

Hudson Tunnel Project Re-evaluation #1 Statement September 2023

1 INTRODUCTION

This re-evaluation statement considers changes to the Hudson Tunnel Project (the Project) that are anticipated to occur in the vicinity of the Hoboken staging area since the issuance of the Project's Combined Final Environmental Impact Statement and Record of Decision (FEIS/ROD) on May 28, 2021. The changes in this reevaluation are particular to only the Hoboken/Weehawken portion of the study area that was evaluated in the FEIS/ROD; these changes relate to updates to background conditions since the issuance of the FEIS/ROD, and the examination of two newly proposed haul routes for construction trucks that would service the Hoboken staging area. The proposed change to the Project being analyzed in this re-evaluation, referred to herein as the proposed Project modification, relates to two newly proposed haul routes for construction trucks to service construction at the Hoboken staging area (described as Haul Route Option 9 and Haul Route Option 10; see Section 2-1, below). In both cases, this would involve the realignment of Haul Route Option 3 (examined in the FEIS as part of the Project) across the Dykes Lumber site, for use by construction trucks traveling to and from the Hoboken staging area through Weehawken, New Jersey, which was originally proposed in the FEIS. This change would necessitate the acquisition of two privately-owned industrial properties. The proposed Project modification is described in detail below in **Section 2-1, Proposed Project Modification**. This re-evaluation comprehensively considers how the Project change would impact the affected environment and concludes that the original FEIS/ROD remains valid. Supplemental NEPA analysis is not required.

As described in the FEIS/ROD, the purpose of the Hudson Tunnel Project is to preserve the current functionality of the Northeast Corridor's (NEC) Hudson River passenger rail crossing between New Jersey and New York and strengthen the resilience of the NEC. The existing NEC rail tunnel beneath the Hudson River is known as the North River Tunnel. This tunnel is used by the National Railroad Passenger Corporation (Amtrak) for intercity passenger rail service and by the New Jersey Transit Corporation (NJ TRANSIT) for commuter rail service. The Selected Alternative for the Project includes construction of a new passenger rail tunnel under the Hudson River, including railroad infrastructure in New Jersey and New York connecting the new rail tunnel to the existing NEC, and rehabilitation of the existing NEC tunnel beneath the Hudson River.

The Federal Railroad Administration (FRA) was the lead Federal agency for the Project's environmental review in accordance with the National Environmental Policy Act (NEPA). The Federal Transit Administration (FTA) was a Cooperating Agency for the FEIS/ROD and issued the ROD jointly with FRA. The Port Authority of New York and New Jersey (PANYNJ) was the Project Sponsor at the time the FEIS/ROD was issued. On October

21, 2022, PANYNJ and the Gateway Development Commission (GDC) formally notified FRA and FTA that GDC assumed the role of NEPA Project Sponsor. At the request of the Project Sponsor, NJ TRANSIT provided and directed technical assistance in the development of this re-evaluation.

1-1 STUDY AREA

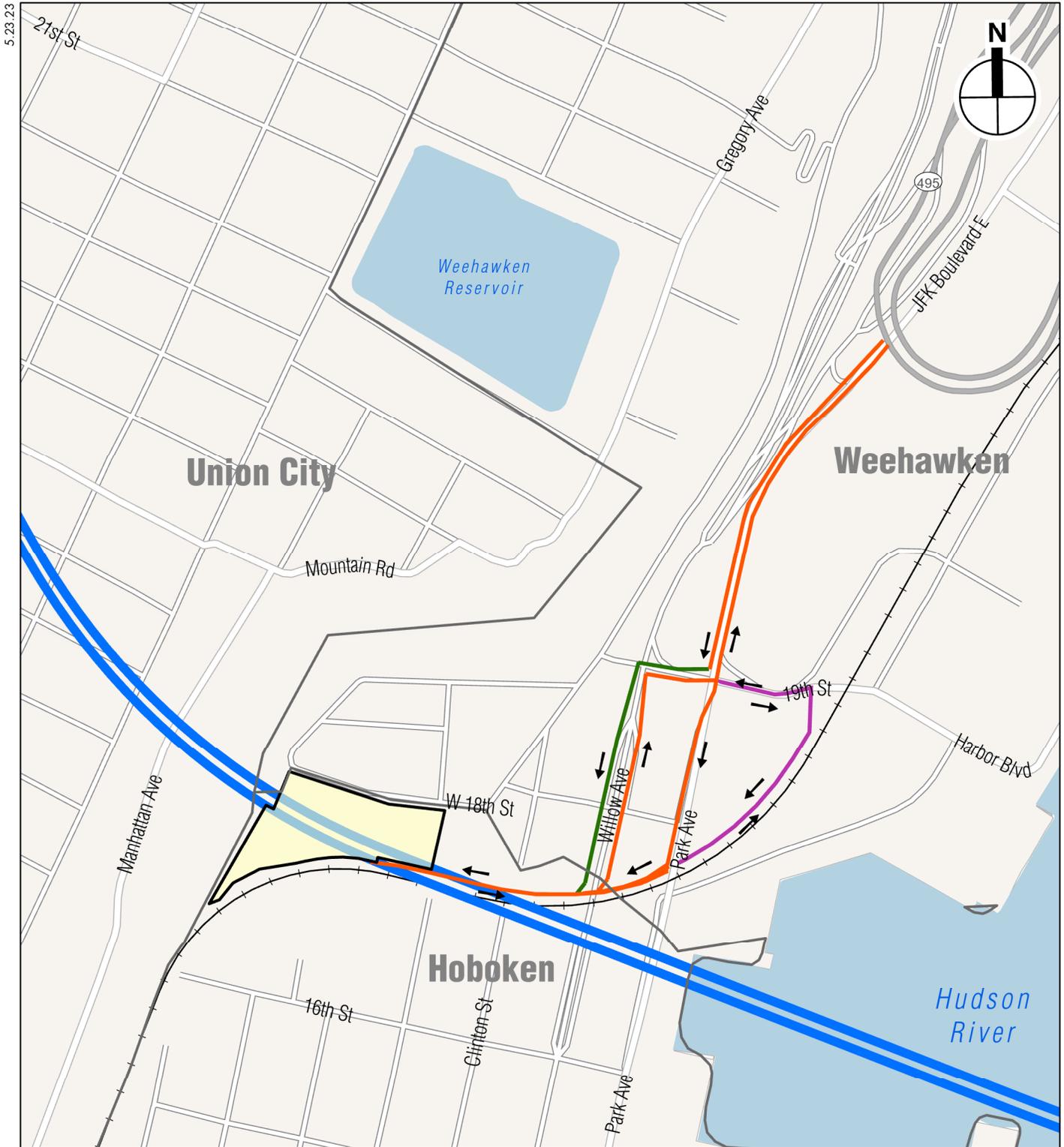
While study areas used in the FEIS varied for each technical analysis, in general, the FEIS analysis addressed a study area along the length of the Project site, which extended from the surface alignment in Secaucus and North Bergen in the New Jersey Meadowlands, beneath the highlands of the New Jersey Palisades and the low-lying New Jersey waterfront in Hoboken and Weehawken, under the Hudson River, and finally into Manhattan just west of Penn Station New York. The Project site included both the proposed new Hudson River Tunnel and the existing North River Tunnel, which would be fully rehabilitated as part of the Project. Many of the FEIS technical analyses broke this large study area down into subareas covering the New Jersey, Hudson River, and New York portions of the study area. Because the New Jersey portion of the study area is the largest of these sections, it was further broken down into subareas, including the surface alignment through the New Jersey Meadowlands; the staging areas along Tonnelles Avenue on the west of the Palisades, with associated construction haul routes; the tunnel segment deep beneath the Palisades ridge; and the Hoboken construction staging area, ventilation shaft, and fan plant site in the Hoboken/Weehawken waterfront area, with its associated haul routes and a shallower tunnel segment extending to the Hudson River.

The proposed Project modification would result in changes to the proposed construction haul routes for the Hoboken construction staging area and fan plant site, and would not affect conditions outside the Hoboken/Weehawken waterfront area. Therefore, this re-evaluation only considers the Hoboken/Weehawken study area, which is shown in **Figure 1**.

2 PROJECT CHANGES AND NEW INFORMATION

2-1 PROPOSED PROJECT MODIFICATION

As described in the FEIS/ROD, a permanent ventilation shaft and fan plant for the new Hudson River Tunnel would be constructed on a site in Hoboken, New Jersey; this shaft would be used to access the tunnel alignment during the construction period, and the shaft site would serve as a construction staging and laydown area. The FEIS/ROD described three proposed haul route options for construction trucks that would allow trucks to avoid using local streets for a portion of their trips to and from the Hoboken staging area. These haul routes, which would travel through Hoboken and Weehawken, New Jersey, would follow the rail alignment of NJ TRANSIT's Hudson-Bergen Light Rail (HBLR) for several blocks before shifting to arterial streets to access the regional highway network at New Jersey Route 495, to the north of the Hoboken staging area. **Figure 1** shows the Hoboken staging area and the three proposed haul route options. Haul Route Option 3, shown on **Figure 2**, provided the longest off-street segment and, therefore, the greatest benefit of the three options. However, the FEIS/ROD disclosed that Haul Route Option 3 had the potential to overlap with a floodwall that was being designed as part of



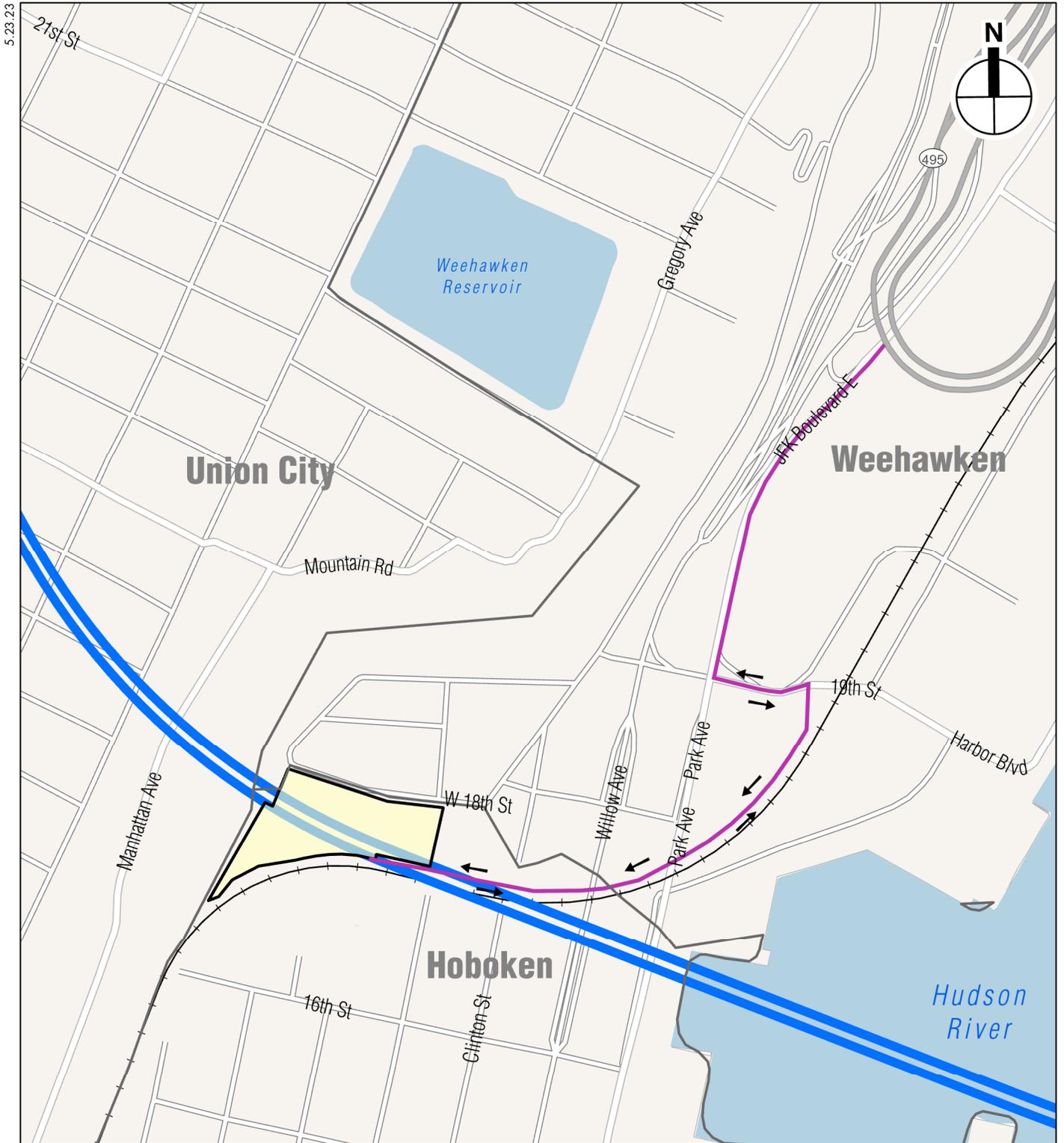
- Construction Staging Area
- Proposed New Tunnel
- Municipal Boundaries

- Haul Route Option 1
- Haul Route Option 2
- Haul Route Option 3
- Hudson-Bergen Light Rail

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Haul Route Options
in Hoboken/Weehawken Study Area
as Assessed in the FEIS

Figure 1



- Construction Staging Area
- Proposed New Tunnel
- Municipal Boundaries
- Haul Route Option 3

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Haul Route Option 3 as Assessed in the FEIS
Figure 2

the Rebuild By Design Hudson River (RBDH) project¹ (see **Section 2-2, Changes to No Action Background Conditions**, for more detail on this project). The FEIS/ROD noted that Amtrak, NJ TRANSIT, and the PANYNJ were evaluating ways to accommodate the presence of the proposed RBDH floodwall in conjunction with use of Haul Route Option 3 and would advance the design for Haul Route Option 3 to reflect the constraints on available space resulting from the presence of the floodwall in the same area.

