: Mueser Rutledge Consulting Engineers.

Figure 6

Bulkhead Type V Sections and Other Views

Type V: Timber Crib Bulkhead



TYPE V

Layered, rock- and earth-filled timber cells, with outer face of squared timbers above mean low water.

Note: This is a typical design and does not reflect possible crib-bottom variations adopted to specific bottom conditions. On the Manhattan waterfront south of West 59th Street, the only remaining cribwork bulkhead along the water is a late 19th century example at Little West 12th Street. There is also a cribwork bulkhead, built c. 1885-1890, buried near the water between West 35th and West 37th Streets, in an area outside HRC's planning jurisdiction.

Source: Carleton Green, *Wharves and Piers*, 1917, pg. 53.



Photo 1

**View southeast of granite bulkhead
at approximately Canal Street (just north of Pier 32)
showing new railing mounted in bulkhead
along western edge of interim public safety zone
(bikeway/walkway)**

Type II.A

December 1996



Photo 1

**View southeast of granite bulkhead
at approximately Canal Street (just north of Pier 32)
showing new railing mounted in bulkhead
along western edge of interim public safety zone
(bikeway/walkway)**

Type II.A

December 1996



Photo 2

**View northeast of granite bulkhead at Watts Street, with
varied concrete and granite coping treatments and new railing**

Type II.A

December 1996



Photo 3

**View east of granite bulkhead near Canal Street
at stream outfall, with original coping blocks, partially collapsed
facing, exposed interior facing, and new railing**

Type III.A

December 1996



Photo 4

**View east of granite bulkhead at 30th Street,
with eroded original face and missing coping blocks**

Type III.B

December 1996



Photo 5

**View east of granite bulkhead at Vestry Street
with outfall, concrete replacement coping, and new railing**

Type II.A

December 1996

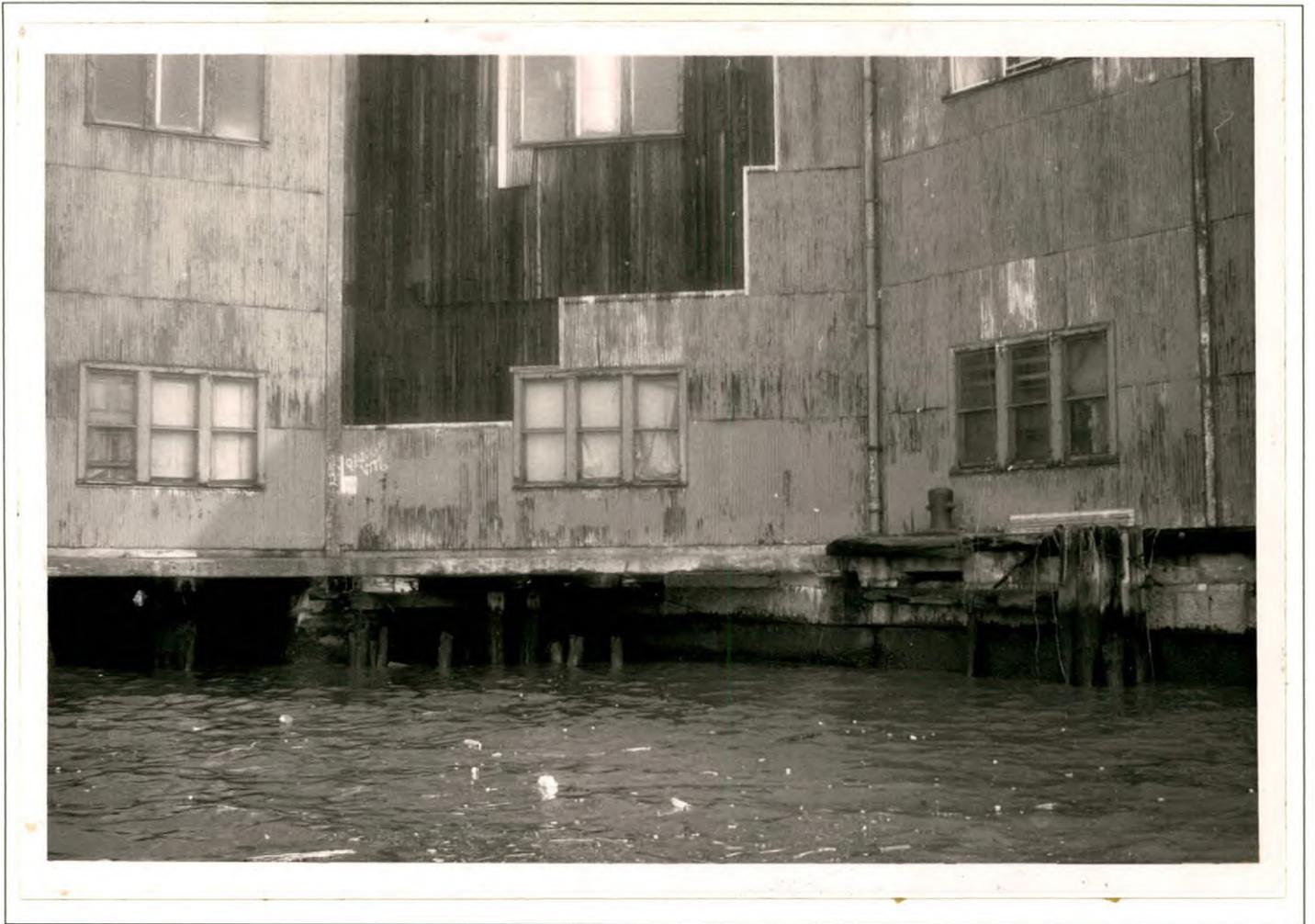


Photo 6

**View north of granite bulkhead under Pier 64 at 24th Street,
with pier deck set into bulkhead face**

Type III.B

December 1996



Photo 7

**View east of shore section without bulkhead,
south of Pier 76 between 34th and 35th Streets**

Atypical not significant - Type 1

December 1996

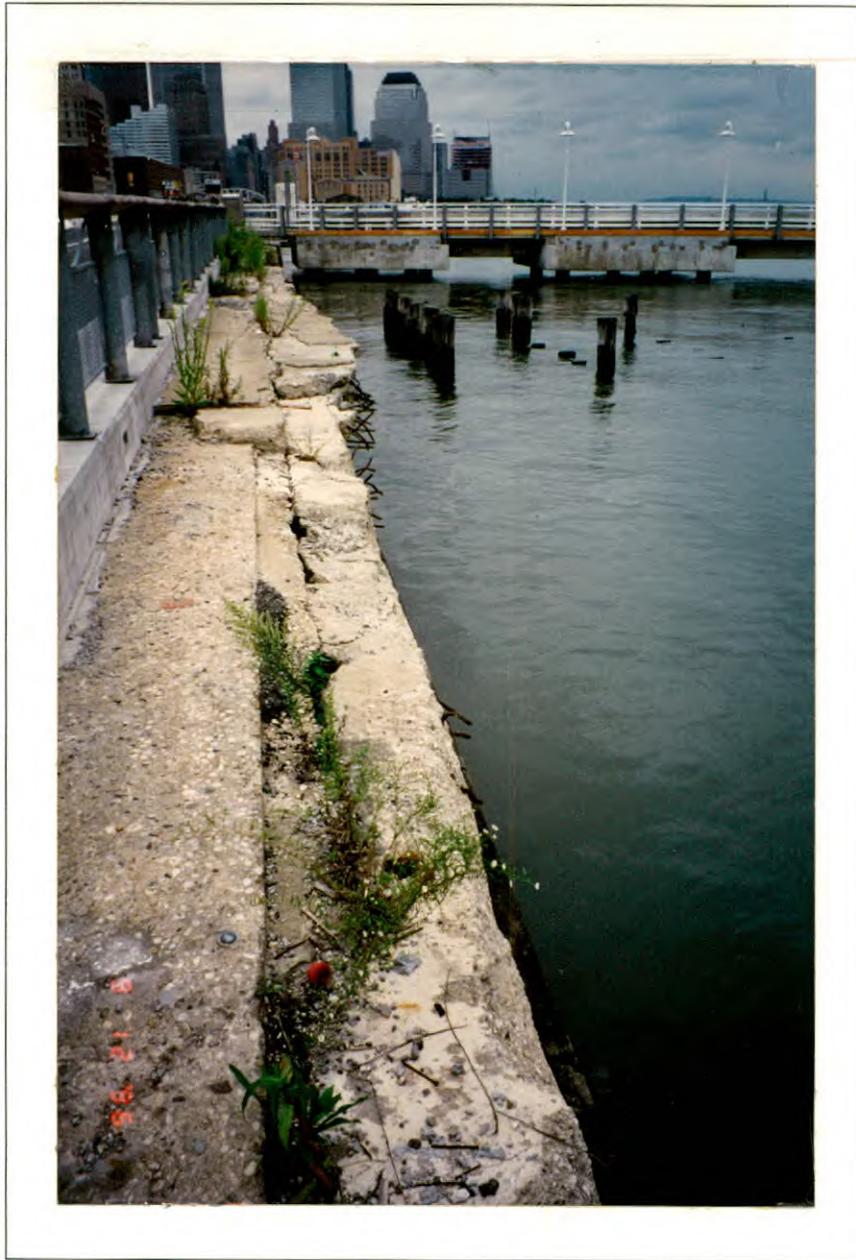


Photo 8

Top of bulkhead looking south from location of Pier 34 (above the Holland Tunnel). Granite capstone has been replaced by concrete edge; edge is irregular, cracked and reinforcing rods are exposed. Note introduction of new railing.

Type II.A

September 1996

Source: Mueser Rutledge Consulting Engineers



Photo 9

**View south at granite bulkhead at approximately
Van Dam Street. Note portion of capstone is missing and has been
partially replaced by concrete block.**

Type II.A

September 1996

Source: Mueser Rutledge Consulting Engineers



Photo 10

View of concrete bulkhead looking north from approximately West 40th Street. Bulkhead is in fair to poor condition at this location; erosion and spalling is evident, as are remains of timber fender system.

