

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

FINDING OF NO SIGNIFICANT IMPACT

Project: Hudson-Bergen Light Rail Route 440 Extension

Applicant: New Jersey Transit

Project Location: Jersey City, Hudson County, New Jersey

1.0 INTRODUCTION

New Jersey Transit Corporation (NJ TRANSIT) proposes to construct the Hudson-Bergen Light Rail Route 440 Extension, a rail extension project in Jersey City, Hudson County, New Jersey. Based on the *Hudson-Bergen Light Rail Route 440 Extension Environmental Assessment* dated September 5, 2013 (the EA) prepared in compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. Section 4321 et seq.) and Federal Transit Administration's (FTA) implementing regulations (23 CFR Part 771), the FTA finds, in accordance with 23 CFR Section 771.121, that the *Hudson-Bergen Light Rail Route 440 Extension* (hereinafter referred to as the Project or Proposed Action), will result in no significant impact on the environment.

The project will extend the existing Hudson-Bergen Light Rail (HBLR) approximately 3,700 feet from its current terminus at West Side Avenue Station to a new station to be constructed west of NJ Route 440. The extension would be elevated on a concrete and steel viaduct and fully grade separated from all city streets. Other improvements will include alterations to the existing West Side Station, including demolition and replacement of the existing pedestrian bridge, removal of the stone railroad bridge abutment and associate stair, and construction of new pedestrian access stairs and ramps.

2.0 NATIONAL ENVIRONMENTAL POLICY ACT FINDING

FTA has reviewed the EA prepared for the Hudson-Bergen Light Rail (HBLR) Route 440 Extension Project, the analysis and the results of which are incorporated here by reference, and has found that there are no significant impacts to the environment that would result from the proposed action. The EA, dated September 5, 2013, has adequately addressed the environmental issues and impacts of the proposed project, which consists of construction and operation of a new, two-track, approximately 3,700-foot extension of the HBLR from its current terminus at West Side Avenue Station to a new Bayfront Station, which would be located west of Route 440 at the northern boundary of a new mixed-use development, called Bayfront.

NJ TRANSIT has made the EA publicly available in the project website (<http://hblr440.com/>) on September 21, 2013. After the EA was made publicly available, a public meeting was held on October 21, 2013, to solicit comments during the 30-day public comment period. Eleven people attended the public meeting, as indicated by the meeting sign-in sheets; some of those people provided comments and asked questions, which were responded to at the meeting. Comments raised included the following:

- **Hazardous Materials:** One meeting attendee noted that the EA should recognize that extensive investigation related to contamination has already occurred on the Bayfront site, and remediation is under way, so there is no need for further investigation on the Bayfront site related to the HBLR project.
- **Property Acquisition:** Commenters asked about the need to acquire private property, and how property owners would be notified if acquisition of their property is contemplated. A representative of NJ TRANSIT explained that the federal procedures for property acquisition (the federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970) would be followed and that only two private properties are

needed to implement the project: 1) a portion of the property referred to in the EA as the Cookson Electronics property; and 2) a very small area of the car dealership (Hudson Nissan) property located north of Bayfront.

- **Traffic Management During Construction:** A commenter asked how traffic would be managed during construction. A representative of NJ TRANSIT explained that a traffic management plan would be implemented during construction and that two lanes of Route 440 would be kept open in each direction.
- **Noise During Construction:** A commenter asked about noise levels during construction. A representative of NJ TRANSIT acknowledged that construction noise can be disruptive, but that NJ TRANSIT is committed to implementing measures to reduce construction noise where possible.

NJ TRANSIT and the FTA did not receive any other written comments during the 30-day public comment period, which closed on October 13, 2013.

The EA included an analysis of Section 106 of the National Historic Preservation Act (Section 106) analysis and an evaluation pursuant to Section 4(f) of the Department of Transportation Act of 1966, codified at U.S.C. 303 (Section 4(f)). Pursuant to Section 106, a Programmatic Agreement was signed on August 20, 2013 to address potential adverse effects to historic resources, and pursuant to Section 4(f), FTA finds that there is no use or constructive use of a Section 4(f) resource at this time.

The EA includes an Environmental Justice analysis, and FTA finds that there will be no disproportionate adverse effects in EJ communities.

The EA is consistent with Environmental Impact and Related Procedures (23 CFR Part 771) and FTA guidelines for preparing EAs. As such, the FTA is issuing this Finding of No Significant Impact (FONSI) for the project. A Programmatic Agreement (PA) has been executed, which commits NJ TRANSIT (the project sponsor), in coordination with FTA, to carry out measures to mitigate potential adverse effects on historic properties, as disclosed in the EA, and to consult with the New Jersey Historic Preservation Office during the construction of the project. This FONSI is conditioned upon NJ TRANSIT complying with the mitigation measures described in the EA and the aforementioned PA.

3.0 SECTION 4(F) FINDING

Based upon the Federal Transit Administration's (FTA) review of the project description and supporting documentation on the Proposed Action as described in the EA, it is FTA's determination that the Section 4(f) requirements set forth in 23 C.F.R. Section 774. 3(b) has been met and that sufficient documentation exists to demonstrate that there is no use or constructive use of a Section 4(f) resource at this time.



Anthony G. Carr
Deputy Regional Administrator, Region II
Federal Transit Administration



Date