Subsequent to issuance of the FEIS/ROD, design coordination with the RBDH team continued. These discussions resulted in a determination that it would not be operationally feasible for Haul Route Option 3 and the RBDH floodwall to intersect. This is because the installation of a swing gate in the floodwall, which would be required to allow construction trucks to cross the wall, would result in an unacceptable reduction in the effectiveness of the RBDH floodwall.

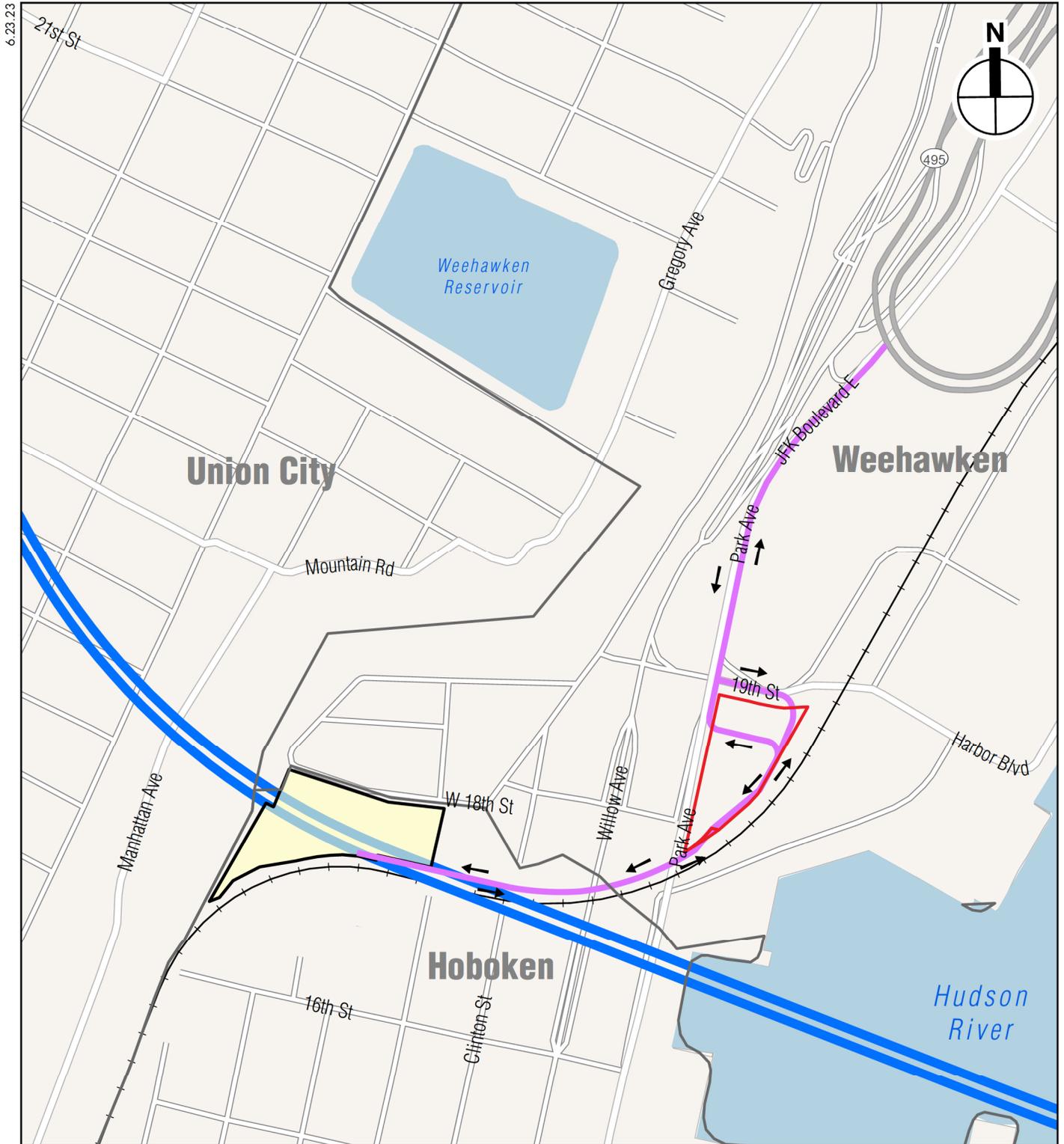
The proposed Project modification, shown on **Figures 3a through 4b**, stems from that coordination and would involve two different options for realigning Haul Route Option 3 (referred to as Haul Route Option 9 and Haul Route Option 10). The proposed Project modification would give GDC the flexibility to use either of these options as design and construction progress. With either option, the modified haul route would be shifted further away from the HBLR tracks to avoid the alignment of the RBDH floodwall. This would move the haul route alignment completely onto two privately owned properties, which Amtrak and NJ TRANSIT, respectively, would acquire in fee: 1899 Park Avenue in Weehawken, currently occupied by Dykes Lumber, and an adjacent parcel owned by Conrail (see **Figures 5a and 5b**).

With the proposed Project modification, inbound trucks accessing the Hoboken staging area would travel southbound on JFK Boulevard and Park Avenue, making a left turn on 19th Street, and turning right into the Dykes Lumber property using one of the two existing driveways (one near the eastern edge of the Dykes Lumber property, and the other approximately mid-block on 19th Street). Trucks would travel south along the east side of the Dykes Lumber structure. On an off-street construction road, trucks would travel through the Conrail property, then via the same routing as Haul Route Option 3 along the west and north sides of the HBLR tracks, under the Park Avenue and Willow Avenue Viaducts, continuing to the Hoboken staging area. When exiting the staging area, outbound trucks would travel the same route in reverse until the Dykes Lumber property, where they would travel across the property to access Park Avenue in one of two ways:

- With Haul Route Option 9, outbound trucks would turn left into the Dykes Lumber building at roughly the building's midpoint, travel through the existing building, and make a right turn onto Park Avenue.
- With Haul Route Option 10, outbound trucks would turn left at the north end of the Dykes Lumber building, travel through the existing Dykes Lumber parking lot parallel to 19th Street, and make a right turn onto Park Avenue.

With either option, after making the turn onto Park Avenue, outbound trucks would proceed northbound to JFK Boulevard. Haul Route Option 9 would require modifications

¹ In the FEIS/ROD, RBDH was referred to simply as the Rebuild by Design project.

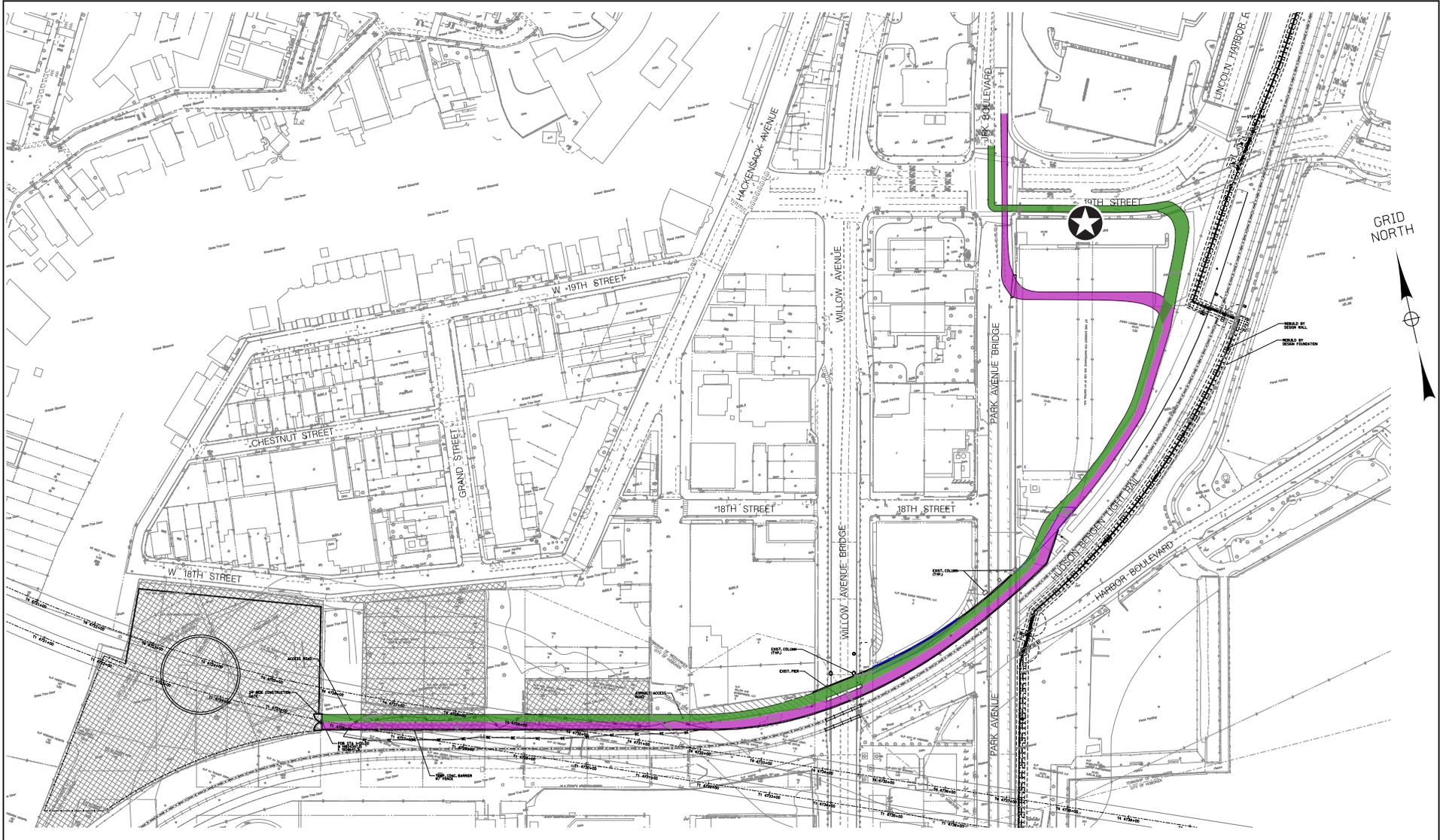


-  Construction Staging Area
-  Proposed New Tunnel
-  Proposed Modified Haul Route (Option 9)
-  Parcels Proposed for Acquisition

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Proposed Project Modification:
Adjusted Haul Route (Option 9)