Type IV

September 1996

Source: Mueser Rutledge Consulting Engineers

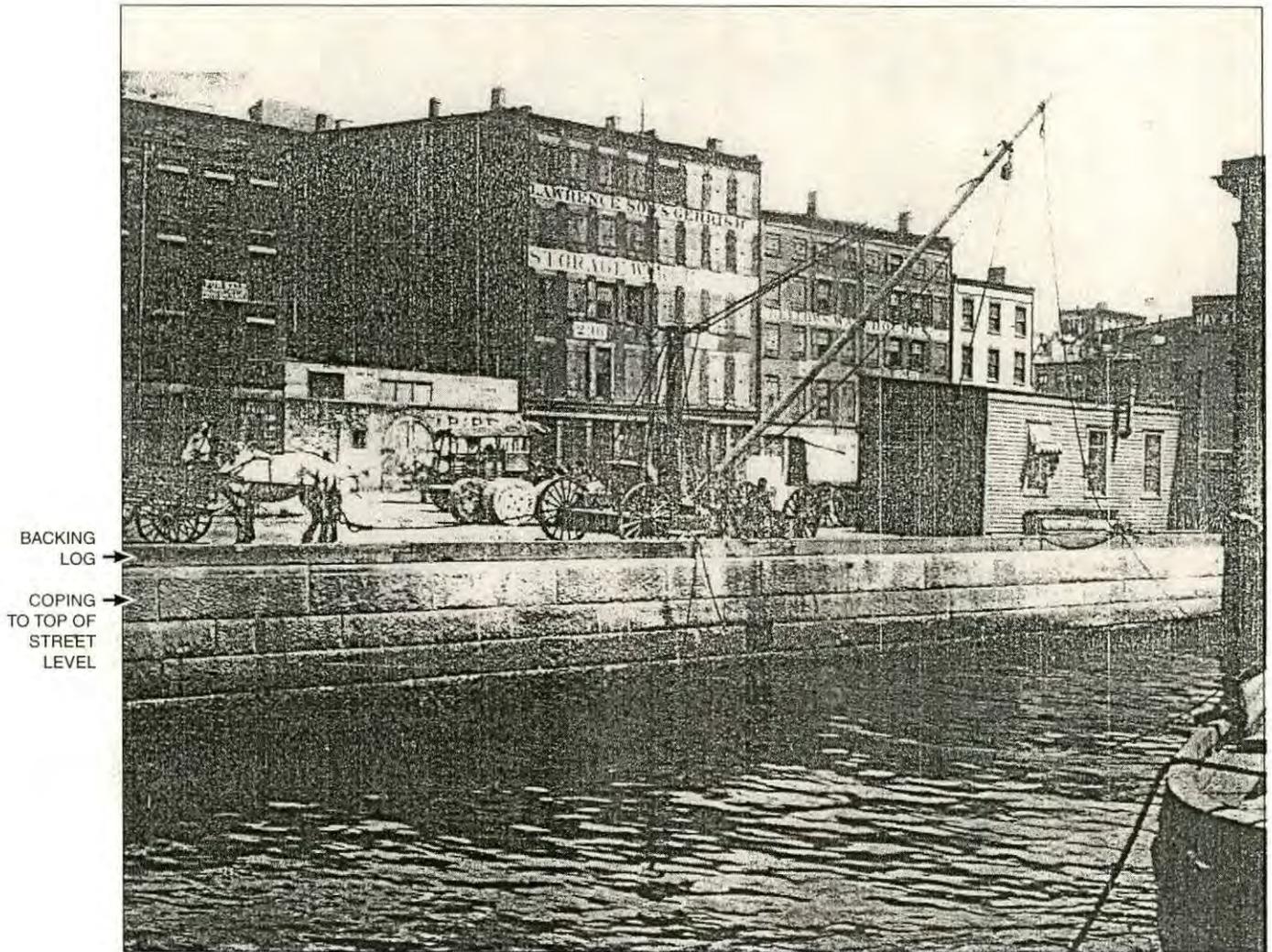
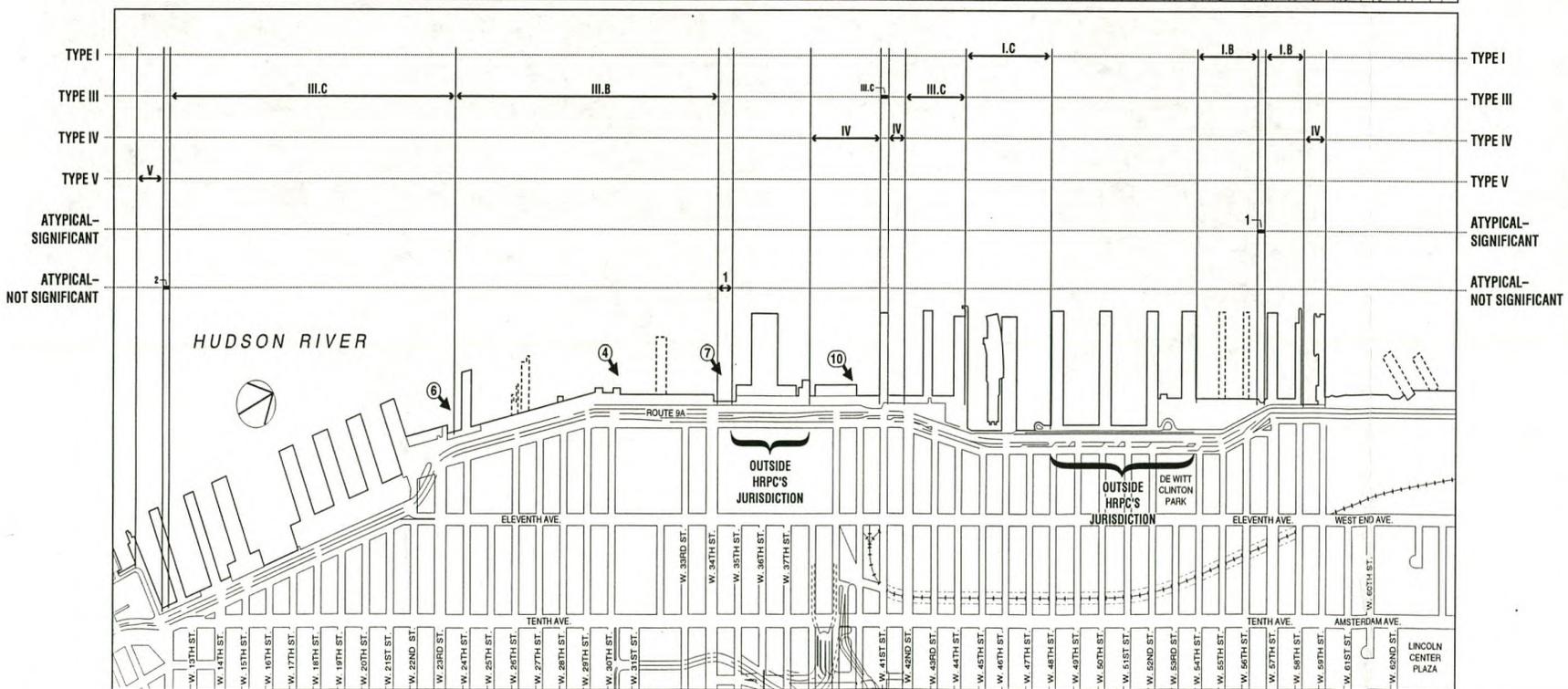
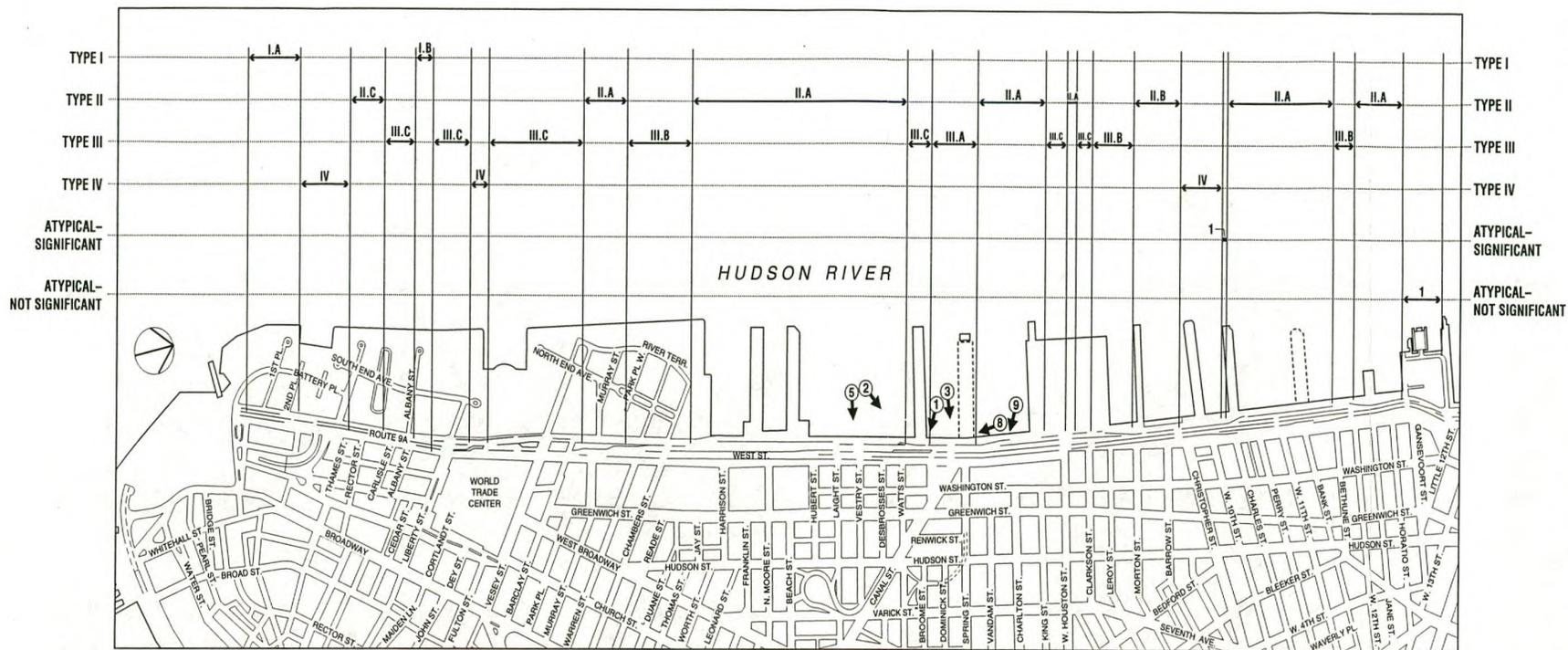


Photo 11

View of granite bulkhead.
Undated historic photograph, location unknown.
Collection of South Street Seaport Museum

Bulkhead Types and Key to Photographs

Figure 1



LEGEND

Significant Types

- I Granite or concrete walls without piles, on rock or firm bottoms (see Figure 2)
- II Granite walls with piles, no timber relieving platforms, usually on soft or deep mud bottoms (see Figure 3)
- III Granite walls with piles and buried timber relieving platforms, on soft or deep mud bottoms (see Figure 4)
- IV Concrete walls on piles with exposed timber or concrete relieving platforms (see Figure 5)
- V Timber cribwork (see Figure 6)

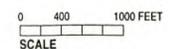
Atypical Non-significant Types

- 1 Collapsed pile-supported platforms and/or rip-rap
- 2 Narrow pile-supported building foundation
- 3 Riprap shoreline
- 4 Pile-supported platform in rip-rap, fronting cribwork

Key to Photographs

- 1 Photo Number and Location from which Photograph was Taken

Source: Mueser Rutledge Consulting Engineers



HOME PAGE MY TIMES TODAY'S PAPER VIDEO MOST POPULAR TIMES TOPICS

06101.009182

The New York Times

N.Y. / Region

N.Y. / Region

WORLD U.S. N.Y. / REGION BUSINESS TECHNOLOGY SCIENCE HEALTH SPORTS OPINION ARTS STYLE TRA

AUTOS

THE CITY IN THE REGION



Exposing the Wall Between the River and New York City

More Articles in New



David W. Dunlap/The New York Times

Parts of the river wall are visible north of Chambers Street, but the excavation at the trade center will show it at greater depth.

By DAVID W. DUNLAP
Published: May 25, 2008

To the builders of the 21st-century World Trade Center it is both an obstacle and an engineering marvel of 19th-century New York: the massive granite river wall that opened Manhattan's edges to a world of seagoing commerce.

Multimedia

The river wall near the trade center was long ago cut off from the Hudson River by the landfill on which Battery

Park City stands. But the wall's granite and concrete blocks are very much in place under the western edge of West Street and have posed an engineering and archaeological

Great Getaways Sign up for travel advertisers. See Sample

Get DIRI The #1 satellite p... veri

SIGN IN TO E-MAIL OR SAVE THIS PRINT REPRINTS SHARE ARTICLE TOOLS SPONSORED BY



Graphic

A 19th Century River Wall Unearthed



Port Authority of New York and New Jersey
Newly exposed granite blocks from the historic river wall that lies just west of the World Trade Center site.

challenge to the Port Authority of New York and New Jersey.

That is because part of the river wall must be removed to allow construction of an underground passageway between the new World Trade Center and the World Financial Center in Battery Park City. But at the same time, by agreement with state preservation officials, the river wall must also be treated as the historical resource it is. The New York State Office of Historic Preservation has deemed it eligible for the National Register of Historic Places.

As a result, archaeologists will be given the chance to monitor, inspect and document the river wall as it is being dismantled. And for a week or two early next year, before it is removed, the section of wall will be visible from the Winter Garden, its rough-hewn but handsomely coursed granite blocks exposed to a depth of perhaps 15 feet below street level.

The top of the wall, which runs from the Battery to 59th Street, can currently be seen from many places along the shoreline. Just walk out on a pier and look back. But the chance to see a whole section of the wall — dry — will be

exceptional.

“The beauty of it is that they’re going to be able to view an entire length,” said Clarelle DeGraffe, the project manager for the Port Authority. “About 80 feet of granite wall section will be exposed. It’s awesome.”

Awesome, but little known.

By restraining the land mass behind it, a bulkhead allows large vessels to dock at the island’s edge, rather than at the end of piers or wharves hundreds of feet off shore.

The depth and sturdiness of the shoreline is taken for granted now, but in 1873, the waterfront was so dilapidated and unnavigable as to “awake the amazement and indeed scorn of the foreigner,” The New York Times said. “What is wanted is a broad thoroughfare clear round the City, stone-faced, with all necessary piers, solid and imperishable.”

The river wall, formally known as the Hudson River bulkhead, was built under an improvement plan proposed in 1870 by Gen. George B. McClellan, the chief engineer of

- 8. Maureen Dowd:
- 9. At World's End,
- 10. Starting Salaries

[Go to Complete List »](#)

The New York Times

Coverage of
Also in Theater:
Complete list of the r
Who will win a Tony
Scenes from a seas

ADVERTISEMENTS

Need to know more?
Get 50% off home deliv
Times.

Which movies made the
list?

In a world of second opi
facts first.

All the news that's fit to



INSIDE NYTIMES.CO

the city's Department of Docks, who was far better known as a Union leader during the Civil War and Abraham Lincoln's Democratic challenger for the presidency in 1864.

McClellan's plan was "as ambitious, in its way, as the Brooklyn Bridge" and "the greatest public-works project of its period," Phillip Lopate wrote in "Waterfront: A Journey Around Manhattan."

It took six decades to complete.

According to an archaeological report prepared in 2006 by the Louis Berger Group, the bulkhead nearest the trade center was built with granite blocks atop concrete blocks atop vertical piles and lateral braces. The method suggests it was installed between 1899 and 1915.

But only physical inspection can determine the dimensions of the wall for certain, and only exploration can uncover artifacts behind the bulkhead or evidence of an earlier river wall or piers. Among materials that might be found, the Berger report said, are "historic ceramics, curved glass (bottle, table and furniture glass), pipes, small finds/architectural, bone, floral, shell and aboriginal (prehistoric)."

Ultimately, demolition of part of the river wall is needed to permit a clear path under West Street between the trade center and Battery Park City. One day, a commuter getting off the subway along William Street will be able to walk underground as far as the World Financial Center.

To prevent flooding during construction — the water table is only about 10 feet below street level — the passageway under West Street will be built in three phases, with barrier walls between each segment. It is the second barrier wall that will displace the bulkhead.

"No matter what, we've got a dam between us and the river," said Raymond E. Sandiford, chief geotechnical engineer at the Port Authority.

While Mr. Sandiford's enthusiasm is obvious for the passageway project, so is his admiration for the engineering feats of an earlier age. He noted that a preliminary excavation had disclosed the possibility of coming across timber structures from the early 19th century that were used in cribworks that functioned like a bulkhead.

"We may be uncovering even more of the historic waterfront," Mr. Sandiford said, sounding hopeful that he would.

More Articles in New York Region »



Parks, Recreation, and Historic Preservation

Resource Evaluation

Date: 02/03/2017

Staff: Kathy Howe

USN Number: 06101.013266

Name: former W & J Sloane Warehouse and Garage

Location: 541-561 West 29th St, MANHATTAN NY

Resource Status:

1. **Determination:** Eligible
2. **Contributing:**

Criteria for Inclusion in the National Register:

- A. Associated with events that have made a significant contribution to the broad patterns in our history.
- B. Associated with the lives of persons significant in our past.
- C. Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
- D. Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:



Parks, Recreation, and Historic Preservation

Resource Evaluation

The three buildings at 541-561 West 29th Street and 306-310 Eleventh Avenue constitute the former W & J Sloane Warehouse and Garage (NRHP-eligible). Founded in 1843, the W & J Sloane company was a retail and wholesale carpet, rugs, and furnishings company. W & J Sloane supplied stores across the country, controlled mills, imported European goods, established branch retail establishments in other cities, and was the first American company to sell oriental rugs retail. Originally located on Broadway near City Hall, the firm relocated several times uptown as the retail business periodically moved northward along Broadway and Fifth Avenue. W & J Sloane's second store was located at 649-655 Broadway near Bleecker Street; this building is located within the NYCL NoHo Historic District. In 1882, the company moved its retail and warehouse operations to 880-886 Broadway; this building is located within the NYCL Ladies Mile Historic District. In 1912, a new retail building was completed for W & J Sloane at Fifth Avenue and 47th Street. The construction of the company's warehouse on West 29th Street coincides with the construction of the midtown retail store. The first component of the warehouse—the 10-story brick structure at 306-310 Eleventh Avenue and 557-561 West 29th Street—was built in 1909 and designed by James Barnes Baker. Designed with Renaissance Revival elements, the building is sited around the southwest corner of the block, which is occupied by a parking lot. Arched loading docks with stone keystones are located on the ground floor. The second floor is designed with cambered-arched windows. Stone courses run along the tops of the first and second floors with wide brick piers dividing the upper floors into recessed and arched window bays. A projecting cornice caps the avenue and street façades. The two secondary façades facing the parking lot are largely blank brick. (When the building was constructed, two four-story store and dwelling structures occupied the corner at 302 and 304 Eleventh Avenue. By 1930, the corner was occupied by a gas station.) Constructed in 1913, the building at 549-555 West 29th Street is identical and indistinguishable from the 1909 structure. James Barnes Baker also designed the garage, built in 1910, located at 541-547 West 29th Street. The garage is a four-story structure with Romanesque Revival details. Clad in brick with stone trim, the façade features three round-arched, recessed window bays. This historic property is significant under Criterion A for its association with New York's industrial history and Criterion C for its industrial design.