Figure 3a

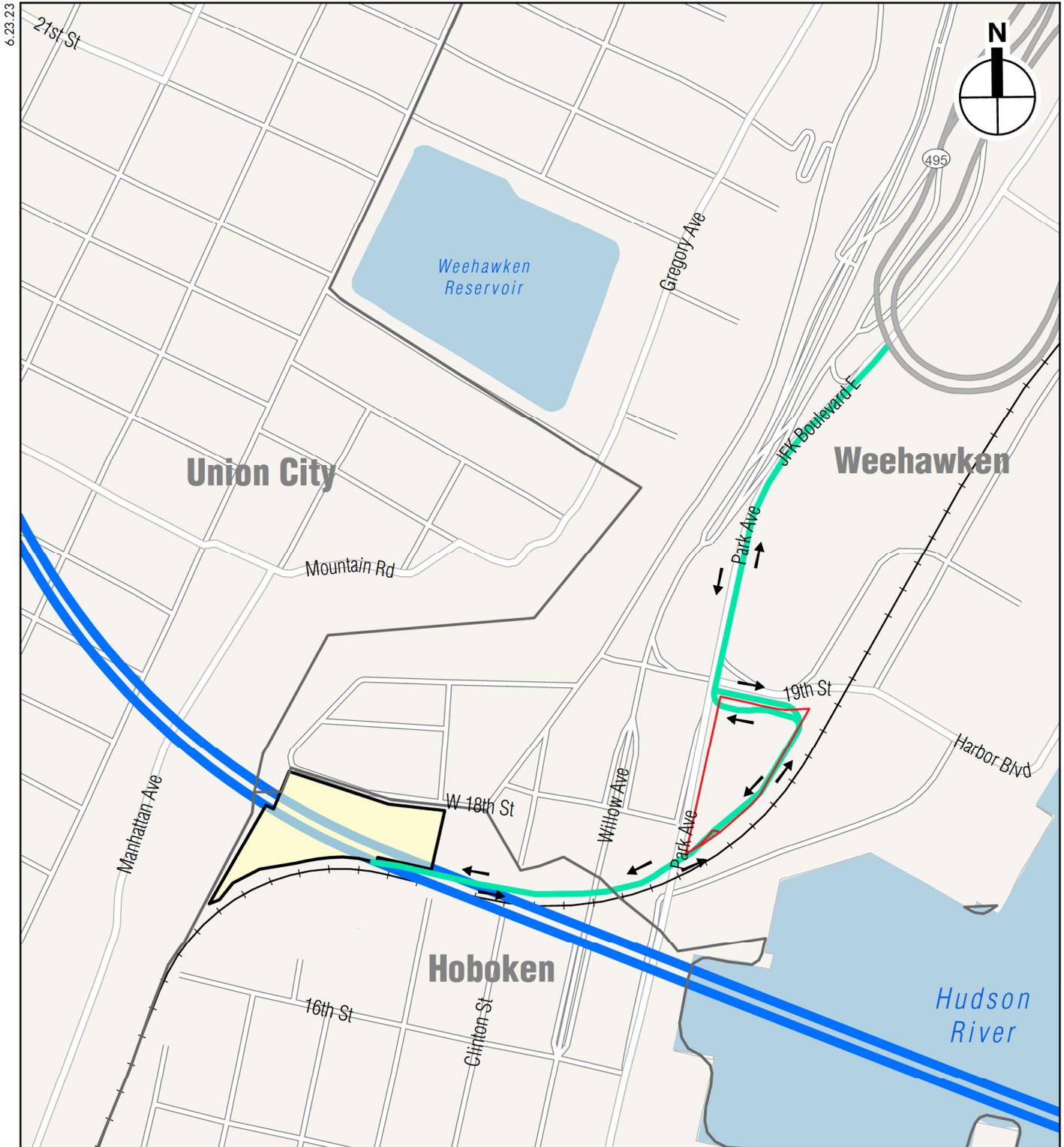


 *Inbound Route*
 *Outbound Route*

NOTE: STAR INDICATES APPROXIMATE LOCATION OF POTENTIAL MID-BLOCK INBOUND ENTRANCE.



Proposed Project Modification: Adjusted Haul Route (Option 9)
Figure 3b

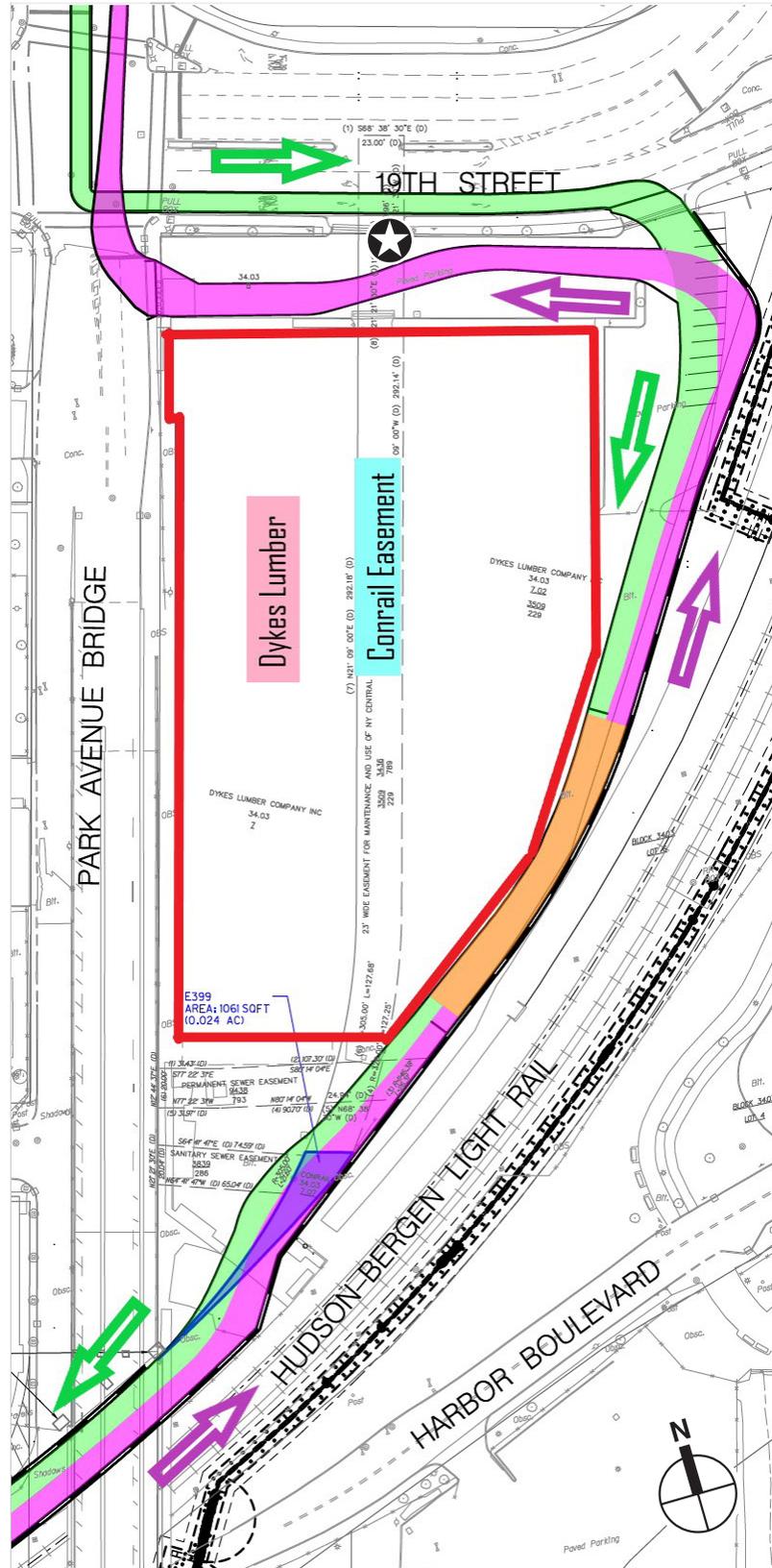


-  Construction Staging Area
-  Proposed New Tunnel
-  Municipal Boundaries
-  Proposed Modified Haul Route (Option 10)
-  Parcels Proposed for Acquisition

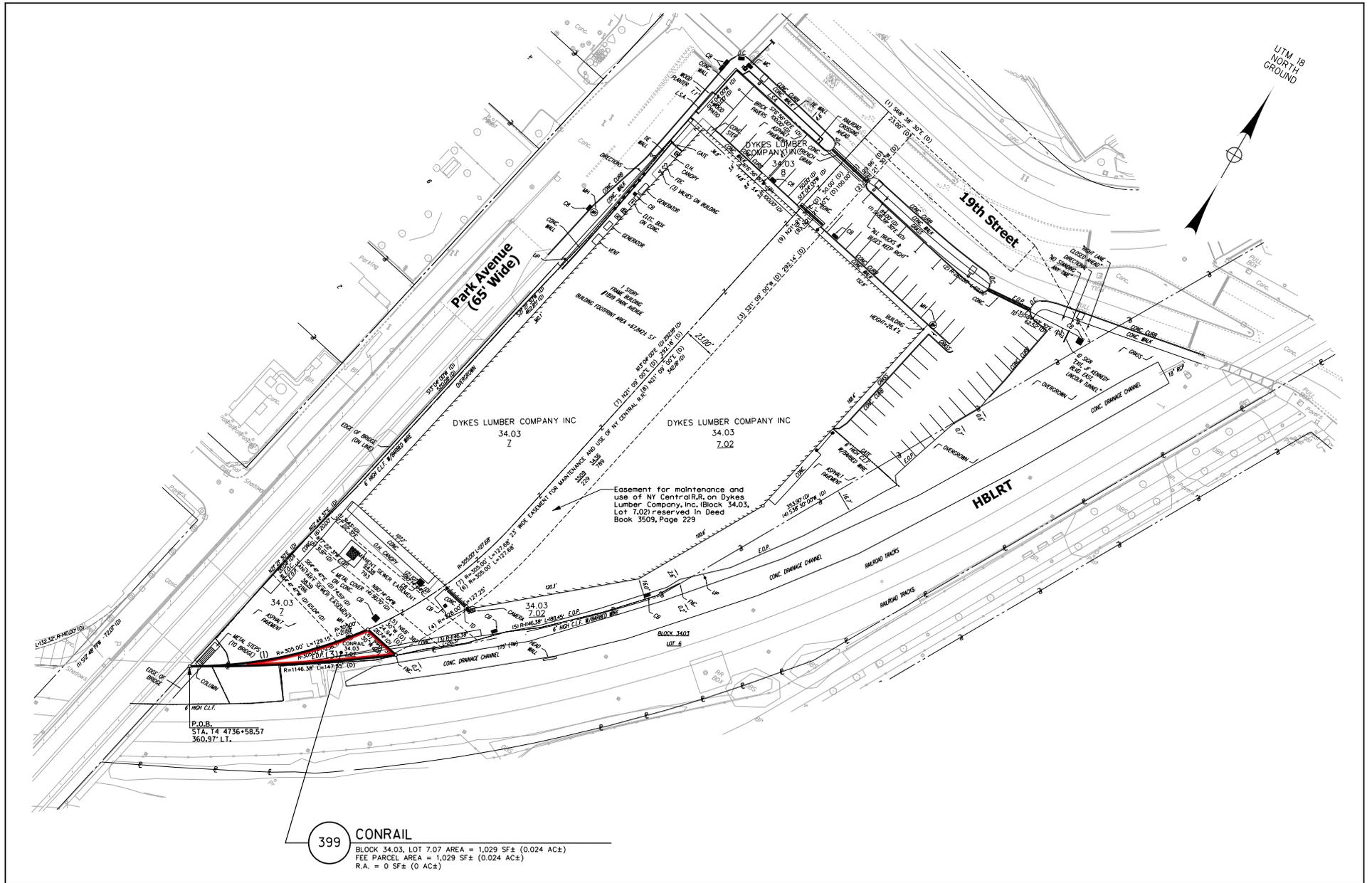


Proposed Project Modification:
Adjusted Haul Route (Option 10)

Figure 4a

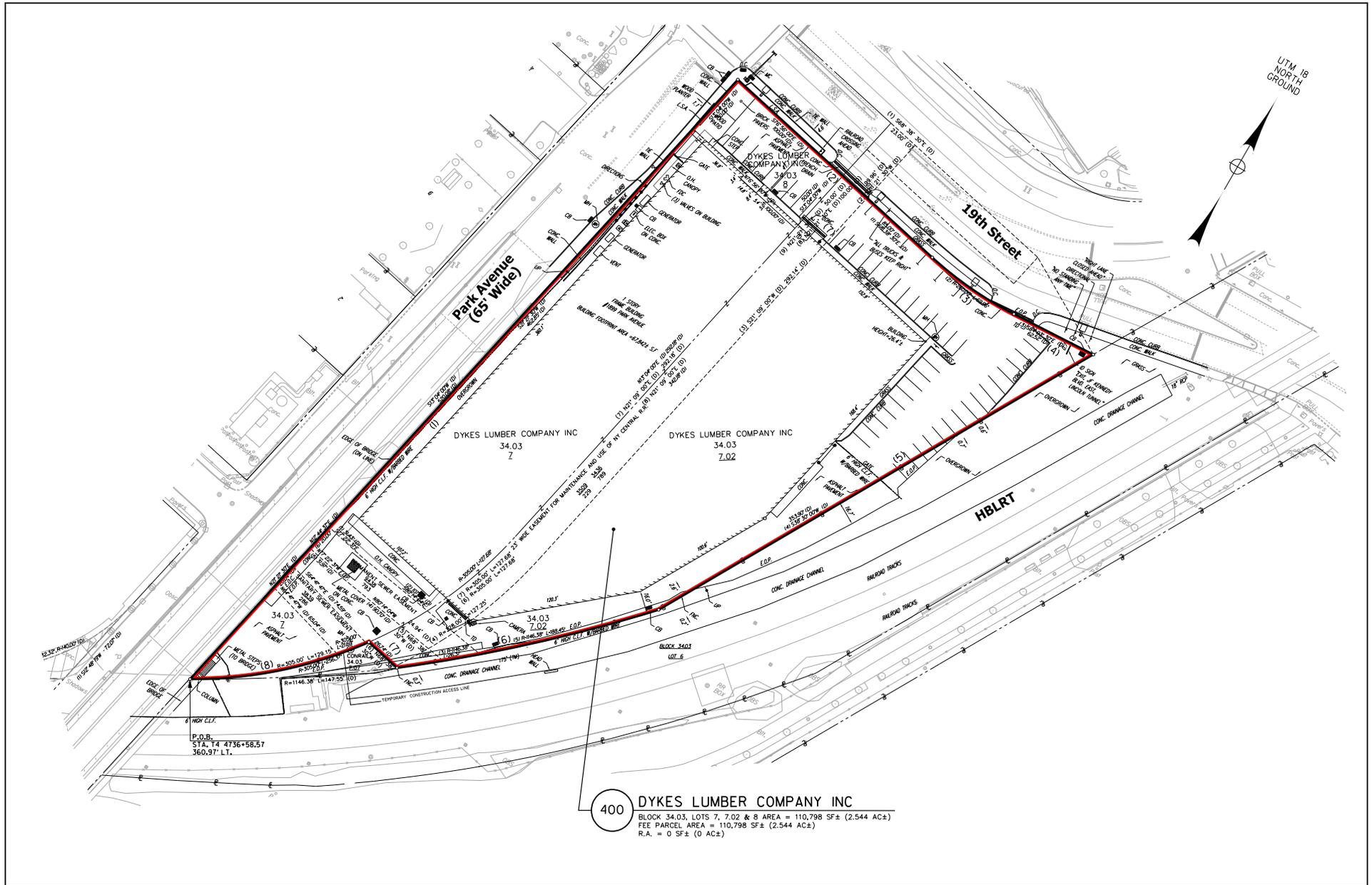


NOTE: STAR INDICATES APPROXIMATE LOCATION OF POTENTIAL MID-BLOCK INBOUND ENTRANCE.