Historic Architectural Resources Background Study/Effects Assessment Report Hudson Tunnel Project New York, NY. Prepared for: NJ TRANSIT One Penn Plaza East Newark, NJ 07105-2246. Prepared by AKRF, January 24, 2017.



Parks, Recreation, and Historic Preservation

Resource Evaluation

Date: 02/03/2017

Staff: Kathy Howe

USN Number: 06101.018917

Name: West Chelsea Historic District

Location:

Resource Status:

1. **Determination:** Eligible
2. **Contributing:** True

Criteria for Inclusion in the National Register:

- A. Associated with events that have made a significant contribution to the broad patterns in our history.
- B. Associated with the lives of persons significant in our past.
- C. Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or posses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
- D. Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:



Parks, Recreation, and Historic Preservation

Resource Evaluation

The West Chelsea Historic District (NYCL, NRHP-eligible) is roughly bounded by West 28th Street to the north, Tenth Avenue to the east, West 25th and 26th Streets to the south, and Twelfth Avenue to the west. The district is eligible for listing on the NRHP under Criterion A for its association with New York City history and Criterion C for its impressive collection of industrial architecture from the late 19th to early 20th centuries. The West Chelsea Historic District stands as a surviving example of Manhattan's industrial past and still contains many of the historic buildings of this era including factories, warehouses, and industrial firms that have long been demolished elsewhere in the City. West Chelsea was first developed in the late 1840s with a mixture of tenements and industrial complexes. Few buildings from this earlier period survive, except for the small two-story brick stable building on the south side of West 28th Street east of Eleventh Avenue (at 554 West 28th Street), which was built in 1885 for Latimer E. Jones' New York Lumber Auction Company. The neighborhood experienced a second wave of development around the turn of the 20th century, as the older, smaller industrial buildings were replaced by larger industrial structures and factories. It is during this time that the area was home to some of the City's, and even the country's, most prestigious industrial firms including the Otis Elevator Company. Designed by Clinton & Russell, the building at 246-260 Eleventh Avenue was constructed for the Otis Elevator Company in 1911–1912. The seven-story, brick and stone Classical Revival building originally housed offices and machine shops, a garage, and such employee amenities as a law library, a dining room, and a barber shop. The building's design and massing emphasizes solidity and weight, with façades articulated by wide brick piers and spandrel panels, and by a pre-zoning massing that fills the lot without setbacks.

In addition to its manufacturing operations, the area also became well known for its shipping, warehousing, and freight handling capabilities due to its close proximity to the river and accessibility by train. The New York Terminal Warehouse Company, Central Stores complex, which occupies the block bounded by West 28th and West 27th Streets between Eleventh and Twelfth Avenues, was accessed by the New York Central and Hudson River Railroad through tracks that led directly into the building through the large round-arch entrance which fronts on Eleventh Avenue. Built in phases between 1890 and 1912, the New York Terminal Warehouse Company's Central Stores complex was designed separately by George B. Mallory and Otto M. Peck. It comprises 25 storage buildings of the same design, forming a single, monolithic architectural composition. The seven- and nine-story brick complex is simply articulated with arched window openings and corbelled cornices.

Just south of the warehouses, the entire block bounded by West 27th and West 26th Streets between Eleventh and Twelfth Avenues is occupied by the Starrett-Lehigh Building (also individually eligible for NR). It stands as an early Modernist design approach to an industrial building with its cantilevered floor slabs and continuous strips of windows.

Historic Architectural Resources Background Study/Effects Assessment Report Hudson Tunnel Project New York, NY. Prepared for: NJ TRANSIT One Penn Plaza East Newark, NJ 07105-2246. Prepared by AKRF, January 24, 2017.

13SD00733



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, DC 20240

September 5, 2013

Robert B. Tierney, Chairman
New York City Landmarks Preservation Commission
1 Centre Street, 9th Floor North
New York, NY 10007

WEST CHELSEA HISTORIC
DISTRICT
(Certified local h.d.)

Dear Mr. Tierney:

The National Park Service is pleased to inform you as duly authorized representative that the West Chelsea Historic District has been certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986, as substantially meeting all the requirements for listing in the National Register of Historic Places.

Individual property owners of depreciable buildings within this district can qualify for the Federal tax incentives for historic preservation by completing the Historic Preservation Certification Application -- Parts 1 and 2 and submitting them to the State Historic Preservation Office (SHPO). Application forms are available directly from the SHPO. Applications should be submitted as early as possible in the planning of a rehabilitation project.

Review boards and commissions should become familiar with the Secretary of the Interior's Standards for Rehabilitation, used by the Secretary in certifying rehabilitation work for the historic preservation tax incentives. The SHPO and the NPS are available to advise individuals and organizations about the Standards.

Please be aware that changes to the historic district as presently certified will render this certification null and void and will require recertification of the revised district for continued benefits under the above laws.

If you have any questions, please call me at (202) 354-2025.

Sincerely,

Guy M. Lapsley
Technical Preservation Services

cc: National Register
NY SHPO

NYC
Landmarks Preservation
Commission

Robert B. Tierney
Chair

1 Centre Street
9th Floor North
New York, NY 10007

212-669-7888 tel
212 669 7955 fax

July 2, 2013

Commissioner Rose Harvey
NYS Office of Parks, Recreation and Historic Preservation
625 Broadway
Albany, NY 12238

Dear Commissioner Harvey:

I write to request that the West Chelsea Historic District be certified as substantially meeting all the requirements for listing of districts on the National Register. As the Chairman of the New York City Landmarks Preservation Commission, I am duly authorized to make this request. The New York City Landmarks Law was certified by the Secretary of the Interior in 1978.

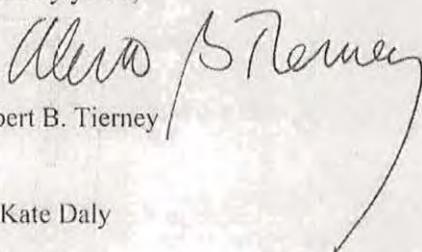
The responsibility of compiling documentation for certification of this district was undertaken by:

Scott Hanson
Sutherland Conservation & Consulting
295 Water Street, Suite 209
Augusta, ME 04330
207-620-6291

This consultant has submitted to our staff the information required by National Register Bulletin #17 for certification of historic districts. While the New York City Landmarks Preservation Commission's designation report serves as the basis for the required documentation, it is supplemented by additional photographs, maps and text.

We are hopeful that if the district is certified, owners will take full advantage of the federal tax credit for rehabilitation of certified historic properties. This will be a benefit to the neighborhood and the City as well as the individual owners.

Sincerely yours,


Robert B. Tierney

cc: Kate Daly

CERTIFICATION OF WEST CHELSEA HISTORIC DISTRICT, NEW YORK CITY

Description of Physical and Historical Qualities

The West Chelsea Historic District, located along the Hudson River waterfront in Manhattan, NY, encompasses all or part of seven blocks and contains 27 contributing and 4 non-contributing resources. The district is roughly bounded by Tenth Avenue, W. 28th Street, Twelfth Avenue, and W. 24th Street.

The West Chelsea Historic District is a rare surviving example of New York City's rapidly disappearing industrial neighborhoods. During much of the nineteenth and twentieth centuries, the area was home to some of the city's and the country's most prestigious industrial firms. The Otis Elevator Company, the Cornell Iron Works, the John Williams Ornamental Bronze and Iron Works, and the Reynolds Metal Company all had a presence in West Chelsea. The buildings and other improvements within the district possesses an identifiable character and particular historic and aesthetic value related to warehousing, transportation, and industry during a significant period in the history of New York City.

The eastern portion of the district first developed with a mixture of working-class residences and industrial complexes beginning in the late 1840s. The creation of Eleventh and Twelfth Avenues and subsequent filling of the former waterfront expanded the district westward in the second half of the nineteenth century. Rising real estate values led to a second major wave of development beginning around the turn of the twentieth century. As the pace of redevelopment in West Chelsea quickened during the second decade of the twentieth century, new industries moved to the area including notable printing and publishing businesses. In addition to its manufacturing businesses, West Chelsea was also a significant center of warehousing and freight handling activity beginning in the late nineteenth century. The High Line elevated freight rail line that passes through the district and the nearby rail yards and the rail transfer bridges across Twelfth Avenue, which allowed freight cars to move from ferries to the warehouse buildings, were built to serve the warehousing and manufacturing interests in the district.

The buildings erected at the beginning of the twentieth century are representative of industrial architecture as practiced at the turn of the century, with simple brick facades, rhythmically placed window openings recessed between vertical brick piers, horizontal banding, and corbelled brick cornices. New technologies and construction techniques that revolutionized the design of industrial buildings in the early twentieth century, including the steel building frame, terra-cotta tile floors, and reinforced concrete, were adopted in West Chelsea and had a significant impact on the neighborhood's architecture. The three massive terminal warehouse complexes in the western section of the district represent an important record of the architectural and technological evolution of warehouse design. The Starrett-Lehigh Building (a Designated New York City Landmark), is a revolutionary example of early Modernist design and is greatly enhanced by the presence of two earlier terminal warehouse complexes (Terminal Stores and the B&O Railroad Warehouse) immediately adjacent.

The ensemble of buildings within the West Chelsea Historic District reflects important trends in the development of industrial architecture in the United States and in New York City. The High Line elevated freight railroad and rare surviving granite Belgian block paving on West 26th Street between Eleventh and Twelfth Avenues are significant historic transportation infrastructure resources. These buildings and improvements convey a well-defined sense of place and a distinct physical presence that sets the neighborhood apart from other areas of Midtown Manhattan. Consequently, the West Chelsea Historic District represents a unique and enduring part of New York City's architectural and cultural heritage.

Application of National Register Criteria for Evaluation of Significance

The West Chelsea Historic District in New York, NY is significant under National Register criteria A for its association with events that have made a significant contribution to the broad patterns of our history in Commerce; Community Planning and Development; Industry; and Transportation, and is significant under criteria C for Architecture, in that it embodies the distinctive characteristics of a type, period, or method of construction and represents a significant and distinguishable entity whose components may lack individual distinction; contributing to New York City's history.

The West Chelsea district represents a period in New York's history from 1885 to 1946 during which the extant historic resources within the district were constructed. The demolition of earlier residential and first-generation industrial buildings for the redevelopment of the area was triggered by the city's planned redevelopment of the waterfront south of 24th street with the construction of the Gansvoort and Chelsea Piers between 1894 and 1910. These piers were built to accommodate large transatlantic steamships and displaced the rail transportation and warehousing facilities that had been located there, pushing them northward into West Chelsea. The period of redevelopment was largely completed with the construction of the High Line elevated freight rail line through the area in 1930-34, with only one building built in the 1940s. The period of significance of the district is 1885 to 1946, which represents the dates of the district's earliest extant resource and the last building built more than 50 years before the present. Only a single modern building has been built since 1946, and two small buildings have been altered significantly in recent years.

Many architects are represented in the district. The best known is Cass Gilbert (1859-1934), who designed the R.C. Williams Co. building. Noted Japanese-American architect Yasuo Matsui (1877-1962) was associate architect for the early-Modernist Starett-Lehigh Building (with Cory and Cory). The numerous local and regional architects represented in the district include: Francisco & Jacobus (511 West 25th St.), Schickel & Ditmars (Conley Foil Co., 521-541 West 25th St.), George B. Cornell (555 West 25th St.), Abraham Ratner (513 West 26th St.), Rouse & Goldstone (515 West 26th Street), Paul C. Hunter (525 West 26th St.), Tobias Goldstone (533 West 26th St.), Charles H. Caldwell (537 West 26th St., 549 West 26th St., 536 West 27th St., 544 West 27th St.), Parker & Shaffer (500-508 West 26th St.), William Higginson (518 West 26th St., 548 West 28th St.), Russell G. and Walter M. Cory (601 West 26th St.), W.W. Pearce (510 West 27th St.), John Brandt (554 West 28th St.), Shire & Kaufman for Martin and Arthur Zinn (210 Eleventh Ave.), Alvin Long, Architect; Francis Lee Stuart, Engineer for B&O RR Co. (239 Eleventh Ave.), Clinton & Russell for the Otis Elevator Company (260 Eleventh Ave.), John H. Friend (262 Eleventh Ave.), Otto M. Beck for the New York Terminal Warehouse Company (261 Eleventh Ave. and 270 Eleventh Ave.). The attached designation report includes biographical sketches for most of these architects.

Boundary Description and Justification

The boundaries of the West Chelsea Historic District parallel those of the identically named district designated by the New York City Landmarks Preservation Commission on May 13, 2008. The historic district boundaries were drawn to include a cohesive group of buildings in the West Chelsea neighborhood. The district boundaries were drawn to exclude buildings or blocks that have been substantially altered, lack the cohesive qualities of blocks within the district, or primarily contain modern non-contributing buildings or buildings unrelated to the district's areas of significance.