Parcels Proposed for Acquisition:
 Conrail Parcel: Block 34.03, Lot 7.07 Weehawken, New Jersey
Figure 5a





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to the building's façade to construct new openings on the east and west facades of the structure to allow outbound trucks to enter and exit the structure (similar openings already exist at the north and south ends of the building to allow trucks to access the building for deliveries); Option 9 may also require modification of interior elements of the building such as column locations. Either exit route would require construction of a new temporary driveway to allow access to Park Avenue from the Dykes Lumber property.

In addition to avoiding the alignment of the RBDH floodwall, the proposed Project modification would eliminate the need for exiting trucks to make a complicated left turn onto 19th Street adjacent to the HBLR. This change would also avoid the need to modify an existing drainage channel adjacent to the Dykes Lumber property to allow construction trucks to pass over it.

With the proposed property acquisition, Dykes Lumber would vacate the property; however, the existing Dykes Lumber building would remain in place and would not be demolished with the proposed Project modification.

With the proposed Project modification, there would be no change in the number of Hudson Tunnel construction trucks accessing the Hoboken staging area. The FEIS/ROD included a commitment to allow a maximum of 8 trucks per hour in each direction at the Hoboken staging area; this commitment would remain in place with the proposed Project modification.

2-2 CHANGES TO NO ACTION BACKGROUND CONDITIONS

Table 1 provides a summary of No Action projects in the Hoboken/Weehawken study area; that is, projects that would occur whether the Hudson Tunnel Project is implemented or not. The list provides information on projects that were described in the FEIS/ROD, including updates that were identified during the re-evaluation process.

Table 1
No Action Projects in the Vicinity of the Hoboken/Weehawken Study Area

Project Name	Description	Anticipated Schedule
Lincoln Tunnel Helix Replacement Program (PANYNJ)	Replace the curved approach ramp between Route 495 and the Lincoln Tunnel in New Jersey	Unknown at this time (no change from FEIS/ROD)
Willow Avenue Bridge Rehabilitation (Hudson County)	Rehabilitate the Willow Avenue bridge over the HBLR between Hoboken and Weehawken	Unknown at this time (no change from FEIS/ROD)
Rebuild By Design Hudson River (NJDEP)	Infrastructure initiative to reduce frequent storm and tidal flooding in Hoboken and adjacent communities; mixed approach includes floodwalls, stormwater controls, and green infrastructure	Under construction; completion anticipated in approximately 2026 (was in design at time FEIS/ROD was issued)
Lincoln Harbor Redevelopment (including Hartz Mountain Industries ATIR Development)	Ongoing large-scale waterfront redevelopment north of Weehawken Cove; since issuance of the FEIS/ROD, a new residential building with 259 units and 321 parking spaces has been planned, has been approved by the Township of Weehawken, and is currently under construction	Residential development is under construction and anticipated to be complete well before 2028

At the time that traffic counts were conducted for this re-evaluation in the autumn of 2022, South Harbor Boulevard was closed to southbound through traffic because of the ongoing construction of the Hartz Mountain Industries ATIR Development. This resulted in the need to adjust the 2022 traffic counts to normalize the future traffic volumes in the 19th Street corridor, in order to reflect regular operating conditions with South Harbor Boulevard open. The reassignment of traffic on South Harbor Boulevard to reflect normal operating conditions with this roadway open to traffic is described in detail in the Re-evaluation – Traffic Analysis Technical Memorandum (see **Attachment 1**).

3 ENVIRONMENTAL EFFECTS

This section summarizes resources analyzed in the FEIS/ROD within the Hoboken/Weehawken study area.

3-1 TRANSPORTATION

3-1-1 TRAFFIC AND PEDESTRIANS

The FEIS identified the roadway traffic conditions and pedestrian conditions present in the Hoboken/Weehawken study area.

As described in the FEIS, with the Project, construction activities at the Hoboken staging area and along the construction haul routes would result in disruptions from construction traffic, particularly trucks, on streets in Hoboken and Weehawken during construction at the Hoboken staging area (for approximately 7 years). No specific adverse impacts to pedestrian conditions were identified; however, safety concerns during construction were noted for locations falling along the truck haul routes, which are already generally heavily traveled roadways. Specific adverse traffic impacts near the Hoboken staging area were identified at up to four locations during peak periods on weekdays, as follows:

- Willow Ave at 19th St (signalized) – with truck haul route Options 1 and 2
- Park Ave at 19th St (signalized) – with truck haul route Option 1
- Willow Ave at 15th St (signalized) – for all 3 truck haul route options if workers park off-site
- Park Ave at 16th St (signalized) – for all 3 truck haul route options if workers park off-site

The FEIS/ROD identified a series of mitigation, minimization, and avoidance measures to be employed to address potential construction period traffic and pedestrian impacts from the Hudson Tunnel Project in general, as follows:

- For all construction locations, the Project Sponsor will develop and implement Maintenance and Protection of Traffic (MPT) plans during final design in consultation with the appropriate local transportation agencies. The MPT plans will maintain travel lanes and detour through traffic away from construction activities and equipment to the extent practicable. The MPT plans will include strict enforcement of Project truck routes by specifying the routes in contract documents.
- For all locations where adverse traffic impacts were identified, the Project Sponsor will coordinate with the appropriate local transportation authorities to implement

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mitigation measures, as appropriate. Traffic mitigation measures may include changes to signal timing or phasing (e.g., shifting green time from underutilized phases to over-capacity approaches), changes to pavement markings (e.g., restriping lanes), changes to lane designations, and modifications to parking regulations. The identified mitigation measures are subject to approval and implementation by the appropriate local government agency and may be revised after agency review. The costs for these mitigation measures would be Project costs that will be borne by the Project Sponsor rather than the local community.

- The Project Sponsor will be responsible for maintenance, repair, and cleaning of designated truck routes on local streets and will reconstruct any streets damaged by trucking activity associated with construction of the Project. The Project Sponsor will also undertake any advance or preventive rehabilitation of the proposed truck routes before the onset of construction. The Project Sponsor will ensure that these requirements are included in the contract specifications.
- The Project Sponsor will strictly enforce identified Project truck routes. Trucks will wait to be loaded within each construction staging area. There will be no trucks waiting in the public right-of-way, to the extent practicable.
- Where the use of traffic enforcement agents to direct and help keep traffic moving is appropriate, the costs for these agents would be Project costs that will be borne by the Project Sponsor rather than the local community.

In addition, the FEIS/ROD identified the following mitigation, minimization, and avoidance measures to be employed to address construction period impacts from the Hudson Tunnel Project specifically in the Hoboken/Weehawken study area:

- For intersections in the Hoboken staging area study area, the Project Sponsor will coordinate with Hudson County, NJ TRANSIT, City of Hoboken, or Township of Weehawken, as appropriate, regarding mitigation.
- Construction traffic will be routed via designated truck routes, making use of a new off-street access point to the Hoboken staging area along the north side of the HBLR right-of-way.
- The Project Sponsor, in coordination with the Project contractor, will select the final truck route during final design and will coordinate with the local municipality regarding this selection.
- The Project Sponsor will remove excavated materials from construction of the river tunnel segment primarily via the Tonnelle Avenue staging area, in order to minimize trucking to and from the Hoboken staging area.
- While construction activities are under way at the Hoboken staging area, the Project Sponsor will require that there be a maximum (cap) of no more than 8 trucks per hour in each direction traveling to and from the Hoboken staging area.
- The Project Sponsor will require that no construction-related trucks will use local roads in Weehawken or Hoboken between 10 PM and 7 AM.
- Construction workers working at the Hoboken staging area will either park within the boundaries of the staging area or will park at a designated off-site parking facility, with transportation provided to shuttle the workers between the staging area and the off-site parking facility. Construction workers will not park on local streets in Weehawken.

- To increase pedestrian visibility at intersections on 19th Street, the Project Sponsor will coordinate with the Township of Weehawken to restripe the basic transverse striped crosswalks at 19th Street and Park Avenue to high-visibility crosswalks if haul route Options 2 and/or 3 are selected. The Project Sponsor will also coordinate with the Township of Weehawken to provide high-visibility crosswalks at the new intersection of the haul route and 19th Street in Haul Route Option 3 if that route is selected.

All of these measures would remain in effect, as applicable for the proposed Project modification with the proposed changes to Haul Route Option 3, as described above (for Haul Route Option 9 or Haul Route Option 10).

An analysis was undertaken of the effects on traffic conditions in the Hoboken/Weehawken study area with the proposed Project modification, considering the modifications proposed under both Haul Route Option 9 and Haul Route Option 10. A detailed description of the analysis methodology and the results of the analysis is provided in the Traffic Analysis Technical Memorandum (see **Attachment 1**), including:

- the refinements made to the haul route (under both Option 9 and Option 10) and the associated advantages of these changes;
- the methodology employed for the re-evaluation traffic analysis (including how traffic data was collected and how the modifications were made to the traffic network and volumes to reflect normal operating conditions);
- a description of how the No Action and Construction period traffic volumes were developed;
- the resulting update to existing conditions and service levels, to reflect current conditions in the area;
- the resulting updated No Action background traffic volumes and service levels; and
- the anticipated changes to traffic volumes, service levels, and operating conditions in the Hoboken/Weehawken study area during Project construction activities at the Hoboken staging area resulting from implementation of the modified haul routes.

In summary, based on a comparison between the analysis of the five study area intersections for the future with the proposed project (With Action condition) in 2028 and the future without the proposed project (No-Action condition) in 2028, the re-evaluation traffic analysis found that with implementation of the modified haul route (either Option 9 or Option 10), there would not be any new adverse traffic impacts, and the previously identified mitigation measures would still be valid for this study area (see **Attachment 1**).

3-1-2 TRANSPORTATION SERVICES

The FEIS identified transportation services that are present in the Hoboken/Weehawken study area, including light rail (HBLR) and local NJ TRANSIT bus routes; in addition, ferry services operate from the Lincoln Harbor ferry terminal, which is just east of the Hoboken/Weehawken study area.

As described in the FEIS, with the Project, construction activities at the Hoboken staging area and along the construction haul routes would occur adjacent to but outside the