The West Chelsea Historic District consists of the property bounded by a line beginning at the intersection of the northern curblineline of West 28th Street and the eastern curblineline of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), extending easterly along the northern curblineline of West 28th Street to a point formed by its intersection with a line extending northerly from the eastern property line of 548-552 West 28th Street (aka 547-553 West 27th Street), continuing southerly across the roadbed, along said property line, and across the roadbed to the southern curblineline of West 27th Street, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 536-542 West 27th Street, southerly along said property line to the southern property line of 534 West 27th Street, easterly along said property line and the southern property lines of 532 through 516 West 27th Street, to the western property line of 510-514 West 27th Street, northerly along said property line to the southern curblineline of West 27th Street, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 510-514 West 27th Street, southerly along said property line to the southern property line of 510-514 West 27th Street, westerly along a portion of said property line to the eastern property line of 513 West 26th Street, southerly along said property line and across the roadbed to the northern curblineline of West 26th Street, easterly along said curblineline to the western curblineline of Tenth Avenue, southerly along said curblineline and across the roadbed to the southern curblineline of West 25th Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), southerly along said property line to the southern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), westerly along said property line to the eastern curblineline of Eleventh Avenue, northerly along said curblineline and across the roadbed to the northern curblineline of West 25th Street, easterly along said curblineline to a point formed by its intersection with the western property line of 551-555 West 25th Street, northerly along said property line to the northern property line of 551-555 West 25th Street, easterly along said property line and the property lines of 549 through 543 West 25th Street to the western property line of 518-534 West 26th Street, northerly along said property line to the southern curblineline of West 26th Street, westerly along said curblineline and across the roadbed to the western curblineline of Eleventh Avenue, southerly along said curblineline to a point formed by its intersection with a line extending easterly from the southern property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), westerly along said property line to the western property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), northerly along said property line to the southern curblineline of West 26th Street, westerly along said curblineline to the eastern curblineline of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), northerly across the roadbed and along said curblineline to the point of the beginning.

Definition of Contributing Resources and Building Types

The attached district designation report addresses the history, architecture, and changes to district resources in detail.

Warehouses: The most prominent buildings in the district are warehouses. The most noticeable are located between Eleventh and Twelfth avenues with other examples on Tenth Avenue and along the side streets. The Terminal Stores warehouse (1890-91) fills the block between 11th and 12th avenues and W. 27th and W. 28th streets. The early-Modernist Starrett-Lehigh Building (1930-31) warehouse fills the block just south of the Terminal Stores. Each of these buildings was recognized as ground-breaking

when constructed and remain notable as examples of their type from the 1890s and 1930s, respectively. Although smaller, the B&O Railroad Warehouse (1912-13) just south of the Starrett-Lehigh Building is a fine early example of reinforced concrete construction. The R.C. Williams Company warehouse (1927-28) 259 Tenth Avenue is a good example of the same construction technique from the 1920s. Other warehouses include the Terminal Stores Annex (1915-16) at 270 Eleventh Avenue and the John J. Radley & Co. warehouse (1909-10) on West 27th Street.

Factories: Factories are the most numerous type of building in the district. The most architecturally notable are the Otis Elevator Company factory and offices (1911-12) at 260 Eleventh Avenue, filling the block between W. 26th and W. 27th streets and the Zinn Building (1910-11) at 210 Eleventh Avenue. Other factory buildings fall into two basic types, brick buildings built between 1890 and 1910, primarily in the American Round Arch style, and reinforced concrete buildings in several styles from the period 1910 to 1931. These buildings line the side streets in the district between the warehouse buildings on the flanking avenues.

Stables and Garages: The brick stable building at 554 West 28th Street was built as part of the Colwell Iron Works complex in 1885 and is the oldest extant building in the district. There are three small 20th century garages within the district. The one-story brick garage at 537 West 26th Street was built between 1912 and 1914 and likely served New York's earliest taxi cab fleet. The one-story brick garage at 533 West 26th Street was built in 1946 by the Clinton Paper Company and is the newest contributing building in the district. The one-story garage at 547 West 25th Street likely dates to the early 20th century and was extensively remodeled in 2000-2001. It is not contributing due to loss of integrity.

Elevated Freight Railroad: A portion of the High Line elevated freight railroad is contained within the district and is functionally related to the industrial and warehousing uses of the buildings in the district during the period of significance. This section of the High Line was rehabilitated in 2010-11 as part of a 19-block long lineal public park built on the elevated structure.

Belgian Block Paving: The granite Belgian Block paving on West 27th Street between Eleventh and Twelfth avenues is a rare survivor of this type of historic paving in New York City.

List of Non-contributing Resources

543 West 25th Street. Modern commercial building by Kossar & Garry Architects, LLP, built 2006-07.

547 West 25th Street. One-story garage, extensively remodeled in 2000-2001.

550-556 West 27th Street. Vacant lot.

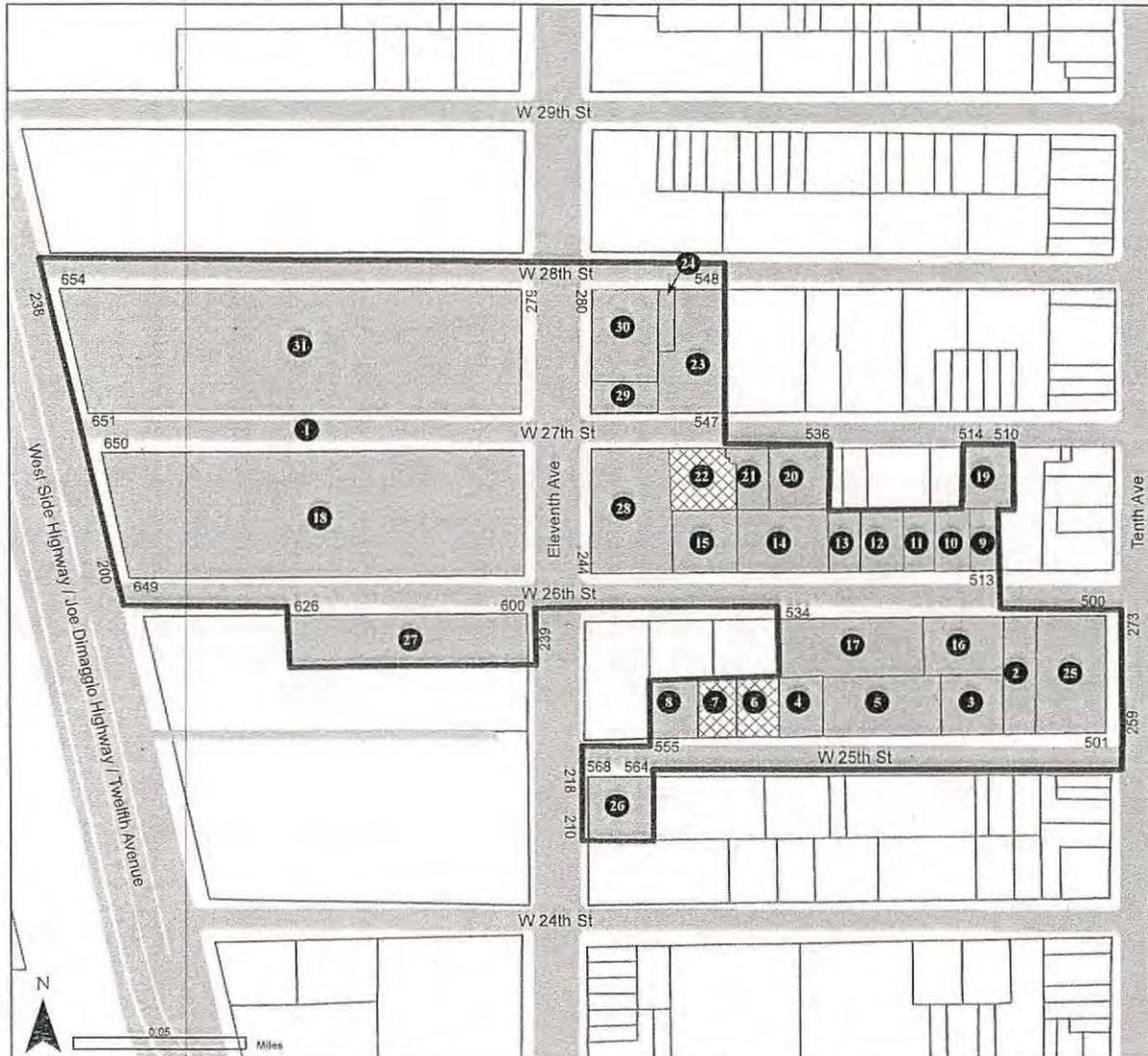
Sources:

West Chelsea Historic District Designation Report, New York City Landmarks Preservation Commission Staff. 2008.

"The Warehouse and the Factory in Architecture," *The Architectural Record*, Vol. XV, No. 1, New York, 1904.

Additional research materials in the files of the New York City Landmarks Preservation Commission.

West Chelsea Historic District



West Chelsea Historic District
Borough of Manhattan, NY

Resource numbering and contributing/non-contributing status added to Landmarks Preservation Commission map by Sutherland Conservation & Consulting

- Boundary of Historic District
- Contributing Resource
- Non-Contributing Resource

31 Resource numbering follows figure numbers in the West Chelsea Historic District Designation Report



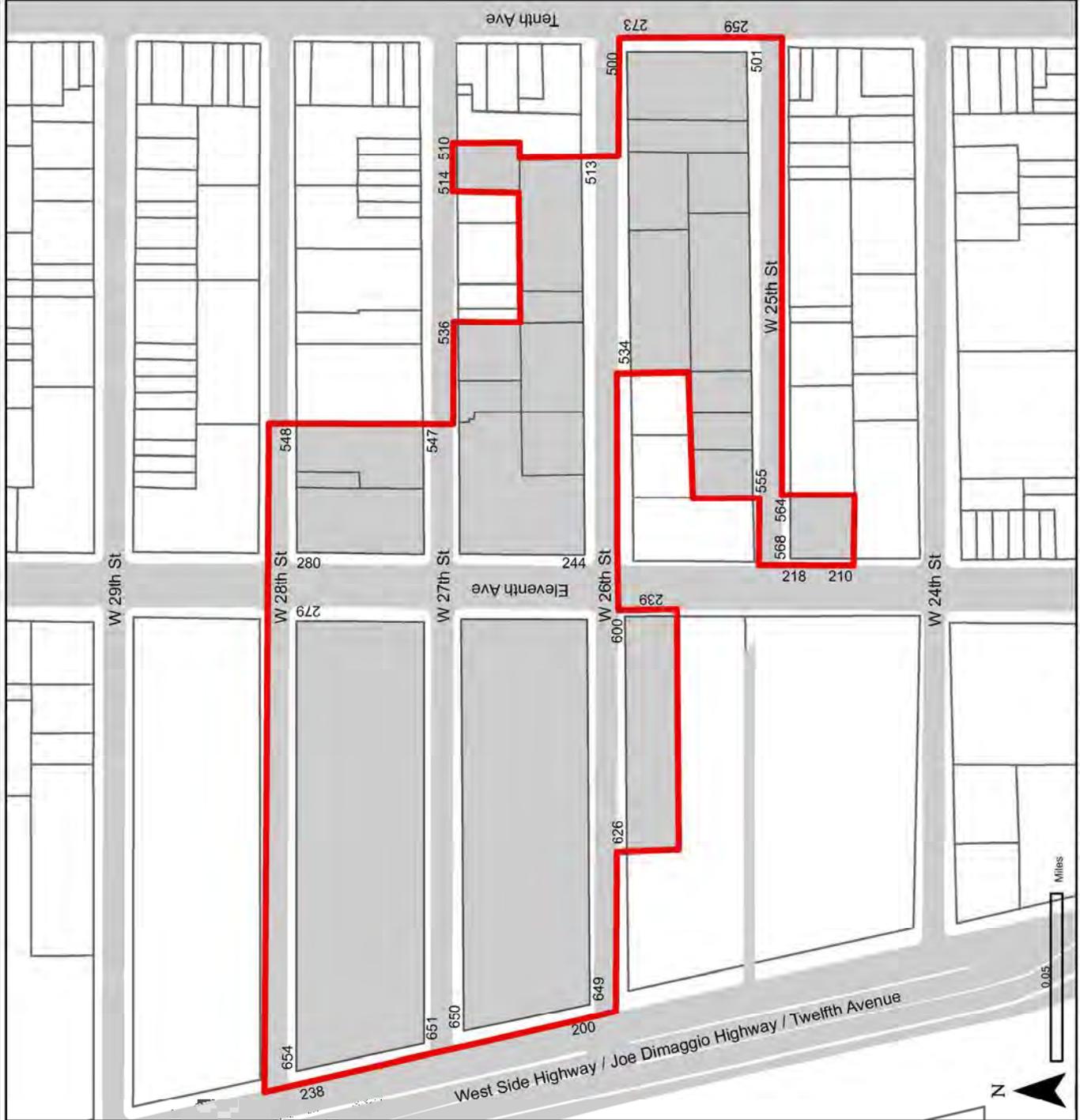
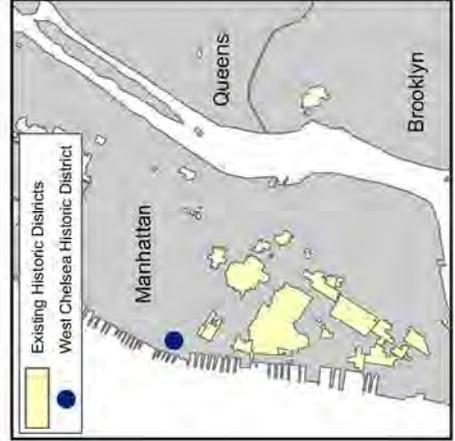
Graphic Source: New York City Department of City Planning, MapPLUTO, Edition 06C, December 2006. Author: JM. July 15, 2008.

West Chelsea Historic District

West Chelsea Historic District
 Borough of Manhattan, NY
 Landmarks Preservation Commission

Calendar: March 18, 2008
 Public Hearing: May 13, 2008
 Continued Public Hearing: June 3, 2008
 Designated: July 15, 2008

 Boundary of Historic District
 Tax Map Lots in Historic District



Graphic Source: New York City Department of City Planning, MapPLUTO, Edition 06C, December 2006. Author: JM, July 15, 2008.



Jennifer Morris <jmorris@akrf.com>

RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

1 message

Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
To: Jennifer Morris <jmorris@akrf.com>
Cc: "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>

Wed, Oct 21, 2020 at 11:38 AM

Hi again,

At the meeting last week, FRA said that the new building on the platform will be as-of-right. So we're just reviewing the APE for the casing and platform construction? Will the LOR be amended, as it references design review for the new structure? Also, is the new structure no longer an "indirect effect" alternative in the EIS?

Just need to get up to date.

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Sent: Wednesday, October 21, 2020 10:36 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Subject: Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Gina -

That's peculiar - the file transfer site link should work for anyone. I just checked and it's working from my end. Here it is again; please let me know if you still can't access and we'll figure out another way to get the file to you.

<https://nyctransfer.akrf.com/>

Username: **Section106WRYIP**
Password: **rU6kY7qH3rZ8**

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Oct 21, 2020 at 8:37 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi Jennifer,

I can't get this link to open. Please correct—was it set for Tim's email only?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Gina Santucci (LPC)
Sent: Tuesday, October 20, 2020 1:42 PM
To: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

Thanks. I reminded Jennifer to include me in the future for review requests.



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Sent: Tuesday, October 20, 2020 11:51 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Subject: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Here you go. Sorry I thought you were cc'd

From: Jennifer Morris <jmorris@akrf.com>
Sent: Thursday, October 15, 2020 4:44 PM
To: nathan.allison@mohican-nsn.gov; Corrado, Marie <Marie.Corrado@amtrak.com>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; WRY Project <WRYProject@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriiss@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

[Please Note: Username and Password are cAsE sEnsltive]

2. A window should appear where you can:

- Select extranet files to transfer to your computer; or
- Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone , you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](#).



Jennifer Morris <jmorris@akrf.com>

RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

1 message

Shick, Laura (FRA) <Laura.Shick@dot.gov>

Thu, Oct 29, 2020 at 9:09 AM

To: "GSantucci@lpc.nyc.gov" <GSantucci@lpc.nyc.gov>

Cc: Stephen Holley <sholley@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, Nathan Riddle <nriddle@akrf.com>, Jennifer Morris <jmorris@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "TFrye@lpc.nyc.gov" <TFrye@lpc.nyc.gov>

Good morning Ms. Santucci –

I'm responding to your 10/21 email below on behalf of the project team, and re-sending the attached memo that describes the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project. FRA defined and documented the APE as required under Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800.4(a)(1).

In summary, the APE encompasses the area 800 feet in all directions from the Western Rail Yard site boundary. This is a sufficiently large area to account for construction-related effects and permanent visual impacts of above-grade components of the Project (i.e., the Platform and the Tunnel Encasement). The APE also accounts for the potential indirect effects of the privately-funded mixed-use development and public open space that may be constructed above the Platform (i.e., the Overbuild). The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines.

In addition, the privately-funded Overbuild will be addressed in the indirect and cumulative effects analysis in the FRA-led Environmental Impact Statement (EIS) that is currently being prepared in accordance with the National Environmental Policy Act (NEPA).

The Letter of Resolution (LOR) was developed as part of the state environmental and historic preservation review process (specifically, as required under Section 14.09 of the New York State Historic Preservation Act). It is an agreement among the Metropolitan Transportation Authority (MTA), the New York City Planning Commission (CPC), RG WRY LLC (the private developer) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). FRA is not a party to this state-level agreement. You may wish to contact OPRHP if you have any questions about the LOR.

Please let us know if you have further questions regarding FRA's Section 106 undertaking.

Regards,

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

----- Forwarded message -----

From: **Gina Santucci (LPC)** <GSantucci@lpc.nyc.gov>

Date: Wed, Oct 21, 2020 at 10:38 AM

Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

To: Jennifer Morris <jmorris@akrf.com>
Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Hi again,

At the meeting last week, FRA said that the new building on the platform will be as-of-right. So we're just reviewing the APE for the casing and platform construction? Will the LOR be amended, as it references design review for the new structure? Also, is the new structure no longer an "indirect effect" alternative in the EIS?

Just need to get up to date.

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>
Sent: Wednesday, October 21, 2020 10:36 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Gina -

That's peculiar - the file transfer site link should work for anyone. I just checked and it's working from my end. Here it is again; please let me know if you still can't access and we'll figure out another way to get the file to you.

<https://nyctransfer.akrf.com/>

Username: **Section106WRYIP**
Password: **rU6kY7qH3rZ8**

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Oct 21, 2020 at 8:37 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi Jennifer,

I can't get this link to open. Please correct—was it set for Tim's email only?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Gina Santucci (LPC)
Sent: Tuesday, October 20, 2020 1:42 PM
To: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

Thanks. I reminded Jennifer to include me in the future for review requests.



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov



From: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Sent: Tuesday, October 20, 2020 11:51 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Subject: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Here you go. Sorry I thought you were cc'd

From: Jennifer Morris <jmorris@akrf.com>
Sent: Thursday, October 15, 2020 4:44 PM
To: nathan.allison@mohican-nsn.gov; Corrado, Marie <Marie.Corrado@amtrak.com>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; WRY Project <WRYProject@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

[Please Note: Username and Password are cAsE sEnSlTive]

2. A window should appear where you can:

- Select extranet files to transfer to your computer; or
- Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone , you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](#).

 **2020-07-03_WRY APE Memo.pdf**
10472K



Re: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

1 message

Jennifer Morris <jmorris@akrf.com>

Mon, Nov 2, 2020 at 11:39 AM

To: "Gina Santucci (LPC)" <GSantucci@lpc.nyc.gov>

Cc: "Cumming, Beth (PARKS)" <Beth.Cumming@parks.ny.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Davey, Weston F (PARKS)" <Weston.Davey@parks.ny.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nrriddle@akrf.com>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>

Hi Gina -

The 30-day review timeframe is acceptable to FRA, thank you. Starting the clock on October 30, review is expected to be complete by November 30.

Best,
Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Fri, Oct 30, 2020 at 1:38 PM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Ok, thanks. I miss her too. We will start review for 30 days, unless anyone wants it sooner.

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Cumming, Beth (PARKS) <Beth.Cumming@parks.ny.gov>

Sent: Friday, October 30, 2020 11:49 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>

Subject: RE: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

Gina – we are all missing Olivia these days – especially with so many old projects being dusted off and wanting review. I've not gotten to this one yet.

From: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Sent: Friday, October 30, 2020 11:22 AM

To: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Cumming, Beth (PARKS) <Beth.Cumming@parks.ny.gov>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>

Subject: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi,

As you can see, LPC had a few questions prior to starting our review. We are ready to go, but were wondering what is the date for response?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Shick, Laura (FRA) <Laura.Shick@dot.gov>

Sent: Thursday, October 29, 2020 9:10 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Cc: Stephen Holley <sholley@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Jennifer Morris <jmorris@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

Good morning Ms. Santucci –

I'm responding to your 10/21 email below on behalf of the project team, and re-sending the attached memo that describes the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project. FRA defined and documented the APE as required under Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800.4(a)(1).

In summary, the APE encompasses the area 800 feet in all directions from the Western Rail Yard site boundary. This is a sufficiently large area to account for construction-related effects and permanent visual impacts of above-grade components of the Project (i.e., the Platform and the Tunnel Encasement). The APE also accounts for the potential indirect effects of the privately-funded mixed-use development and public open space that may be constructed above the Platform (i.e., the Overbuild). The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines.

In addition, the privately-funded Overbuild will be addressed in the indirect and cumulative effects analysis in the FRA-led Environmental Impact Statement (EIS) that is currently being prepared in accordance with the National Environmental Policy Act (NEPA).

The Letter of Resolution (LOR) was developed as part of the state environmental and historic preservation review process (specifically, as required under Section 14.09 of the New York State Historic Preservation Act). It is an agreement among the Metropolitan Transportation Authority (MTA), the New York City Planning Commission (CPC), RG WRY LLC (the private developer) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). FRA is not a party to this state-level agreement. You may wish to contact OPRHP if you have any questions about the LOR.

Please let us know if you have further questions regarding FRA's Section 106 undertaking.

Regards,

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

----- Forwarded message -----

From: **Gina Santucci (LPC)** <GSantucci@lpc.nyc.gov>

Date: Wed, Oct 21, 2020 at 10:38 AM

Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

To: Jennifer Morris <jmorris@akrf.com>

Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Hi again,

At the meeting last week, FRA said that the new building on the platform will be as-of-right. So we're just reviewing the APE for the casing and platform construction? Will the LOR be amended, as it references design review for the new structure? Also, is the new structure no longer an "indirect effect" alternative in the EIS?

Just need to get up to date.

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>
Sent: Wednesday, October 21, 2020 10:36 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Gina -

That's peculiar - the file transfer site link should work for anyone. I just checked and it's working from my end. Here it is again; please let me know if you still can't access and we'll figure out another way to get the file to you.

<https://nyctransfer.akrf.com/>

Username: **Section106WRYIP**
Password: **rU6kY7qH3rZ8**

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Oct 21, 2020 at 8:37 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi Jennifer,

I can't get this link to open. Please correct—was it set for Tim's email only?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>
Sent: Thursday, October 15, 2020 4:44 PM
To: nathan.allison@mohican-nsn.gov; Corrado, Marie <Marie.Corrado@amtrak.com>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; WRY Project <WRYProject@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

[Please Note: Username and Password are cAsE sEnsitive]

2. A window should appear where you can:
 - o Select extranet files to transfer to your computer; or
 - o Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone, you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](#).



RE: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

1 message

Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Wed, Nov 4, 2020 at 9:24 AM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Cumming, Beth (PARKS)" <Beth.Cumming@parks.ny.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, "Davey, Weston F (PARKS)" <Weston.Davey@parks.ny.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, Stephen Holley <sholley@akrf.com>, Nathan Riddle <nriddle@akrf.com>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>

Thanks.



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Sent: Monday, November 2, 2020 11:40 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Cc: Cumming, Beth (PARKS) <Beth.Cumming@parks.ny.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Stephen Holley <sholley@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>

Subject: Re: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

Hi Gina -

The 30-day review timeframe is acceptable to FRA, thank you. Starting the clock on October 30, review is expected to be complete by November 30.

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Fri, Oct 30, 2020 at 1:38 PM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Ok, thanks. I miss her too. We will start review for 30 days, unless anyone wants it sooner.

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Cumming, Beth (PARKS) <Beth.Cumming@parks.ny.gov>

Sent: Friday, October 30, 2020 11:49 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>

Subject: RE: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

Gina – we are all missing Olivia these days – especially with so many old projects being dusted off and wanting review. I've not gotten to this one yet.

From: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Sent: Friday, October 30, 2020 11:22 AM

To: Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Cumming, Beth (PARKS) <Beth.Cumming@parks.ny.gov>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>

Subject: 35030 RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?/timeline for LPC response?

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi,

As you can see, LPC had a few questions prior to starting our review. We are ready to go, but were wondering what is the date for response?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Shick, Laura (FRA) <Laura.Shick@dot.gov>
Sent: Thursday, October 29, 2020 9:10 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Rebecca Kriss <kriss@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Jennifer Morris <jmorris@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

Good morning Ms. Santucci –

I'm responding to your 10/21 email below on behalf of the project team, and re-sending the attached memo that describes the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project. FRA defined and documented the APE as required under Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800.4(a)(1).

In summary, the APE encompasses the area 800 feet in all directions from the Western Rail Yard site boundary. This is a sufficiently large area to account for construction-related effects and permanent visual impacts of above-grade components of the Project (i.e., the Platform and the Tunnel Encasement). The APE also accounts for the potential indirect effects of the privately-funded mixed-use development and public open space that may be constructed above the Platform (i.e., the Overbuild). The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines.

In addition, the privately-funded Overbuild will be addressed in the indirect and cumulative effects analysis in the FRA-led Environmental Impact Statement (EIS) that is currently being prepared in accordance with the National Environmental Policy Act (NEPA).

The Letter of Resolution (LOR) was developed as part of the state environmental and historic preservation review process (specifically, as required under Section 14.09 of the New York State Historic Preservation Act). It is an agreement among the Metropolitan Transportation Authority (MTA), the New York City Planning Commission (CPC), RG WRY LLC (the private developer) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). FRA is not a party to this state-level agreement. You may wish to contact OPRHP if you have any questions about the LOR.

Please let us know if you have further questions regarding FRA's Section 106 undertaking.

Regards,

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

----- Forwarded message -----

From: **Gina Santucci (LPC)** <GSantucci@lpc.nyc.gov>

Date: Wed, Oct 21, 2020 at 10:38 AM

Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

To: Jennifer Morris <jmorris@akrf.com>

Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Hi again,

At the meeting last week, FRA said that the new building on the platform will be as-of-right. So we're just reviewing the APE for the casing and platform construction? Will the LOR be amended, as it references design review for the new structure? Also, is the new structure no longer an "indirect effect" alternative in the EIS?

Just need to get up to date.

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007

gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Sent: Wednesday, October 21, 2020 10:36 AM

To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Subject: Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Gina -

That's peculiar - the file transfer site link should work for anyone. I just checked and it's working from my end. Here it is again; please let me know if you still can't access and we'll figure out another way to get the file to you.

<https://nyctransfer.akrf.com/>

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Oct 21, 2020 at 8:37 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi Jennifer,

I can't get this link to open. Please correct—was it set for Tim's email only?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks





Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>

Sent: Thursday, October 15, 2020 4:44 PM

To: nathan.allison@mohican-nsn.gov; Corrado, Marie <Marie.Corrado@amtrak.com>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>

Cc: Stephen Holley <sholley@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; WRY Project <WRYProject@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>

Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>
Login with credentials:
Username: **Section106WRYIP**
Password: **rU6kY7qH3rZ8**
[Please Note: Username and Password are cAsE sEnSlTive]

2. A window should appear where you can:
 - o Select extranet files to transfer to your computer; or
 - o Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone , you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](#).



Jennifer Morris <jmorris@akrf.com>

RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

1 message

Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>

Tue, Dec 1, 2020 at 9:31 AM

To: Jennifer Morris <jmorris@akrf.com>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Stephen Holley <sholley@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, Keri Cibelli <kcibelli@akrf.com>, Nathan Riddle <nriddle@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Davey, Weston F (PARKS)" <Weston.Davey@parks.ny.gov>

Hi,

No, we are just pointing it out at this time. You can use the language that it is adjacent to the APE as a matter of interest.

Thank you,

Gina

**Gina Santucci**

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.govwww.nyc.gov/landmarks**From:** Jennifer Morris <jmorris@akrf.com>**Sent:** Tuesday, December 1, 2020 10:19 AM**To:** Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>**Cc:** Shick, Laura (FRA) <Laura.Shick@dot.gov>; Stephen Holley <sholley@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Davey, Weston F (PARKS) <Weston.Davey@parks.ny.gov>**Subject:** Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

Good morning -

Thank you for LPC's response to the APE memo for the Western Rail Yard Infrastructure project. To clarify, is LPC seeking the inclusion of the Starrett-Lehigh Building in the APE?

Best,

Jennifer

Jennifer Morris, AICP

AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Tue, Nov 24, 2020 at 10:58 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hello,

Please find attached LPC identification of historic and cultural resources within the APE.

Thank you for your continuing consultation with the NYC Landmarks Preservation Commission.

Best,

Gina Santucci



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Shick, Laura (FRA) <Laura.Shick@dot.gov>
Sent: Thursday, October 29, 2020 9:10 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Jennifer Morris <jmorris@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

Good morning Ms. Santucci –

I'm responding to your 10/21 email below on behalf of the project team, and re-sending the attached memo that describes the Area of Potential Effects (APE) for the Western Rail Yard Infrastructure Project. FRA defined and documented the APE as required under Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800.4(a)(1).