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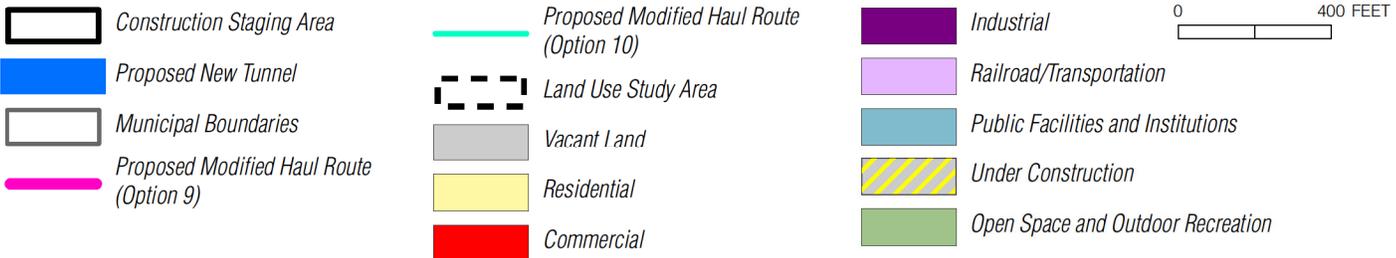
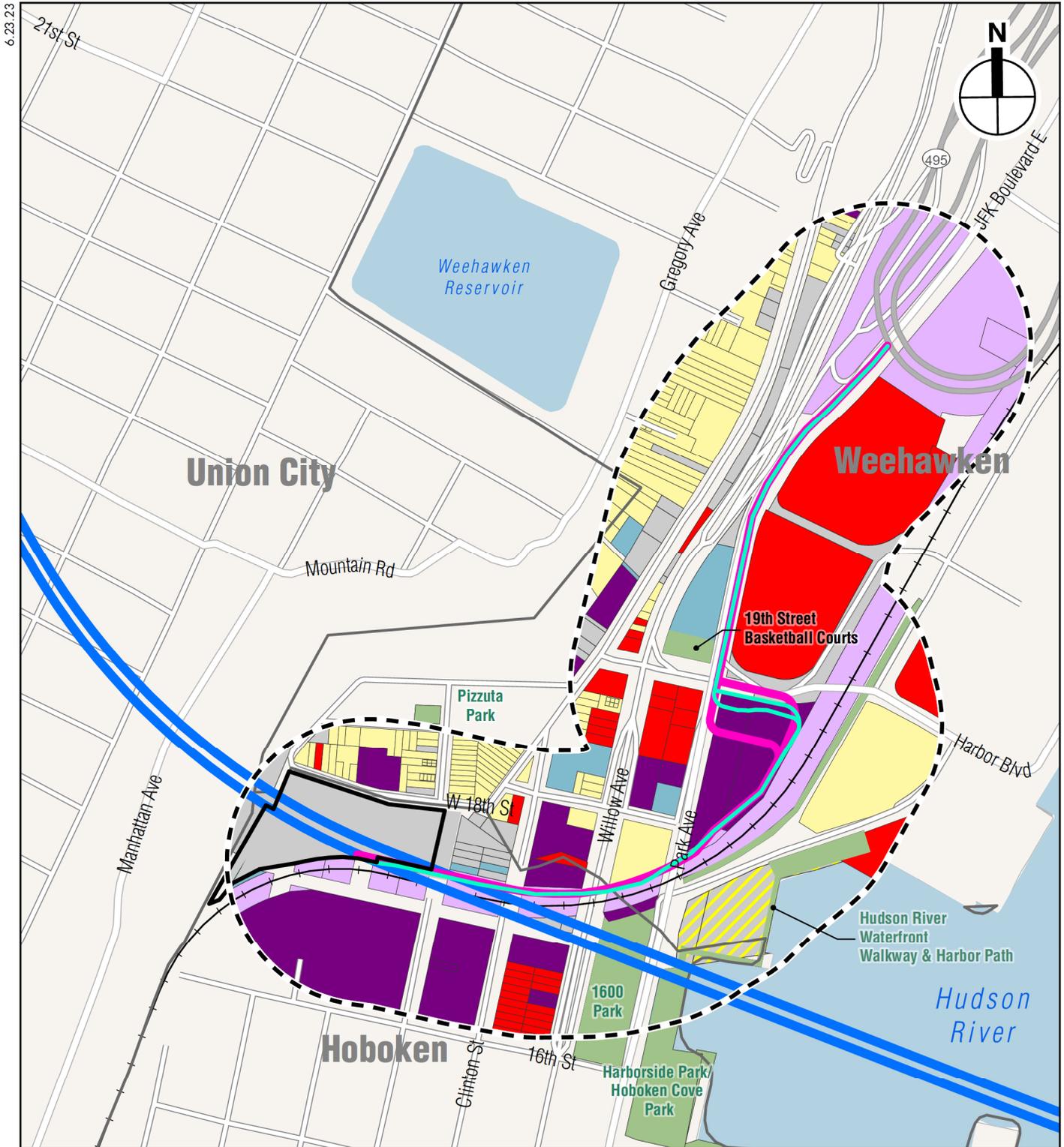
operating envelope of the HBLR, and if any work would need to be within the operating envelope of the HBLR, it would be scheduled during off-peak time periods to avoid impacts on HBLR services. The construction haul routes would be in close proximity to the HBLR tracks, and therefore, the Project Sponsor would coordinate the use of any required special safety protocols with NJ TRANSIT and the operators of the HBLR. The FEIS concluded that the Project would not result in any long-term effects on the HBLR.

The FEIS notes that with the Project, some disruptions to traffic patterns and flows on roads used by bus services could occur in the Hoboken/Weehawken study area. Construction traffic would result in increased congestion and delays at intersections that are traversed by local bus routes, including Willow and Park Avenues at 19th Street in Weehawken. For these two intersections, mitigation measures were identified including signal timing changes and the use of an MPT plan; therefore, the FEIS concluded that bus service would not have slower travel times at these locations with the Project. In addition, underpinning of the Willow Avenue viaduct would require temporary disruptions to traffic on the viaduct, which is used by a number of bus routes. The roadway would remain open throughout this process, with only short-term, intermittent closures during off-peak hours or on weekends; therefore, the FEIS concluded that bus service would not be adversely affected. The FEIS notes that the Project would not result in any long-term effects on bus service.

The proposed Project modification would involve minor changes in the alignment of one of the proposed off-street construction haul routes analyzed in the FEIS, and the associated acquisition of two privately owned properties. This modification would shift trucks slightly further away from the HBLR route, and would not result in any additional effects on the HBLR. As described above in **Section 3-1-1, Traffic**, this modification would not result in a substantial change in traffic operations that would disrupt bus routes or negatively affect bus travel times.

3-2 LAND USE, ZONING, AND PUBLIC POLICY

Figure 6 shows land use in the Hoboken/Weehawken study area. As described in the FEIS, the Hoboken/Weehawken study area is defined by the steep cliffs of the Palisades to the west and the Hudson River waterfront to the east, with the curving right-of-way of the HBLR tracks dividing the area in two, and with major north-south roadways on raised viaducts (Willow Avenue and Park Avenue) connecting the areas north and south of the HBLR alignment. The area generally west of Willow Avenue and north of West 18th Street is a residential neighborhood known as “The Shades,” while areas east of Willow Avenue include a mix of land uses including commercial properties, apartment buildings, a fire station, and open spaces; a predominantly industrial district is located south of the HBLR tracks and west of Willow Avenue. Along the waterfront east of the HBLR tracks is Lincoln Harbor, a mixed-use neighborhood with residential, commercial, hotel, and open space uses and a ferry terminal. The residential Hartz Mountain Industries ATIR development (part of the larger Lincoln Harbor Redevelopment) is currently in construction at the south end of Lincoln Harbor. Zoning in the Hoboken/Weehawken study area includes a mix of residential, industrial, and waterfront districts. The Hoboken/Weehawken study area is subject to the Hudson County Master Plan, Hoboken Master Plan, and New Jersey coastal zone management policies.



Land Use
Figure 6

The FEIS noted that construction activities at the Hoboken staging area and fan plant site would cause some disturbance to neighboring land use, and assessed a number of mitigation measures to minimize this disturbance. These measures included the three proposed off-street haul routes for construction trucks to access the Hoboken staging area. The off-street haul routes would bring trucks to and from the staging area via routings that are further from most, but not all, sensitive land uses. The FEIS found that the Project would be consistent with zoning and public policies in the Hoboken/Weehawken study area, and with the construction mitigation measures described in the FEIS/ROD, it would not result in adverse impacts on land use.

The proposed Project modification would involve minor changes in the alignment of one of the proposed off-street construction haul routes analyzed in the FEIS, and the associated acquisition of two privately owned industrial properties, but would not result in any change in the land use or zoning of those properties. The modification of the haul route alignment would not bring trucks closer to any sensitive land use, and would not affect zoning or public policy.

3-3 PROPERTY ACQUISITION

The FEIS included a discussion of property acquisition that would be required for the Project. In the Hoboken/Weehawken study area, this included temporary easements at three sites to accommodate the proposed off-street haul routes for the Hoboken staging area, including what was understood at that time to be the possible need for a temporary easement at the Dykes Lumber site (Block 34.03, Lots 7.02 and 7.07). The FEIS noted that mitigation measures for these property acquisitions would include coordination with private property owners to minimize adverse impacts on business activities. Furthermore, the FEIS/ROD required that property acquisitions be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC Part 4601 et seq.), and the accompanying regulations, Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs (49 CFR Part 24) (collectively, the Uniform Act) and all other relevant property acquisition procedures that apply to NJ TRANSIT (or the State of New Jersey) for the properties in the Hoboken/Weehawken study area. This was to ensure that property owners would be fairly compensated for use of their properties, including temporary disruptions during construction.

As described above and shown in **Figures 5a and 5b**, the proposed Project modification would require the acquisition in fee of two private properties in Weehawken, referred to herein as the “Conrail parcel” (Block 34.03, Lot 7.07) and the “Dykes Lumber parcel” (Block 34.03, Lots 7, 7.02, and 8). While the FEIS assumed that NJ TRANSIT would acquire any needed property in New Jersey, it is now understood that Amtrak may acquire one or both of these properties. Amtrak’s interactions with property owners and any property acquisition would be conducted pursuant to the Uniform Act and all other relevant property acquisition procedures that apply to Amtrak. The Dykes Lumber parcel would be acquired subject to a permanent sanitary sewer easement in favor of the North Hudson Sewage Authority. If one or both acquisitions are undertaken by NJ TRANSIT, they would be undertaken in accordance with the Uniform Act and all other relevant property acquisition procedures that apply to NJ TRANSIT, as discussed in the FEIS.

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Furthermore, the owners of the Dykes Lumber parcel have elected, for reasons unrelated to the Project, to sell the property, which has been publicly listed for sale for several years.²

3-4 SOCIOECONOMIC CONDITIONS

Table 2 presents the population for the U.S. Census block groups that conform to the Hoboken/Weehawken study area, as well as the Hoboken/Weehawken study area as a whole and Hudson County. According to the 2017-2021 ACS, the population of the study area is 18,895 (approximately 2.6 percent of the population of Hudson County). **Section 3-19, Environmental Justice**, provides information on the racial and ethnic characteristics and low-income status of the study area's population.

Table 2
Total Population

Geography ¹	Total Population
CT 173 BG 1	2,415
CT 178 BG 1	2,566
CT 179 BG 1	801
CT 179 BG 2	3,538
CT 182 BG 1	1,405
CT 182 BG 4	628
CT 183.02 BG 1	5,638
CT 184.02 BG 1 ²	1,904
Hoboken/Weehawken Study Area	18,895
Hudson County	713,264
Note:	1. See Figure 7 for the study area block groups. 2. Subsequent to publication of the Hudson Tunnel Project FEIS/ROD, 2020 Census redistricting resulted in a split of CT 184 into CT 184.01 and CT 184.02. CT 184.02 BG 1 corresponds to pre-2020 CT 184 BG 1.
Source:	U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates.

Table 3 presents the estimated average and median household incomes for the Hoboken/Weehawken study area and Hudson County. According to the 2017-2021 ACS, the average household income in the study area is \$218,383, which is over \$100,000 greater than the average household income in Hudson County. The study area's estimated median household income (\$172,201) is also substantially greater than the median income in Hudson County (\$79,795).

² Listing: <https://www.dolanrealty.com/office-space>. The property was previously listed on its own website, which is now archived here: <https://web.archive.org/web/20211125001742/https://www.1899park.com>. (Both websites accessed on June 8, 2023.)

**Table 3
Household Income Characteristics**

Geography	Average Household Income¹	Median Household Income¹
Hoboken/Weehawken study area	\$218,383	\$172,201
Hudson County	\$116,135	\$79,795
Note: 1. In 2021 dollars.		
Sources: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates.		

In the Hoboken/Weehawken study area, some new development is occurring, including the Hartz Mountain Industries ATIR development (part of the larger Lincoln Harbor Redevelopment) and the RBDH flood protection project in Hoboken and Weehawken.

The proposed Project modification would involve minor changes in the alignment of one of the proposed off-street construction haul routes analyzed in the FEIS, and the associated acquisition of two privately owned properties. With the acquisition of the Dykes Lumber parcel, the Dykes Lumber store at this location would be displaced. Dykes Lumber is a supplier of lumber, moldings, and other building materials for homeowners, contractors, commercial developers, and others. The Dykes Lumber location at 1899 Park Avenue consists of a showroom and warehouse that are open to the public and surface parking; there are approximately 40 employees at this location. Dykes Lumber operates eight other locations in New York, New Jersey, and Pennsylvania that provide similar products and services as the location at 1899 Park Avenue, and it is expected that these locations would continue to operate in the future. In addition, there are numerous other building material suppliers in the immediate area and the surrounding region. Other building material suppliers in the immediate area include General Lumber and Hardware Store at 200 Clinton Street, Hoboken, NJ; Reuther Material Company at 5303 Tonnelle Avenue, North Bergen, NJ; and multiple locations for Home Depot and Lowe’s Home Improvement in Jersey City, North Bergen, and Secaucus. Therefore, the displaced business does not provide essential products or services to the local economy that would no longer be available in the trade area to local residents or businesses. Furthermore, the Dykes Lumber parcel is currently for sale independently of the proposed Project modification; thus, even in the absence of the proposed Project modification, the business would likely cease to operate upon sale of the property.

The proposed Project modification would not directly or indirectly affect population, housing stock, or result in substantial new development that is markedly different from existing uses, development, or activities within the area. It would also not require acquisition of residential property or relocation housing, nor would it result in indirect residential or business displacement, or adverse effects on a specific industry.

3-5 OPEN SPACE AND RECREATIONAL RESOURCES

The FEIS identified five parks and recreational facilities in the Hoboken/Weehawken study area, which are identified in **Table 4**.