In summary, the APE encompasses the area 800 feet in all directions from the Western Rail Yard site boundary. This is a sufficiently large area to account for construction-related effects and permanent visual impacts of above-grade components of the Project (i.e., the Platform and the Tunnel Encasement). The APE also accounts for the potential indirect effects of the privately-funded mixed-use development and public open space that may be constructed above the Platform (i.e., the Overbuild). The APE takes into consideration topography, vegetation, and the existing built environment that diminish sight lines.

In addition, the privately-funded Overbuild will be addressed in the indirect and cumulative effects analysis in the FRA-led Environmental Impact Statement (EIS) that is currently being prepared in accordance with the National Environmental Policy Act (NEPA).

The Letter of Resolution (LOR) was developed as part of the state environmental and historic preservation review process (specifically, as required under Section 14.09 of the New York State Historic Preservation Act). It is an agreement among the Metropolitan Transportation Authority (MTA), the New York City Planning Commission (CPC), RG WRY LLC (the private developer) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). FRA is not a party to this state-level agreement. You may wish to contact OPRHP if you have any questions about the LOR.

Please let us know if you have further questions regarding FRA's Section 106 undertaking.

Regards,

Laura A. Shick

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 366-0340

----- Forwarded message -----

From: **Gina Santucci (LPC)** <GSantucci@ipc.nyc.gov>

Date: Wed, Oct 21, 2020 at 10:38 AM

Subject: RE: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project/definition of action?

To: Jennifer Morris <jmorris@akrf.com>

Cc: Timothy Frye (LPC) <TFrye@ipc.nyc.gov>

Hi again,

At the meeting last week, FRA said that the new building on the platform will be as-of-right. So we're just reviewing the APE for the casing and platform construction? Will the LOR be amended, as it references design review for the new structure? Also, is the new structure no longer an "indirect effect" alternative in the EIS?

Just need to get up to date.

Thanks,

Gina

Gina Santucci



Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Jennifer Morris <jmorris@akrf.com>
Sent: Wednesday, October 21, 2020 10:36 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Cc: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: Re: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Hi Gina -

That's peculiar - the file transfer site link should work for anyone. I just checked and it's working from my end. Here it is again; please let me know if you still can't access and we'll figure out another way to get the file to you.

<https://nyctransfer.akrf.com/>

Username: **Section106WRYIP**
Password: **rU6kY7qH3rZ8**

Best,

Jennifer

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Oct 21, 2020 at 8:37 AM Gina Santucci (LPC) <GSantucci@lpc.nyc.gov> wrote:

Hi Jennifer,

I can't get this link to open. Please correct—was it set for Tim's email only?

Thanks,

Gina



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Gina Santucci (LPC)
Sent: Tuesday, October 20, 2020 1:42 PM
To: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Subject: RE: Section 106 Consultation - Western Rail Yard Infrastructure Project

Thanks. I reminded Jennifer to include me in the future for review requests.



Gina Santucci

Director of Environmental Review

1 Centre St., 9th Floor | New York, NY 10007
gsantucci@lpc.nyc.gov

www.nyc.gov/landmarks



From: Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Sent: Tuesday, October 20, 2020 11:51 AM
To: Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>
Subject: FW: Section 106 Consultation - Western Rail Yard Infrastructure Project

Here you go. Sorry I thought you were cc'd

From: Jennifer Morris <jmorris@akrf.com>
Sent: Thursday, October 15, 2020 4:44 PM
To: nathan.allison@mohican-nsn.gov; Corrado, Marie <Marie.Corrado@amtrak.com>; Timothy Frye (LPC) <TFrye@lpc.nyc.gov>
Cc: Stephen Holley <sholley@akrf.com>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Poole, Andrea (FRA) <andrea.poole@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; WRY Project <WRYProject@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Nathan Riddle <nriddle@akrf.com>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>
Subject: Section 106 Consultation - Western Rail Yard Infrastructure Project

Dear Mr. Allison, Ms. Corrado, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

The referenced Historic Architectural Resources Background Study and Effects Assessment has been posted to a file transfer site due to its size, see the access instructions below.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,

Jennifer Morris

on behalf of

Stephanie Perez

Supervisory Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Office of Railroad Policy and Development

WRYProject@dot.gov

AKRF WebFolders LogOn Instructions

1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **Section106WRYIP**

Password: **rU6kY7qH3rZ8**

[Please Note: Username and Password are cAsE sEnSlTive]

2. A window should appear where you can:
 - o Select extranet files to transfer to your computer; or
 - o Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone, you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or email us.



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

January 12, 2021

Mr. Daniel Mackay, Deputy Commissioner
Division for Historic Preservation
New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189
Waterford, NY 12188

**RE: Western Rail Yard Infrastructure Project, New York County, NY (20PR03990)
Section 106 Consultation: Determination of No Adverse Effect with Conditions**

Dear Mr. Mackay:

This letter continues the U.S Department of Transportation (USDOT) Federal Railroad Administration's (FRA) consultation with your office pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800) for the Western Rail Yard Infrastructure Project (20PR03990). The Project Sponsor, which is a joint venture between WRY Tenant LLC¹ and the National Railroad Passenger Corporation (Amtrak), is seeking Federal financial assistance through the Railroad Rehabilitation and Improvement Financing (RRIF) Program, a loan program administered by the USDOT's Build America Bureau (Bureau). FRA is performing the necessary analyses and consultations in accordance with the National Environmental Policy Act (NEPA), Section 106, and other federal environmental review requirements. The Project includes construction of (1) a structural Platform (Platform) and (2) a railroad right-of-way preservation Tunnel Encasement (Tunnel Encasement) to allow for privately-funded mixed-use development and public open space (Overbuild) above the Platform which would be constructed by WRY Tenant LLC.

FRA initiated Section 106 consultation on July 03, 2020, via an online submission to your office's Cultural Resource Information System; our submission included the proposed Area of Potential Effects (APE) for the undertaking, and a list of potential Consulting Parties. On August 03, 2020, your office concurred with the proposed APE. On October 15, 2020, FRA submitted a Historic Architectural Resources Background Study and Effects Assessment (HARBS/EA). On November 13, 2020, your office concurred with the HARBS/EA's findings regarding the eligibility of historic properties within the APE. However, your office was unable to concur with FRA's finding of no adverse effect. FRA has subsequently reevaluated the potential effects of the undertaking as outlined below.

¹ WRY Tenant LLC is an affiliate of the Related Companies LP.

Assessment of Effects

As detailed in the HARBS/EA report, FRA identified five historic properties eligible for listing in the National Register of Historic Places (NRHP-eligible) in the APE: the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel), the High Line, Hudson River Bulkhead, the former W & J Sloane Warehouse and Garage, and the West Chelsea Historic District. No NRHP-listed historic or archaeological properties were identified in the APE. One of the NRHP-eligible historic properties, the West Chelsea Historic District, is locally designated by the City of New York.

FRA has applied the criteria of adverse effects to the Hudson River Bulkhead, W & J Sloane Warehouse and Garage, and the West Chelsea Historic District. FRA finds that the Platform and future Overbuild is consistent with the built environment and setting in which these properties currently exist and that the undertaking will have no direct or indirect; physical, auditory, or visual effect on these historic properties.

FRA has applied the criteria of adverse effect to the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (North River Tunnel). Because the Tunnel is completely underground through the APE, FRA has determined that the undertaking will have no direct or indirect; physical, auditory, or visual effect on this historic property. FRA recognizes that the nature of the work is such that there is the potential for inadvertent effects to the North River Tunnel caused by construction-related vibration.

FRA has applied the criteria of adverse effect to the High Line and determined that the construction of the Platform and Tunnel Encasement will have no direct; physical, auditory, or visual effect on this historic property. FRA recognizes that the nature of the work is such that there is the potential for inadvertent effects to the High Line due to construction related vibration and underpinning activities. FRA has determined that the undertaking could result in adverse effects to the High Line from the future Overbuild on the Platform, proposed by WRY Tenant LLC. These potential effects to the High Line were identified during development of the 2009 SEQRA/CEQR FEIS pertaining to the Western Rail Yard site and are fully described in the subsequent *Letter of Resolution Among Metropolitan Transportation Authority, New York City Planning Commission, New York State Office of Parks, Recreation and Historic Preservation, and WRY Tenant LLC Regrading The Western Rail Yard Project Manhattan, New York County (LOR)*, which states:

“Whereas, the Development Project could affect the High Line in the following ways: 1) by providing at least one access point a minimum of 12 feet in width to the High Line from the corner of West 30th Street and Twelfth Avenue; 2) physically altering the portion of the High Line along Twelfth Avenue to provide direct access between the High Line open space and the adjacent Western Open Space that would be located on the Development Site. Access would be provided along a minimum length of 75 feet and a maximum length of 150 feet of High Line frontage, requiring the removal of a portion of the High Line's eastern railing along Twelfth Avenue; 3) including a building at the southwest corner of the Development Site that could, in accordance with the zoning text amendment, be located adjacent to and above the High Line (provided that no portion of

the building is located within five feet of the edge of the High Line and any portion of the building above the High Line be located above a height of 50 feet above the High Line bed); 4) designing the two proposed buildings on the north side of the High Line along West 30th Street to extend under the High Line with a low-rise extension of the buildings' shared podium (none of the High Line's structural columns would be removed to accommodate such an extension); and 5) creating potential connections between adjacent buildings on the Development Site and the bed of the High Line.”

Determination of Effects

FRA has determined that the potential effects of the undertaking are as follows: possible inadvertent effects to the North River Tunnel and High Line during construction of the Platform, Tunnel Encasement, and/or Overbuild, and possible indirect physical and/or visual effects related to construction and operation of the Overbuild. USDOT/FRA will include conditions as part of its environmental decision regarding the Project, i.e., in the Record of Decision (ROD) for the Environmental Impact Statement in accordance with NEPA, and in any loan agreement to be negotiated between the Bureau and the Project Sponsor, to ensure that these potential effects to historic properties are not adverse. These conditions include: requiring the Project Sponsor to develop a Construction Environmental Protection Plan (CEPP) for the construction of the Platform and Tunnel Encasement in order to protect the North River Tunnel and High Line. The CEPP will be required to meet the guidelines set forth in the New York City Department of Buildings (DOB) *Technical Policy and Procedure Notice #10/88*, the *Protection for Landmarked Buildings* guidance document of the New York Landmarks Preservation Commission, and the National Park Service's *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. The ROD and loan agreement will also require the Project Sponsor (which includes WRY Tenant LLC, a signatory to the LOR) to meet all of the conditions of the LOR which includes review of Overbuild design by the New York State Historic Preservation Office and New York City Landmarks Preservation Commission as well as development of a CEPP to protect the High Line during construction of the Overbuild.

Based on the application of the above conditions to the Project, FRA finds that the undertaking will have no adverse effect on historic properties (36 CFR 800.5(b)).

Request for Review and Comment

FRA respectfully requests that your office provide comment and concurrence on FRA's determination that the undertaking will have No Adverse Effect on historic properties because sufficient conditions will be imposed on the undertaking, through the ROD and loan agreement, to avoid adverse effects (36 CFR 800.5(b)). Based on your concurrence with FRA's No Adverse Effect finding and in consideration of the views of consulting parties, FRA intends to make a *de minimis* impact determination for the minor Section 4(f) use of The High Line. Should you disagree with FRA's finding, please notify us within 30 days. An e-mailed response is preferred to ensure timely receipt of your communications; FRA is working remotely at this time, and has limited access to mailed responses.

By copy of this letter, FRA is also providing its finding of effect to Consulting Parties for their review and comment concurrent with your office.

FRA recently requested an update from WRY Tenant LLC regarding the proposed Overbuild and has been reassured that the Overbuild is still very much in the conceptual design stage. At FRA's request, WRY Tenant LLC's consultant, AKRF, will reach out to your staff in the next couple of weeks to provide an informational update on the current concept for the Overbuild.

If you have any questions or wish to discuss this undertaking, please contact me at WRYProject@dot.gov or (202) 366-0340.

Sincerely,



Laura A. Shick
Supervisory Environmental Protection Specialist
Environmental & Corridor Planning
Division Office of Railroad Policy and
Development

cc: Nathan Allison, Tribal Historic Preservation Office, Stockbridge-Munsee Mohican Tribe
Marie Corrado, Senior Director, Gateway Program, Amtrak
Timothy Frye, Director of Special Projects & Strategic Planning NYC Landmarks
Preservation Commission



Jennifer Morris <jmorris@akrf.com>

Section 106 Consultation - Western Rail Yard Infrastructure Project

1 message

Jennifer Morris <jmorris@akrf.com>

Tue, Jan 12, 2021 at 3:31 PM

To: nathan.allison@mohican-nsn.gov, "Corrado, Marie" <Marie.Corrado@amtrak.com>, "Timothy Frye (LPC)" <TFrye@lpc.nyc.gov>, Gina Santucci <GSantucci@lpc.nyc.gov>

Cc: Stephen Holley <sholley@akrf.com>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, WRY Project <WRYProject@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>

Dear Mr. Allison, Ms. Corrado, Ms. Santucci, and Mr. Frye:

Please find the attached correspondence from the Federal Railroad Administration for the Western Rail Yard Infrastructure Project in New York County, New York, pursuant to Section 106 of the National Historic Preservation Act.

Please do not hesitate to reach out with any questions. We look forward to hearing from you.

Sincerely,
Jennifer Morris
on behalf of
Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
WRYProject@dot.gov

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

 **WRYIP_NAE w Conditions Finding_FRA Letter to NYSHPO_01122021.pdf**
202K



1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
<http://nyc.gov/landmarks>

ENVIRONMENTAL REVIEW

Project number: NEPA/106.M (FEDERAL RAILWAY ADMINISTRATION)
Project: WESTERN RAILYARD INFRASTRUCTURE
Address: WEST 33 STREET BBL: 1006760005
Date Received: 1/12/2021

Comments:

The LPC is in receipt of the FRA Determination of No Effect with Conditions, dated 1/12/21. LPC agrees with the SHPO finding of 2/11/21 indicating concurrence with the FRA.

Cc: SHPO

A handwritten signature in black ink that reads "Gina Santucci".

2/12/2021

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 35030_FSO_GS_02122021.docx

From: Cuff, David (Parks) [mailto:David.Cuff@parks.nyc.gov]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
830 Fifth Avenue, Room 401
New York, NY 10065
nyc.gov/parks

Table 1 (cont'd)

Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYSDOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHP)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYCDCP)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYCLPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Thursday, February 25, 2021 10:00 AM

To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; llennon@mtahq.org; lmessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.ny.gov; uchenna.madu@dot.ny.gov; Estesen, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; IYoung@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@ipc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined

the 2 weeks that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 868-1221



Jennifer Morris <jmorris@akrf.com>

RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

1 message

Poole, Andrea (FRA) <andrea.poole@dot.gov> Mon, Mar 1, 2021 at 8:13 AM
To: "Cuff, David (Parks)" <David.Cuff@parks.nyc.gov>
Cc: "Bradley, Michael (Parks)" <Michael.Bradley@parks.nyc.gov>, "Emily.Humes@parks.nyc.gov" <Emily.Humes@parks.nyc.gov>, "Colleen.Alderson@parks.nyc.gov" <Colleen.Alderson@parks.nyc.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Jennifer Morris <jmorris@akrf.com>, Stephen Holley <sholley@akrf.com>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>

David,

Thank you for your message. Unfortunately, it appears that when Parks responded to accept Participating Agency status, the request for Section 106 consulting party status was not flagged. The Section 106 consulting party invitation, which was sent to Mitchell Silver on 8/6/2020 (see attached), did not generate a response, and thus subsequent consulting party correspondence has not been distributed to the agency. Please see the attached effect determination, which was circulated to consulting parties on January 12, 2021, and advise whether Parks will wish to comment on the effect finding.

Best Regards, Andrea

From: Cuff, David (Parks) [mailto:David.Cuff@parks.nyc.gov]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
 830 Fifth Avenue, Room 401
 New York, NY 10065
nyc.gov/parks

Table 1 (cont'd)
Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYSDOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHPO)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYCDCP)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYCLPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Sent: Thursday, February 25, 2021 10:00 AM
To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; llennon@mtahq.org; Imessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.nyc.gov; uchenna.madu@dot.ny.gov; Estesen, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; IYoung@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>
Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli,

Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfrastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined the 2 weeks that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

[1200 New Jersey Avenue, SE](#)

[Washington, DC 20590](#)

(202) 868-1221

4 attachments



WRYIP_NAE w Conditions Finding_FRA Letter to NYSHPO_01122021.pdf
202K



AKRF, Inc. Mail - Section 106 Consultation - Western Rail Yard Infrastructure Project.pdf
133K



2020-08-06 NYC Parks Email.pdf

107K



2020-08-06_NYCParks_Silver.pdf

5855K



Jennifer Morris <jmorris@akrf.com>

Re: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

1 message

Jennifer Morris <jmorris@akrf.com>

Thu, Mar 4, 2021 at 10:19 AM

To: "Cuff, David (Parks)" <David.Cuff@parks.nyc.gov>, "Bradley, Michael (Parks)" <Michael.Bradley@parks.nyc.gov>, "Colleen.Alderson@parks.nyc.gov" <Colleen.Alderson@parks.nyc.gov>, "Emily.Humes@parks.nyc.gov" <Emily.Humes@parks.nyc.gov>

Cc: "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Stephen Holley <sholley@akrf.com>, "Poole, Andrea (FRA)" <andrea.poole@dot.gov>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>

Mr. Cuff -

Following up on #1 below, the Section 106 consultation and background materials for the WRYIP project have been posted to a webfolder for NYC Parks review, see details and access instructions below.

Posted to project webfolder:

1. 8/3/2020 SHPO response to 106 initiation (Correspondence. This is also available in the HARBS-EA appendices, see #4.)
2. 8/6/2020 consulting parties invitation letter to Mitchell Silver (Correspondence)
3. 8/17/2020 email to consulting parties and APE memo (Correspondence)
4. 10/15/2020 email to consulting parties and HARBS-EA (Correspondence)
5. 1/12/2021 email to consulting parties and FRA CNE letter (Correspondence)
6. 1/28/2021 email to consulting parties re end of comment period (Correspondence)
7. 2014 Restrictive Declaration (Reference Document)
8. TPPN 10/88 (Reference Document)
9. LPC *Protection for Landmarked Buildings* (Reference Document)
10. NPS *Preservation Tech Notes, Temporary Protection #3* (Reference Document)
11. 7/22/2014 SHPO NAE letter re Tunnel Encasement (Reference Document. This is also available within the 2014 Tunnel Encasement EA appendices)

Additional background/reference documents are provided on the WRYIP website ("Library" page) here: <http://www.westernrailyardinfrastructure.com/library.html>

1. Letter Of Resolution Among Metropolitan Transportation Authority, New York City Planning Commission, New York State Office Of Parks, Recreation And Historic Preservation, And WRY Tenant LLC Regarding The Western Rail Yard Project (Reference Document)
2. FEIS Notice of Completion 2009 Western Rail Yard Project (Reference Document)
3. 2009 Western Rail Yard Project Final Environmental Impact Statement (Reference Document)
4. Finding Of No Significant Impact 2013 Hudson Yards Concrete Casing Construction (Reference Document)
5. 2013 Hudson Yards Concrete Casing Construction Environmental Assessment (Reference Document)
6. Finding Of No Significant Impact 2014 Supplemental Environmental Assessment (SEA) for Construction of a Concrete Casing Extension in the Hudson Yards (Reference Document)

7. 2014 Hudson Yards Concrete Casing Construction Supplemental Environmental Assessment (Reference Document)

The 2004 FGEIS is available online separately here: <https://esd.ny.gov/2004-hudson-yards-feis>

Please let me know if you have any issues accessing these materials, or require anything else at this time. Thank you.

Best,

Jennifer Morris

AKRF WebFolders LogOn Instructions

Below are instructions for securely sending/receiving large files for project via AKRF's Extranet:

- 1. Click on (or otherwise navigate to): <https://nyctransfer.akrf.com>

Login with credentials:

Username: **WRYIP4NYCParks**

Password: **uE2dW5eU6vF2**

[Please Note: Username and Password are cAsE sEnStive]

- 2. A window should appear where you can:
 - o Select extranet files to transfer to your computer; or
 - o Select files on your computer to transfer to the extranet.

Notes:

Files stored on AKRF's WebFolders system are available for thirty days only, based on the date they were uploaded.

WebFolders works best with the latest version of your web browser. If you are using an older web browser or a mobile phone, you may have trouble using the "full version" of the site: After a successful login, try the "View Lite Version" link at the bottom of the page.

If you are having trouble, contact your IT department. For password issues, contact AKRF's IT Help Desk (646) 388-9729 or [email us](#).

Jennifer Morris, AICP
AKRF, INC.

Environmental, Planning, and Engineering Consultants
440 Park Ave South, 7th Floor | New York, NY 10016
646.306.1376 | jmorris@akrf.com

On Wed, Mar 3, 2021 at 1:46 PM Poole, Andrea (FRA) <andrea.poole@dot.gov> wrote:

David,

Thank you so much for the conversation today. I have outlined our discussion points below. Please let me know if I have missed any details on our path forward.

1. FRA will provide all Section 106 consultation materials, meeting notes, and background materials used in the Section 106 process for the Western Rail Yard Infrastructure Project EIS to the NYC Parks team on this email.
2. NYC Parks will have 30-days to review as a consulting party on the S106 process.
3. At the end of the review period, NYC parks will provide a consultation letter to FRA, or request a meeting with FRA to discuss findings and concerns. At that time FRA and NYC parks will develop a process and timeline to complete the S106 process. I will place a tentative meeting hold to secure a meeting time.
4. FRA anticipates the Draft EIS, anticipated publication May 2021, will include the results of a completed Section 106 process with all consulting parties.
5. For the 4(f) consultation, FRA will ensure that all NYC Parks team members are provided any background information necessary to review the DEIS analysis of the 4(f) resource. To that end, please reach out to me directly to communicate any additional background materials that are needed once you receive the DEIS. The NYC Parks review of 4(f) materials will be during the public review of the DEIS which is 45 days.

FRA appreciates your timely communication back to us on our omission, and we look forward to completing consultation with your team.

Best Regards, Andrea

From: Poole, Andrea (FRA)
Sent: Monday, March 1, 2021 9:14 AM
To: 'Cuff, David (Parks)' <David.Cuff@parks.nyc.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; 'Emily.Humes@parks.nyc.gov' <Emily.Humes@parks.nyc.gov>; 'Colleen.Alderson@parks.nyc.gov' <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; 'Jennifer Morris' <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

David,

Thank you for your message. Unfortunately, it appears that when Parks responded to accept Participating Agency status, the request for Section 106 consulting party status was not flagged. The Section 106 consulting party invitation, which was sent to Mitchell Silver on 8/6/2020 (see attached), did not generate a response, and thus subsequent consulting party correspondence has not been distributed to the agency. Please see the attached effect determination, which was circulated to consulting parties on January 12, 2021, and advise whether Parks will wish to comment on the effect finding.

Best Regards, Andrea

From: Cuff, David (Parks) [<mailto:David.Cuff@parks.nyc.gov>]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
830 Fifth Avenue, Room 401
New York, NY 10065
nyc.gov/parks

Table 1 (cont'd)
Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYS DOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYS HPO)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYC DCP)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYC DEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYC LPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYC DOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYC DPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Thursday, February 25, 2021 10:00 AM

To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; llennon@mtahq.org; lmessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.ny.gov; uchenna.madu@dot.ny.gov; Estesen, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; lYoung@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined

the 2 weeks that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 868-1221



Jennifer Morris <jmorris@akrf.com>

RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

1 message

Poole, Andrea (FRA) <andrea.poole@dot.gov> Wed, Mar 3, 2021 at 1:46 PM
To: "Cuff, David (Parks)" <David.Cuff@parks.nyc.gov>
Cc: "Bradley, Michael (Parks)" <Michael.Bradley@parks.nyc.gov>, "Emily.Humes@parks.nyc.gov" <Emily.Humes@parks.nyc.gov>, "Colleen.Alderson@parks.nyc.gov" <Colleen.Alderson@parks.nyc.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Jennifer Morris <jmorris@akrf.com>, Stephen Holley <sholley@akrf.com>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>

David,

Thank you so much for the conversation today. I have outlined our discussion points below. Please let me know if I have missed any details on our path forward.

1. FRA will provide all Section 106 consultation materials, meeting notes, and background materials used in the Section 106 process for the Western Rail Yard Infrastructure Project EIS to the NYC Parks team on this email.
2. NYC Parks will have 30-days to review as a consulting party on the S106 process.
3. At the end of the review period, NYC parks will provide a consultation letter to FRA, or request a meeting with FRA to discuss findings and concerns. At that time FRA and NYC parks will develop a process and timeline to complete the S106 process. I will place a tentative meeting hold to secure a meeting time.
4. FRA anticipates the Draft EIS, anticipated publication May 2021, will include the results of a completed Section 106 process with all consulting parties.
5. For the 4(f) consultation, FRA will ensure that all NYC Parks team members are provided any background information necessary to review the DEIS analysis of the 4(f) resource. To that end, please reach out to me directly to communicate any additional background materials that are needed once you receive the DEIS. The NYC Parks review of 4(f) materials will be during the public review of the DEIS which is 45 days.

FRA appreciates your timely communication back to us on our omission, and we look forward to completing consultation with your team.

Best Regards, Andrea

From: Poole, Andrea (FRA)
Sent: Monday, March 1, 2021 9:14 AM
To: 'Cuff, David (Parks)' <David.Cuff@parks.nyc.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; 'Emily.Humes@parks.nyc.gov' <Emily.Humes@parks.nyc.gov>; 'Colleen.Alderson@parks.nyc.gov' <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; 'Jennifer Morris' <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

David,

Thank you for your message. Unfortunately, it appears that when Parks responded to accept Participating Agency status, the request for Section 106 consulting party status was not flagged. The Section 106 consulting party invitation, which was sent to Mitchell Silver on 8/6/2020 (see attached), did not generate a response, and thus subsequent consulting party correspondence has not been distributed to the agency. Please see the attached effect determination, which was circulated to consulting parties on January 12, 2021, and advise whether Parks will wish to comment on the effect finding.

Best Regards, Andrea

From: Cuff, David (Parks) [<mailto:David.Cuff@parks.nyc.gov>]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park

[830 Fifth Avenue, Room 401](#)

New York, NY 10065

nyc.gov/parks

Table 1 (cont'd)

Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYSDOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHP)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYCDCP)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYCLPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Thursday, February 25, 2021 10:00 AM

To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; lennon@mtahq.org; lmessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.ny.gov; uchenna.madu@dot.ny.gov; Estesen, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; Young@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfrastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined the 2 weeks

that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

[1200 New Jersey Avenue, SE](#)

[Washington, DC 20590](#)

[\(202\) 868-1221](#)



Jennifer Morris <jmorris@akrf.com>

RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

1 message

Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Thu, Mar 4, 2021 at 8:14 PM

To: "Poole, Andrea (FRA)" <andrea.poole@dot.gov>

Cc: "Bradley, Michael (Parks)" <Michael.Bradley@parks.nyc.gov>, "Humes, Emily (Parks)" <Emily.Humes@parks.nyc.gov>, "Alderson, Colleen (Parks)" <Colleen.Alderson@parks.nyc.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Jennifer Morris <jmorris@akrf.com>, Stephen Holley <sholley@akrf.com>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Young, Sybil (Parks)" <Sybil.Young@parks.nyc.gov>, "Semel, Hilary" <HSemel@cityhall.nyc.gov>, "Peter A. Schikler (Law) (pschikle@law.nyc.gov)" <pschikle@law.nyc.gov>

Andrea-

Thanks for your attention to the Section 106 matter we discussed. We also received Jennifer Morris's email today and downloaded the Section106 documents provided.

What you outline below represents what we discussed. A few notes:

- Please include Sybil Young on the all correspondence related to Section 106. She is NYC Parks' expert in this realm. She is CCed.
- It may be helpful for all parties involved if you provide us with an Administrative Draft EIS (aka preliminary DEIS) version of the chapter that discusses 4(f). This would help get us started looking at it and providing feedback.
- You asked about a Management Plan for High Line Park. NYC Parks does not have one and likely there is not a specific plan that matches what you're are looking for. Friends of the High Line (FHL) manage the park under a license agreement with NYC Parks. We can try to help facilitate getting any information you need from FHL to help complete your report. We can discuss at your convenience if you need more information.

We will touch base at the end of the month on the status of our review.