Table 4
Parks and Recreational Facilities in Hoboken/Weehawken Study Area

No.	Park Name and Location	Jurisdiction	Description	Approximate Size
1	Pizzuta Park Grand St and Chestnut St, Weehawken	Township of Weehawken	Playground with seating	0.13 acres
2	19th Street Basketball Courts 19th St at Willow Ave, Weehawken	Township of Weehawken	Paved basketball and handball courts within fenced area	0.22 acres
3	1600 Park 1600 Park Ave, Hoboken	City of Hoboken, with portion in Township of Weehawken	Multi-use playing field with baseball, soccer, and lacrosse facilities; also dog run, slide hill, and restrooms	2.5 acres
4	Harborside Park/Hoboken Cove Park 15th St and Park Ave, Hoboken	City of Hoboken, with portion in Township of Weehawken	Active park with playground; additional 3 acres of mapped parkland that is undeveloped with future improvements planned.	1 acre
5	Hudson River Waterfront Walkway, including Harbor Path	Adjacent property owners; Hudson River Waterfront Conservancy (non-profit advocacy group) monitors compliance	30-foot-wide waterfront walkway being created along the Hudson River's edge from Bayonne to the George Washington Bridge; part of the East Coast Greenway Trail; fully developed in Project area	18.5 linear miles
Notes: See Figure 6 for locations.				
Source: Approximate sizes from New Jersey tax assessment database at www.njactb.org (2020).				

NJDEP is proposing to fully redevelop Harborside Park/Hoboken Cove Park as a “resiliency park” as part of the RBDH project; this element of the RBDH project could begin as early as 2023.³ In addition, design and landscaping improvements to the Hudson River Waterfront Walkway are also included in the RBDH project. The City of Hoboken is planning additional recreational uses at Hoboken Cove, including a boathouse for kayaking, sailing, and other water uses.

The FEIS identified indirect construction-related effects on each of the parks in the Hoboken/Weehawken study area except Pizzuta Park. Construction effects identified in the FEIS were related to noise, particularly from pile drilling for underpinning of the Willow Avenue viaduct. While the proposed construction haul routes would pass near these parks and would be discernible from the parks, the FEIS concluded that this would not result in noise impacts at the parks. The Project would not involve direct impacts on any park in the Hoboken/Weehawken study area, and the FEIS did not identify any permanent impacts to parks and recreational resources.

The proposed Project modification would result in minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and would not shift trucks closer to any park or recreational resource. This modification would not directly impact any park.

3-6 HISTORIC AND ARCHAEOLOGICAL RESOURCES

The FEIS included a historic and archaeological resources analysis which identified known and eligible historic architectural resources in the Project’s Area of Potential

³ <https://www.tapinto.net/towns/hoboken/sections/government/articles/rebuild-by-design-harborside-park-construction-to-begin-in-2023-hoboken-says>. Accessed May 15, 2023.

Effects (APE), as well as prehistoric and historic-period archaeological sensitivity in the APE, and assessed the potential for the Project to impact these resources. The FEIS analysis did not identify any historic architectural resources in the portion of the APE located east of the Palisades in New Jersey. The FEIS noted that the APE east of the Palisades is assessed with low potential for prehistoric archaeological resources; for historic-period archaeological resources, the EIS analysis determined that this portion of the APE is only sensitive for two 19th century infrastructure resources, the Hackensack Plank Road and the Swartwout sea wall, both of which are located west of Park Avenue, as seen in Figure 9-13 of the FEIS. It was determined that archaeological resources associated with the Hackensack Plank Road may be present at a depth of approximately 14 to 17 feet below ground surface and the historic alignment of the Swartwout sea wall may be present at a depth of 10 to 15 feet below ground surface. Given the depth of the archaeological resources in this area and the limited soil disturbance required for new road construction (up to five feet below ground surface), the FEIS concluded that the proposed haul routes for the Hoboken staging area would have no effect on archaeological resources.

The proposed Project modification would occur within the APE that was considered in the FEIS. This modification would not affect any historic architectural resources, as there are none in proximity. The area of the route change was not identified as having any archaeological sensitivity in the FEIS, and archaeological resources located nearby are at a minimum depth of 10 feet below ground surface; thus, there would be no potential to affect these resources. Therefore, the proposed Project modification would not have the potential to impact any historic or archaeological resources.

3-7 VISUAL AND AESTHETIC RESOURCES

The FEIS analysis notes that the Hoboken/Weehawken study area is visually defined by the industrial and residential nature of its neighborhoods, building heights in the area, the presence of the HBLR tracks, and the cliff of the Palisades to the west.

As discussed in the FEIS, Project construction would result in intensive, visible construction activities at the Hoboken staging area and long the proposed haul routes for approximately seven years. While a noise barrier at the staging area would double as a visual buffer, no such visual barrier would be in place along the proposed haul routes. Permanent visual effects of the Project in Hoboken/Weehawken study area would be limited to the final design of the Hoboken fan plant and landscape features at the fan plant site.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and the associated acquisition of two privately owned industrial properties. This modification would not change the visibility of construction trucks, would not shift trucks closer to any sensitive viewers, and would not obscure any important visual resources.

3-8 NATURAL RESOURCES

3-8-1 FLOODPLAINS

The FEIS notes that most of the Hoboken/Weehawken study area, including the area where the proposed Project modification would be located, is within the 100-year floodplain, mapped as Zone AE.⁴ Tidal surge from the Atlantic Ocean, and to a lesser extent wave runup,⁵ is the primary cause of flooding in the study area adjacent to the Hudson River.⁶

The New Jersey Department of Environmental Protection (NJDEP) is in the process of implementing the RBDH project, an initiative to reduce frequent flooding in Hoboken due to major storm surges, high tides, and heavy rainfall events. The RBDH project proposes numerous green infrastructure elements, such as landscaped berms and levees and bioretention basins, to resist and delay flooding. Within the Hoboken/Weehawken study area, the RBDH project will include a flood barrier to be located along Park Avenue south of the HBLR and curving along the HBLR.

The FEIS concluded that because the source of floodwaters in the Hoboken/Weehawken study area is tidal, there would be no effect on the floodplain and no increase in flooding due to displacement of floodplain storage or conveyance as a result of either Project construction or permanent structures or fill proposed for the Project.

The minor changes to the construction haul route with the proposed Project modification would not affect the FEIS conclusion that Project construction would not affect floodplains. No additional structures would be placed in the floodplain, and due to the tidal nature of flooding in this area, any minor changes in grading related to the shift in the haul route would not affect flood levels. Furthermore, part of the purpose of the proposed Project modification is to avoid the overlap between the original Haul Route Option 3 alignment and the RBDH flood barrier. The proposed Project modification would allow the flood barrier to be constructed as originally designed, benefiting flood protection facilities in the Hoboken/Weehawken study area.

3-8-2 WETLANDS

The FEIS analysis of wetlands in the Hoboken/Weehawken study area included review of the National Wetland Inventory (NWI) published by the U.S. Fish and Wildlife Service (USFWS) and of NJDEP wetland maps, and a field reconnaissance in fall 2016. The analysis found that there are no NWI or NJDEP wetlands in the Hoboken/Weehawken study area.

FRA delineated wetlands within the Hoboken/Weehawken study area in November and December 2016 in accordance with the USACE's three-parameter approach for

⁴ Federal Emergency Management Agency (FEMA) 2021.

⁵ Wave runup refers to the height above the stillwater elevation (tide and surge) reached by the swash, or the fluctuation of the mean water level.

⁶ FEMA, 2014

identifying wetlands.⁷ The USACE confirmed the presence of these delineated wetlands and provided FRA with an Approved Jurisdictional Determination on May 9, 2017. (See Appendix 11 of the FEIS for detailed information.) One of the delineated wetlands is located in the Hoboken/Weehawken study area, along the north side of the HBLR right-of-way in Hoboken, west of Willow Avenue. USACE determined this wetland, which is referred to in the FEIS as Wetland F, to be jurisdictional waters of the United States.

The FEIS noted that with the Project, a culvert would be installed within Wetland F to maintain drainage under the construction access road to the Hoboken staging area. Once construction of the Project in this area is complete, the construction access road would either be removed and soils stabilized, or the access road and culvert would remain in place to be used as maintenance access for the HBLR. Therefore, the FEIS conservatively concluded that the Project would impact the entire acreage of Wetland F. Mitigation for this wetland impact would be determined in consultation with NJDEP and the U.S. Army Corps of Engineers USACE and would include the purchase of mitigation credits from an approved mitigation bank within the same watershed unit(s) as the Project site.

The proposed Project modification would be located several blocks away from Wetland F and would not result in a change to truck hauling activities or any other Project activities in the vicinity of this wetland. Furthermore, the FEIS assumed that the Project would affect the full acreage of this wetland, and this condition was analyzed in the FEIS. Therefore, the proposed Project modification would not have the potential to change the Project's effects on this wetland as described and analyzed in the FEIS.

3-8-3 GROUNDWATER

The FEIS notes that groundwater is found in both bedrock aquifers and surficial aquifers within the Hoboken/Weehawken study area. No sole-source aquifers, community or non-community water supply wells, or well-head protection areas exist within the vicinity of the study area in New Jersey.⁸ There are three industrial water supply wells within a quarter-mile of the Hoboken/Weehawken study area; these wells are likely supplied by bedrock aquifers. Groundwater in the study area is classified as "Class II Ground Water for Potable Water Supply."⁹ Currently or formerly contaminated sites in the vicinity of the Project site have the potential to result in groundwater contamination in the study area.

As discussed in the FEIS, Project construction would require dewatering in the Hoboken/Weehawken study area, including for construction of the Hoboken fan plant and ventilation shaft, and for construction of the tunnel between the Palisades and the Hudson River. Applicable NJDEP dewatering permits would be acquired, as necessary. The FEIS

⁷ Environmental Laboratory. 1987. "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, Miss; U.S. Army Corps of Engineers. 2011. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (version 2.0), ed. J.S. Wakeley, R.W. Lichvar, C.V. Noble, and J.F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

⁸ NJDEP, 2016b.

⁹ NJAC 7:9C: State of New Jersey, 2010.

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concluded that the Project would not result in any construction-period or permanent impacts to groundwater in the Hoboken/Weehawken study area.

The proposed Project modification would result in minor changes to one of the haul routes analyzed in the FEIS and associated property acquisition, and would not require any change in dewatering activities or affect groundwater in any way.

3-8-4 SURFACE AND NAVIGABLE WATERS

There are no surface or navigable waters in the Hoboken/Weehawken study area, and while the Hudson River is nearby, the FEIS did not identify any effects on the Hudson River from Project activities in the Hoboken/Weehawken study area. The proposed Project modification would result in minor modifications of the alignment of a construction haul route and the associated acquisition of two properties; the shift in the truck route alignment would not bring trucks closer to the Hudson River, and would not have the potential to affect the Hudson River.

3-8-5 TERRESTRIAL RESOURCES

The FEIS notes that the Hoboken/Weehawken study area is an industrial and heavily urbanized landscape dominated by buildings, transportation infrastructure, and other impervious surfaces that offers minimal habitat for wildlife other than urban-adapted generalists that are ubiquitous throughout the New York metropolitan area. As such, the wildlife communities in these areas are lacking in number or diversity of species and dominated by disturbance-tolerant species.

The FEIS noted that development of Haul Route Option 3 would result in clearing of vegetation from the footprint of the route. This area would be restored and re-vegetated with native plant species after the construction period. The FEIS/ROD included a commitment that all tree clearing associated with Haul Route Option 3 would occur between October 1 and March 14 to minimize potential impacts to breeding birds. The FEIS/ROD concluded that overall, land disturbance in the Hoboken/Weehawken study area for Project construction would not adversely affect wildlife species, and that Project operation would not result in adverse impacts to ecological communities or wildlife.

With the proposed Project modification, vegetation along the proposed haul route would be disturbed in a similar manner to Haul Route Option 3 that was assessed in the FEIS. The Project would continue to abide by the commitment to implement a tree clearing window (tree clearing only to occur between October 1 and March 14) to avoid impacts to breeding birds.

3-8-6 AQUATIC RESOURCES

As discussed above in **Sections 3-8-2 Wetlands and 3-8-4 Surface and Navigable Waters**, the proposed Project modification would not result in any new effects on wetlands or surface water bodies beyond what was analyzed in the FEIS.

3-8-7 THREATENED, ENDANGERED, OR SPECIAL CONCERN SPECIES

The FEIS notes that the New Jersey Natural Heritage Program (NJNHP) has identified a number of state-level threatened, endangered, or special concern species as having the potential to occur in the New Jersey portion of the study area; the USFWS's Information for Planning and Consultation (IPaC) database did not identify any Federal threatened or

endangered species or critical habitats within the New Jersey portion of the study area, although USFWS did identify a number of protected migratory birds and the protected bald eagle as having the potential to occur within the study area. Most of the identified species are associated with the Meadowlands or Hudson River, which are outside of the Hoboken/Weehawken study area, but several identified bird species do have the potential to occur in the Hoboken/Weehawken study area. New searches of the NJNHP and USFWS databases were conducted in May 2023 and August 2023, respectively:

- The new search of the USFWS IPaC database identified two bat species that were not identified in the FEIS/ROD—northern long-eared bat (*Myotis septentrionalis*, endangered) and tricolored bat (*Perimyotis subflavus*, proposed endangered)—and monarch butterfly (*Danaus plexippus*, candidate). This consultation resulted in a determination that the proposed Project modification may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat, and therefore the proposed Project modification would have no effect on the northern long-eared bat. No consultation for tricolor bat or monarch butterfly is required at this time as these species have not been officially listed under the Endangered Species Act.
- The new search of the NJNHP database showed that NJNHP has added the Atlantic sturgeon to its species list; however, this species was already addressed in the FEIS, as it is Federally listed, and furthermore, this species is associated with the Hudson River, and therefore would not occur in the Hoboken/Weehawken study area.

Attachment 2 provides correspondence with the USFWS and NJNHP related to the proposed Project modification.

As discussed above in **Section 3-8-5 Terrestrial Resources**, to minimize any potential direct impacts to migratory birds protected under the Migratory Bird Treaty Act with the potential to breed in the Hoboken/Weehawken study area, the FEIS/ROD included a commitment that tree clearing for Haul Route Option 3 would not occur during the primary breeding period for most bird species (April through July) and would instead occur only between October 1 and March 14 (i.e., prior to or after the breeding season), to prevent birds from attempting to breed where additional construction activity would later occur.

Because no nesting sites have been identified as occurring in the Project vicinity, the FEIS concluded that Project construction would be unlikely to adversely affect bald eagles. The FEIS also concluded that Project operation would not result in adverse impacts to threatened, endangered, or special concern species.

FRA completed consultation with USFWS in accordance with Section 7 of the Endangered Species Act, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act. USFWS concurred with FRA's findings on May 12, 2017 (see **Appendix 11** of the FEIS for the associated correspondence).

With the proposed Project modification, the vegetated area along the proposed haul route would be disturbed in a similar manner to Haul Route Option 3 that was assessed in the

FEIS. The Project would continue to abide by the tree clearing window (tree clearing only to occur between October 1 and March 14) to avoid impacts to protected bird species.

3-9 NOISE AND VIBRATION

The FEIS analysis identified a total of five receptor sites in the Hoboken/Weehawken study area that represent noise- and/or vibration-sensitive locations including residential buildings, parks, and a recording studio.

The FEIS analysis concluded that trucking activity along the proposed haul routes would exceed the construction noise impact threshold for residential uses but would not exceed the construction noise impact threshold for recreational uses. This would constitute an adverse noise impact at residences along the haul routes. Noise impacts were also identified for certain construction activities at the Hoboken staging area. The only permanent source of noise with the Project would be the Hoboken fan plant, which the FEIS determined would not result in adverse noise impacts during normal operation.

The FEIS included mitigation commitments for noise impacts from construction trucks, including offering façade improvements (sound-reducing window and air conditioning units) to residences along haul routes; implementing a maximum (cap) of no more than 8 trucks per hour in each direction traveling to and from the Hoboken staging area; and prohibiting construction-related trucks from using local roads in Weehawken or Hoboken between 10 PM and 7 AM.

The FEIS analysis concluded that trucking activity would not have the potential to result in vibration impacts to nearby sensitive receptors in the Hoboken/Weehawken study area.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and would not move trucks closer to any sensitive receptor. This modification would not increase the number of construction trucks or the distance those trucks would need to travel; as described above in **Section 3-1-1, Traffic and Pedestrians**, the modification would not substantially change traffic patterns so as to increase traffic-related noise or vibration. The Project Sponsor would remain committed to the mitigation measures described in the FEIS.

3-10 AIR QUALITY

The FEIS included an analysis of air quality, both at the local level (microscale) within the Hoboken/Weehawken study area, and at the regional level (mesoscale). The FEIS included information about existing pollutant concentrations in the Hoboken/Weehawken study area and the region's attainment status for each of the Nation Ambient Air Quality Standards (NAAQS). The FEIS microscale analysis projected pollutant concentrations from both on-site construction activities and on-road construction sources (i.e., trucks and other construction vehicles), and found that the combined emissions of all sources would not result in an exceedance of the NAAQS. The FEIS concluded that the Project is exempt from transportation conformity, and that because the Project's combined annual construction emissions would remain lower than the *de minimis* rates defined in the general conformity regulations, no general conformity determination is required for the Project. The FEIS described mitigation measures to limit air pollutant emissions during

the construction period, including measures for construction trucks including use of clean fuel, idling restrictions, and use of best available tailpipe reduction technologies.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS. This modification would not increase the number of construction trucks or the distance those trucks would need to travel; as described above in **Section 3-1-1, Traffic and Pedestrians**, the modification would not substantially change traffic patterns so as to increase on-road emissions. The Project Sponsor would remain committed to the mitigation measures described in the FEIS.

3-11 GREENHOUSE GAS EMISSIONS AND RESILIENCE

The FEIS includes quantification of the Project's greenhouse gas (GHG) emissions from construction as well as a qualitative discussion of operational emissions, and lists mitigation measures to limit GHG emissions from Project construction and operation. The FEIS also describes resiliency concerns for the Project, Project design elements that would respond to resiliency challenges and improve the Project's overall resiliency, and measures to mitigate the potential effects of climate change during Project construction and operation.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS. This modification would not increase the number of construction trucks or the distance those trucks would need to travel; as described above in **Section 3-1-1, Traffic and Pedestrians**, the modification would not substantially change traffic patterns so as to increase GHG emissions. Furthermore, part of the purpose of the proposed Project modification is to avoid the overlap between the original haul route alignment and the RBDH floodwall. The proposed Project modification would allow the floodwall to be constructed as originally designed, benefiting resiliency (flood protection) facilities in the Hoboken/Weehawken study area.

3-12 GEOLOGY AND SOILS

The FEIS describes geological and soil conditions in the Hoboken/Weehawken study area, potential geological hazards for the Project, and design solutions that would address the identified hazards. Because of the limited soil disturbance required for new road construction (up to five feet below ground surface), the access roads proposed for the Hoboken staging area would have a very limited effect on geological conditions, consisting of the potential for soil erosion where protective vegetation is removed along the off-street portion of the haul route alignment and before a road surface can be constructed; however, the FEIS concluded that erosion control measures would prevent adverse impacts to erodible soils due to increased runoff.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and would not result in the need for additional road construction or soil disturbance beyond that contemplated in the FEIS. Erosion control measures described in the FEIS would be implemented with this modification.

3-13 CONTAMINATED MATERIALS

During preliminary design, to assess the potential for contaminated materials to be present, FRA and NJ TRANSIT performed a Limited Phase I Environmental Site Assessment (ESA) for the Project corridor. The FEIS documented the results of this study, which identified several potential sources of contamination in the Hoboken/Weehawken study area, including a number of industrial or formerly industrial sites; the presence of historical fill material; and the potential presence of naturally occurring asbestos in serpentinite rock. The FEIS described a number of measures to ensure the safe management, handling, transportation, and disposal of contaminated or potentially contaminated materials so as to limit pathways to human or environmental exposure.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, as well as the associated acquisition of two privately owned properties in Weehawken. In order to understand the potential for contaminated materials to be present on these properties, Amtrak, through its engineering consultant, the Gateway Trans-Hudson Partnership, undertook limited Phase I ESAs at each of the two adjoining properties that would be acquired with the proposed Project modification, and prepared a sampling and analysis plan for the two properties. These reports and their conclusions are summarized in the following sections.

3-13-1 LIMITED PHASE I ENVIRONMENTAL SITE ASSESSMENT, BLOCK 34.03, LOT 7.07 WEEHAWKEN, NEW JERSEY, CONRAIL PARCEL NO. E399, JANUARY 2023

A limited Phase I ESA was prepared for the property on Block 34.03, Lot 7.07 in Weehawken, New Jersey (i.e., the Conrail parcel), in January 2023. The ESA documented the findings of a records review including an evaluation of readily available historical information and selected environmental databases and electronic records, in accordance with American Society for Testing and Materials (ASTM) standards (E1527-21). The ESA identified evidence of Recognized Environmental Conditions (RECs), i.e., “the presence or likely presence of hazardous substances or petroleum products in, on, or at a property,” including the following:

- Historical operations: historical documents and land use maps identified prior on-site industrial uses between circa 1900 and 1988 with potential to have affected the property subsurface, including several rail spurs; and
- Historic fill material of unknown origin was noted to be present beneath this site.

Based on the findings of the ESA, the report recommended a subsurface investigation (i.e., soil and groundwater sampling) to determine potential subsurface impacts from the identified RECs.

3-13-2 LIMITED PHASE I ENVIRONMENTAL SITE ASSESSMENT, BLOCK 34.03, LOT 7, 7.02, & 8, WEEHAWKEN, NEW JERSEY, DYKES LUMBER PARCEL NO. E400A, JANUARY 2023

A limited Phase I ESA was prepared for the property on Block 34.03, Lots 7, 7.02, and 8, in Weehawken, New Jersey (i.e., the Dykes Lumber parcel), in January 2023. The ESA documented the findings of a records review including an evaluation of readily available historical information and selected environmental databases and electronic records, in

accordance with ASTM standards (E1527-21). The ESA identified evidence of RECs, including the following:

- Historical Operations: historical documents and land use maps identified prior on-site industrial/automotive uses between circa 1900 and 1985 with potential to have affected the property subsurface, including the Erie Railroad Freight House and several rail spurs and former manufacturing operations;
- Loading and unloading areas associated with former freight terminals and manufacturing facilities including case hardening compounding operations;
- Former storm sewer collection systems were identified at the site that were noted to be potentially impacted by former industrial uses;
- Historic fill material of an unknown origin was noted to be present beneath this site;
- The regulatory database information identified Spill Case No. 21-08-04-1442-04 assigned NJDEP Program Interest (PI) No. 945171 listed for this site that identified elevated concentrations of trichloroethylene (TCE) detected during a previous groundwater sampling event;
- A historical spill (NJDEP Spill Case No. 98-06-24-1003-22) was assigned to this site in 1998 related to a historic sewage release (pertinent details of the spill were not available in the information reviewed as part of the ESA); and
- Compressed gas canisters were identified from a review of aerial photographs adjacent to this site that were noted to potentially have affected the site's subsurface.

Based on the findings of the ESA, the report recommended a subsurface investigation (i.e., soil and groundwater sampling) to determine potential subsurface impacts from the identified RECs.

**3-13-3 *SAMPLING AND ANALYSIS PLAN, BLOCK 34.03, LOT 7, 7.02, & 8,
WEEHAWKEN, NEW JERSEY, MARCH 2023***

A sampling and analysis plan (SAP) was prepared for the site located at 1899 Park Avenue (Block 34.03, Lots 7, 7.02, and 8) in Weehawken, New Jersey. The SAP summarized proposed investigation activities for this site and is based on information obtained during the limited Phase I ESAs documented above.

The SAP for this site included the scope for a limited subsurface investigation consisting of the advancement of up to six soil borings (noted in the report to be proposed at the site for characterization of the historical operations, historic fill, former rail spurs and groundwater contamination) with the collection of one soil sample from each; and the collection and analysis of up to three groundwater samples from temporary well points installed in the soil borings. Additionally, the SAP proposed the collection and laboratory analysis of up to eight groundwater samples from existing monitoring wells at the site. The SAP noted that upon the completion of all site investigation field activities and receipt of all analytical data, an Environmental Site Investigation Report would be prepared to summarize the subsurface investigation results.

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3-13-4 SITE INVESTIGATION REPORT, DYKES LUMBER, BLOCK 34.03, LOTS 7, 7.02 & 8, WEEHAWKEN, NEW JERSEY, MAY 2023

A limited Subsurface (Phase II) Investigation was conducted for the site located at 1899 Park Avenue (Block 34.03, Lots 7, 7.02, and 8), in Weehawken, New Jersey. The Site Investigation (SI) consisted of a soil and groundwater investigation to determine the potential for soil and groundwater impacts of the site's Areas of Concern (AOCs) identified through the prior investigations described above. Field sampling activities for the SI were completed in April 2023, and included the advancement of 6 soil borings and the installation of 3 temporary wells, with collection and laboratory analysis of 6 soil and 11 groundwater samples (3 groundwater samples from temporary well points installed in the borings and 8 groundwater samples from existing permanent monitoring wells installed during previous investigations).

Soil samples were analyzed for target compound list (volatile organic compounds [VOCs] and semi-volatile organic compounds [SVOCs])/target analyte list (TCL/TAL+30), extractable petroleum hydrocarbons (EPH) Category 2, and contingent hexavalent chromium. Groundwater samples were analyzed for TCL/TAL+30. The soil analytical results did not identify exceedances of NJDEP's soil remediation standards. Groundwater analytical results indicated that source monitoring well MW-1 was identified with cis-1,2-dichloroethene, trans-1,2-dichloroethene and vinyl chloride at concentrations exceeding NJDEP's Groundwater Quality Standards (GWQS). Two deeper monitoring wells, MW-2D and MW-3D, were identified with vinyl chloride and trichloroethene, respectively, above NJDEP's GWQS. It was noted that vinyl chloride detections in samples collected from MW-1 and MW-2 exceeded NJDEP's VIGWSL. One temporary well point, TWP-01, was identified with benzene at concentrations above NJDEP's GWQS. Samples collected from the temporary well points were identified with several SVOCs at concentrations above NJDEP's GWQS consisting of polycyclic aromatic hydrocarbons (PAHs), a subset of SVOCs associated with combustion byproducts (e.g., ash) found in urban fill materials. Metals including aluminum, antimony, arsenic, beryllium, cadmium, chromium, cobalt, iron, lead, manganese, mercury, nickel, sodium, and zinc were identified at concentrations above NJDEP's GWQS in one or more of the groundwater samples.