Thanks- Dave

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
830 Fifth Avenue, Room 401
New York, NY 10065
nyc.gov/parks

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Sent: Wednesday, March 3, 2021 1:46 PM
To: Cuff, David (Parks) <David.Cuff@parks.nyc.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; Humes, Emily (Parks) <Emily.Humes@parks.nyc.gov>; Alderson, Colleen (Parks) <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination
Importance: High

David,

Thank you so much for the conversation today. I have outlined our discussion points below. Please let me know if I have missed any details on our path forward.

1. FRA will provide all Section 106 consultation materials, meeting notes, and background materials used in the Section 106 process for the Western Rail Yard Infrastructure Project EIS to the NYC Parks team on this email.
2. NYC Parks will have 30-days to review as a consulting party on the S106 process.
3. At the end of the review period, NYC parks will provide a consultation letter to FRA, or request a meeting with FRA to discuss findings and concerns. At that time FRA and NYC parks will develop a process and timeline to complete the S106 process. I will place a tentative meeting hold to secure a meeting time.
4. FRA anticipates the Draft EIS, anticipated publication May 2021, will include the results of a completed Section 106 process with all consulting parties.
5. For the 4(f) consultation, FRA will ensure that all NYC Parks team members are provided any background information necessary to review the DEIS analysis of the 4(f) resource. To that end, please reach out to me directly to communicate any additional background materials that are needed once you receive the DEIS. The NYC Parks review of 4(f) materials will be during the public review of the DEIS which is 45 days.

FRA appreciates your timely communication back to us on our omission, and we look forward to completing consultation with your team.

Best Regards, Andrea

From: Poole, Andrea (FRA)
Sent: Monday, March 1, 2021 9:14 AM
To: 'Cuff, David (Parks)' <David.Cuff@parks.nyc.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; 'Emily.Humes@parks.nyc.gov' <Emily.Humes@parks.nyc.gov>; 'Colleen.Alderson@parks.nyc.gov' <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; 'Jennifer Morris' <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

David,

Thank you for your message. Unfortunately, it appears that when Parks responded to accept Participating Agency status, the request for Section 106 consulting party status was not flagged. The Section 106 consulting party invitation, which was sent to Mitchell Silver on 8/6/2020 (see attached), did not generate a response, and thus subsequent consulting party correspondence has not been distributed to the agency. Please see the attached effect determination, which was circulated to consulting parties on January 12, 2021, and advise whether Parks will wish to comment on the effect finding.

Best Regards, Andrea

From: Cuff, David (Parks) [<mailto:David.Cuff@parks.nyc.gov>]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
830 Fifth Avenue, Room 401
New York, NY 10065
nyc.gov/parks

Table 1 (cont'd)
Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYSDOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHP)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYCDPC)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYCLPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Thursday, February 25, 2021 10:00 AM

To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; llenon@mtahq.org; lmessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.ny.gov; uchenna.madu@dot.ny.gov; Estes, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; IYoung@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfrastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined the 2 weeks that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

[1200 New Jersey Avenue, SE](#)

[Washington, DC 20590](#)

[\(202\) 868-1221](tel:(202)868-1221)



Jennifer Morris <jmorris@akrf.com>

RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

1 message

Poole, Andrea (FRA) <andrea.poole@dot.gov> Fri, Mar 5, 2021 at 8:30 AM

To: "Cuff, David (Parks)" <David.Cuff@parks.nyc.gov>

Cc: "Bradley, Michael (Parks)" <Michael.Bradley@parks.nyc.gov>, "Humes, Emily (Parks)" <Emily.Humes@parks.nyc.gov>, "Alderson, Colleen (Parks)" <Colleen.Alderson@parks.nyc.gov>, "Shick, Laura (FRA)" <Laura.Shick@dot.gov>, Jennifer Morris <jmorris@akrf.com>, Stephen Holley <sholley@akrf.com>, "Manning, Derek (Volpe)" <Derek.Manning@dot.gov>, "Blatnica, Rebecca (Volpe)" <Rebecca.Blatnica@dot.gov>, "Perez-Arrieta, Stephanie (FRA)" <s.perez-arrieta@dot.gov>, Keri Cibelli <kcibelli@akrf.com>, Rebecca Kriss <rkriss@akrf.com>, "Young, Sybil (Parks)" <Sybil.Young@parks.nyc.gov>, "Semel, Hilary" <HSemel@cityhall.nyc.gov>, "Peter A. Schikler (Law) (pschikle@law.nyc.gov)" <pschikle@law.nyc.gov>

Ms. Young, Welcome to our team. We are happy to add you to the POC list for the Section 106 process.

All, Let me know soonest if you have problems opening files, etc..

Many thanks, Andrea

From: Cuff, David (Parks) [mailto:David.Cuff@parks.nyc.gov]**Sent:** Thursday, March 4, 2021 8:15 PM**To:** Poole, Andrea (FRA) <andrea.poole@dot.gov>**Cc:** Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; Humes, Emily (Parks) <Emily.Humes@parks.nyc.gov>; Alderson, Colleen (Parks) <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Young, Sybil (Parks) <Sybil.Young@parks.nyc.gov>; Semel, Hilary <HSemel@cityhall.nyc.gov>; Peter A. Schikler (Law) <pschikle@law.nyc.gov>**Subject:** RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Andrea-

Thanks for your attention to the Section 106 matter we discussed. We also received Jennifer Morris's email today and downloaded the Section106 documents provided.

What you outline below represents what we discussed. A few notes:

- Please include Sybil Young on the all correspondence related to Section 106. She is NYC Parks' expert in this realm. She is CCed.
- It may be helpful for all parties involved if you provide us with an Administrative Draft EIS (aka preliminary DEIS) version of the chapter that discusses 4(f). This would help get us started looking at it and providing feedback.
- You asked about a Management Plan for High Line Park. NYC Parks does not have one and likely there is not a specific plan that matches what you're are looking for. Friends of the High Line (FHL) manage the park under a license agreement with NYC Parks. We can try to help facilitate getting any information you need from FHL to help complete your report. We can discuss at your convenience if you need more information.

We will touch base at the end of the month on the status of our review.

Thanks- Dave

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
[830 Fifth Avenue, Room 401](#)
New York, NY 10065
nyc.gov/parks

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Wednesday, March 3, 2021 1:46 PM

To: Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; Humes, Emily (Parks) <Emily.Humes@parks.nyc.gov>; Alderson, Colleen (Parks) <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Jennifer Morris <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>

Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination
Importance: High

David,

Thank you so much for the conversation today. I have outlined our discussion points below. Please let me know if I have missed any details on our path forward.

1. FRA will provide all Section 106 consultation materials, meeting notes, and background materials used in the Section 106 process for the Western Rail Yard Infrastructure Project EIS to the NYC Parks team on this email.
2. NYC Parks will have 30-days to review as a consulting party on the S106 process.
3. At the end of the review period, NYC parks will provide a consultation letter to FRA, or request a meeting with FRA to discuss findings and concerns. At that time FRA and NYC parks will develop a process and timeline to complete the S106 process. I will place a tentative meeting hold to secure a meeting time.
4. FRA anticipates the Draft EIS, anticipated publication May 2021, will include the results of a completed Section 106 process with all consulting parties.
5. For the 4(f) consultation, FRA will ensure that all NYC Parks team members are provided any background information necessary to review the DEIS analysis of the 4(f) resource. To that end, please reach out to me directly to communicate any additional background materials that are needed once you receive the DEIS. The NYC Parks review of 4(f) materials will be during the public review of the DEIS which is 45 days.

FRA appreciates your timely communication back to us on our omission, and we look forward to completing consultation with your team.

Best Regards, Andrea

From: Poole, Andrea (FRA)
Sent: Monday, March 1, 2021 9:14 AM
To: 'Cuff, David (Parks)' <David.Cuff@parks.nyc.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>; 'Emily.Humes@parks.nyc.gov' <Emily.Humes@parks.nyc.gov>; 'Colleen.Alderson@parks.nyc.gov' <Colleen.Alderson@parks.nyc.gov>; Shick, Laura (FRA) <Laura.Shick@dot.gov>; 'Jennifer Morris' <jmorris@akrf.com>; Stephen Holley <sholley@akrf.com>; Manning, Derek (Volpe) <Derek.Manning@dot.gov>; Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

David,

Thank you for your message. Unfortunately, it appears that when Parks responded to accept Participating Agency status, the request for Section 106 consulting party status was not flagged. The Section 106 consulting party invitation, which was sent to Mitchell Silver on 8/6/2020 (see attached), did not generate a response, and thus subsequent consulting party correspondence has not been distributed to the agency. Please see the attached effect determination, which was circulated to consulting parties on January 12, 2021, and advise whether Parks will wish to comment on the effect finding.

Best Regards, Andrea

From: Cuff, David (Parks) [mailto:David.Cuff@parks.nyc.gov]
Sent: Thursday, February 25, 2021 7:05 PM
To: Poole, Andrea (FRA) <andrea.poole@dot.gov>
Cc: Bradley, Michael (Parks) <Michael.Bradley@parks.nyc.gov>
Subject: RE: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Andrea,

We put it in a comment letter at an earlier stage of the project that NYC Parks should be a Section 106 consulting party and we are listed in the table of the Coordination Plan, as seen below.

However, I don't believe NYC Parks has received any further information about the consulting process, is this forthcoming? Can you provide more information about the status?

Thanks-

David Cuff

Director of Environmental Review

Planning and Development

T 212.360.3492

C 917-938-5221

F 212.360.3453

E David.Cuff@parks.nyc.gov

NYC Parks

The Arsenal, Central Park
[830 Fifth Avenue, Room 401](#)
New York, NY 10065
nyc.gov/parks

Table 1 (cont'd)

Lead Agencies and Invited Participating Agencies

Agency	Role	Accepted Invitation	Responsibilities
State, Regional, and Local Agencies			
Metropolitan Transportation Authority (MTA)	Participating Agency	Accepted	Consultation
MTA Long Island Rail Road	Participating Agency	Accepted	Consultation
New York State Department of Environmental Conservation, Region 2 (NYSDEC)	Participating Agency	Accepted	Consultation and various reviews
New York State Department of State (NYSDOS)	Participating Agency	Declined	Coastal zone consistency review
New York State Historic Preservation Office (at New York State Office of Parks, Recreation and Historic Preservation) (NYSHP)	Participating Agency; Section 106 consultation	Accepted	Concurrence under Section 106, National Historic Preservation Act
New York State Department of Transportation (NYSDOT)	Participating Agency	Accepted	Consultation related to potential impacts to State roadways and associated mitigation in New York City
New York City Department of City Planning (NYCDCP)	Participating Agency	Accepted	Consultation related to potential environmental impacts and associated mitigation in New York City, and coastal zone consistency review.
New York City Department of Environmental Protection (NYCDEP)	Participating Agency	Accepted	Consultation related to various potential environmental impacts in New York City
New York City Landmarks Preservation Commission (NYCLPC)	Participating Agency; Section 106 Consulting Party	Accepted	Consultation related to Cultural Resource (historic structure and/or archaeological resource) impacts in New York City
New York City Department of Transportation (NYCDOT)	Participating Agency	Accepted	Consultation related to potential transportation system impacts and associated mitigation in New York City
New York City Department of Parks and Recreation (NYCDPR)	Participating Agency	Accepted	Consultation related to potential impacts to Parklands, historic resources, and open spaces, and associated mitigation in New York City; Section 4(f) consultation; Section 106 consultation

From: Poole, Andrea (FRA) <andrea.poole@dot.gov>

Sent: Thursday, February 25, 2021 10:00 AM

To: austin.mark@epa.gov; sstokely@achp.gov; Burns, Donald (FTA) <Donald.Burns@dot.gov>; andrew_raddant@ios.doi.gov; Stephen.Cauffman@cisa.dhs.gov; lennon@mtahq.org; lmessin@lirr.org; dmbetty@lirr.org; stephen.watts@dec.ny.gov; matthew.maraglio@dos.state.ny.us; daniel.mackay@parks.ny.gov; uchenna.madu@dot.ny.gov; Estesen, Terrell <terrelle@dep.nyc.gov>; hsemel@cityhall.nyc.gov; IYoung@moec.nyc.gov; nrasheed@dot.nyc.gov; Gina Santucci (LPC) <GSantucci@lpc.nyc.gov>; Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Anthony Howard (DCP) <AHoward@planning.nyc.gov>; Annabelle Meunier (DCP) <AMEUNIER@planning.nyc.gov>; Cuff, David (Parks) <David.Cuff@parks.nyc.gov>

Cc: Blatnica, Rebecca (Volpe) <Rebecca.Blatnica@dot.gov>; Perez-Arrieta, Stephanie (FRA) <s.perez-arrieta@dot.gov>; Stephen Holley <sholley@akrf.com>; Keri Cibelli <kcibelli@akrf.com>; Rebecca Kriss <rkriss@akrf.com>; Castelli, Amishi (FRA) <Amishi.Castelli@dot.gov>; Munz, Pauline (FRA) <pauline.munz@dot.gov>; Osterhues, Marlys (FRA) <Marlys.Osterhues@dot.gov>; Valenstein, David (FRA) <david.valenstein@dot.gov>

Subject: Western Rail Yard Infrastructure Project EIS: Updates to Agency Coordination

Dear Participating Agency Representatives,

An updated revised Public and Agency Coordination Plan (Coordination Plan) has been posted to the project website at www.westernrailyardinfrastructure.com. The updated version of the Coordination Plan reflects the most recent details related to the project.

While most of the updates are not substantive, there is one change in particular that I would bring to your attention. Originally, the coordination plan indicated that Participating Agencies would have the opportunity to review the DEIS prior to public review. FRA has since determined the 2 weeks

that were originally slated for Participating Agency review would not provide adequate time for your teams to review the document or for FRA to address any substantive comments prior to public release. Instead, FRA intends for to provide agencies 45 days to review the DEIS, concurrent with public review of DEIS. FRA will then plan to meet with agencies separately to ensure comments are addressed prior to release of the FEIS.

If you would like to discuss the updated Coordination Plan, please contact me, Andrea Poole, at WRYProject@dot.gov or by phone (below).

FRA will continue to reach out to individual agencies as we move through various consultation processes. FRA appreciates the time and energy your teams have put into consultation efforts thus far.

Best Regards,

Andrea E. Poole, PMP

Environmental Protection Specialist

U.S. Department of Transportation

Federal Railroad Administration

Environment and Project Engineering Division (name change)

[1200 New Jersey Avenue, SE](#)

[Washington, DC 20590](#)

[\(202\) 868-1221](#)