The Site Investigation Report concluded that additional investigation would be necessary to delineate dissolved chlorinated VOC contamination in groundwater.

3-13-5 CONCLUSIONS

The Project Sponsor would construct either of the proposed modified haul routes, including the portion on the properties proposed for acquisition, in accordance with all of the mitigation measures described in the FEIS, including those related to proper soil handling and characterization, provisions for petroleum or other contamination (if encountered) and/or dewatering procedures (if required), as well as all applicable laws and regulations, and taking into account the findings of the proposed subsurface investigation program for the properties to be acquired. With these measures in place, the proposed Project modification would not result in any added potential for exposure to contaminated materials compared to what was analyzed in the FEIS.

3-14 UTILITIES AND ENERGY

The FEIS describes utility lines that are present in the Hoboken/Weehawken study area, potential effects on those lines, and measures to protect utilities and minimize construction-related outages. Utility lines in the Hoboken/Weehawken study area include a sewer line at the Hoboken staging area and gas mains beneath Willow Avenue. The FEIS notes that the Project would consume energy during construction but would not have any long-term effect on energy supply or consumption.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two private properties. These changes would occur at a location that is one block east of the nearest utility lines documented in the FEIS, and thus would not affect utilities. The proposed Project modification would not increase the number of construction trucks or the distance those trucks would need to travel; as described above in **Section 3-1-1, Traffic and Pedestrians**, the modification would not substantially change traffic patterns so as to increase energy usage.

3-15 SAFETY AND SECURITY

The FEIS describes existing and proposed protocols to ensure the safety and security of workers and the public during Project construction (e.g., fencing and lighting at construction sites) and operation (e.g., facility and equipment inspections, operational measures such as positive train control and the application of train horns near work sites, and emergency preparedness).

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two private properties. The realigned haul route and newly acquired properties would be subject to the same safety and security protocols as other areas of the Project site during Project construction and operation.

3-16 PUBLIC HEALTH AND ELECTROMAGNETIC FIELDS

As described previously in this re-evaluation, the proposed Project modification would not result in any changes in the conclusions of the FEIS regarding air quality, water quality, contaminated materials, or noise; therefore, the proposed Project modification would not have the potential to result in any change in the conclusions of the FEIS regarding public health.

The FEIS describes the levels of electromagnetic fields (EMFs) that would be generated during Project construction and operation. The FEIS concludes that EMFs would be generated by tunnel boring machines during construction and by train operations during Project operation, but not at a level that would be of concern for public health. The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two private properties, and would not generate EMFs or have the potential to affect the generation of EMFs from other sources.

3-17 INDIRECT AND CUMULATIVE EFFECTS

The FEIS discloses indirect effects of the Project, which include temporary beneficial indirect socioeconomic effects from Project expenditures on construction labor and materials, as well as temporary adverse effects from the disruption associated with Project construction which could indirectly affect development patterns near construction areas. The Project would result in permanent indirect benefits related to maintenance of the transportation system on which the region's economy depends and associated reductions in energy and air pollutant emissions from allowing continued use of passenger rail in lieu of vehicular modes of travel. These region-wide indirect effects would be felt in the Hoboken/Weehawken study area.

With other ongoing, planned, and proposed Projects in the region, the Project would result in a cumulative improvement to the resiliency and state-of-good-repair of the Northeast Corridor rail infrastructure, the regional transportation system, and the region as a whole. With other ongoing and planned transportation, development, and infrastructure projects in and near the Hoboken/Weehawken study area, the Project would have the potential to result in cumulative adverse construction impacts such as increased noise and traffic; the FEIS includes a commitment that the Project Sponsor would coordinate with the agencies responsible for implementing or overseeing these projects to minimize the potential for cumulative adverse construction effects.

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two private properties. As described elsewhere in this re-evaluation, this modification would not result in any increased potential for impacts in any analysis category.

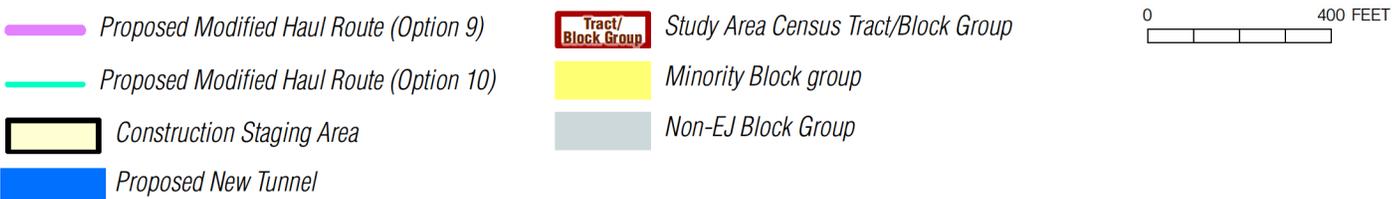
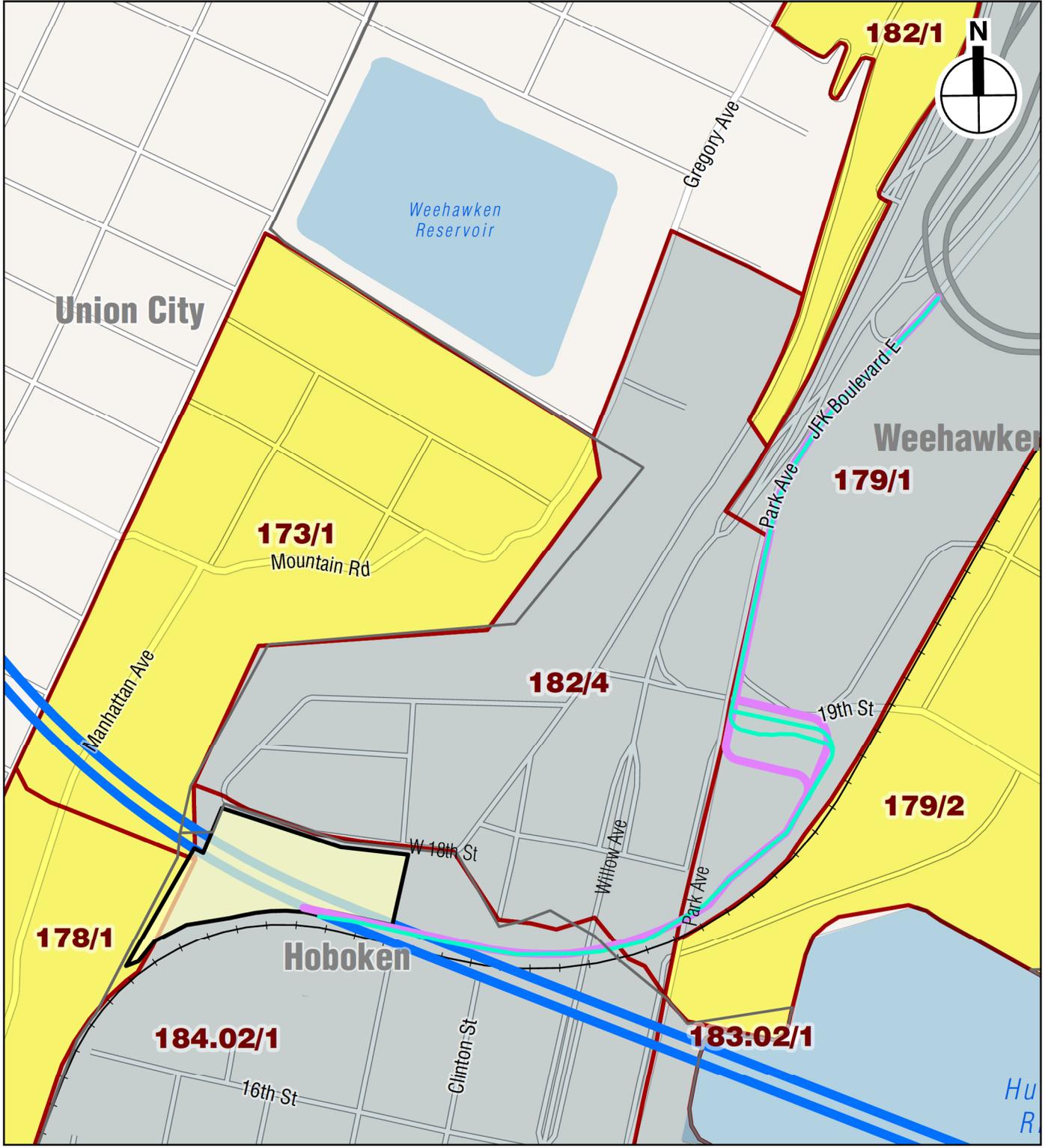
3-18 COASTAL ZONE CONSISTENCY

The Hoboken/Weehawken study area is not within New Jersey's designated coastal zone.¹⁰ Therefore, coastal zone consistency rules do not apply in this area.

3-19 ENVIRONMENTAL JUSTICE

Table 5 and **Figure 7** present information on environmental justice (minority and low-income) populations in the Hoboken/Weehawken study area. Based on 2017-2021 ACS Five-Year Estimates, the Hoboken/Weehawken study area had a population of 18,895 in 2021. Approximately 50.9 percent of this population identified themselves as non-Hispanic whites, comprising the largest race/ethnicity cohort. Overall, approximately 49.1 percent of the study area residents are minority. For Hudson County as a whole, a larger proportion of residents are minority (79.8 percent). Of the 8 individual block groups in the Hoboken/Weehawken study area, 4 have more than 50 percent minority residents and therefore meet the definition of minority populations.

¹⁰ <https://www.state.nj.us/dep/cmp/>. Accessed May 16, 2023.



Environmental Justice:
 Minority and Low-Income Populations
Figure 7

Table 5
Study Area Minority and Low-Income Characteristics

State / Census Tract / Block Group	Total Population	Percent White (Non-Hispanic)	Percent Black (Non-Hispanic)	Percent Asian (Non-Hispanic)	Percent Other (Non-Hispanic) ¹	Percent Hispanic or Latino	Percent Total Minority	Percent Individuals Below Poverty Level
NJ Tract 173 BG 1	2,415	32.6%	1.8%	5.1%	3.7%	56.8%	67.4%	13.6%
NJ Tract 178 BG 1	2,566	24.7%	1.3%	6.4%	0.9%	66.8%	75.3%	10.0%
NJ Tract 179 BG 1	801	51.9%	4.9%	0.5%	0.0%	42.7%	48.1%	1.2%
NJ Tract 179 BG 2	3,538	49.8%	1.8%	34.7%	2.6%	11.1%	50.2%	1.6%
NJ Tract 182 BG 1	1,405	34.2%	6.5%	6.6%	9.5%	43.2%	65.8%	9.3%
NJ Tract 182 BG 4	628	82.2%	0.0%	9.4%	8.4%	0.0%	17.8%	0.0%
NJ Tract 183.02 BG 1	5,638	63.7%	0.4%	22.0%	5.3%	8.6%	36.3%	1.3%
NJ Tract 184.02 BG 1 ²	1,904	75.1%	2.7%	13.1%	3.0%	6.1%	24.9%	3.8%
Hoboken/Weehawken Study Area	18,895	50.9%	1.8%	16.7%	4.0%	26.6%	49.1%	4.8%
Hudson County	713,264	28.2%	10.5%	15.7%	3.2%	42.5%	71.8%	14.4%

Notes:

- 'Other' includes a mix of those who identify as American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, Some Other Race, and/or Two or More Races.
- Subsequent to publication of the Hudson Tunnel Project FEIS/ROD, 2020 Census redistricting resulted in a split of CT 184 into CT 184.01 and CT 184.02. CT 184.02 BG 1 corresponds to pre-2020 CT 184 BG 1.

Percentages in **bold** indicate minority or low-income areas.
Total minority percentage consists of all population other than non-Hispanic Whites.
Totals may not add up to 100 percent due to rounding.

Source: U.S. Census Bureau, 2017-2021 American Community Survey Five-Year Estimates.

None of the 8 block groups in the Hoboken/Weehawken study area have low-income percentages that are greater than 14.4 percent (the corresponding percentage for Hudson County); therefore, no block group in the study area meets the definition of a low-income population. Overall, approximately 4.8 percent of the Hoboken/Weehawken study area population lives below the poverty level.

As described in detail in the FEIS (see Chapter 7, "Socioeconomic Conditions," Section 7.3.1.2.4), the Hoboken/Weehawken study area includes a light industrial area in Hoboken with warehousing, utility uses (a PSE&G substation and the North Hudson Sewerage Authority's wastewater treatment plant), self-storage, and bus parking, as well as a small residential community to the north of the Project site in Weehawken, with low-rise attached and detached residences, as well as a 10-story apartment building and a recently constructed 15-story apartment complex. In sum, half of the Hoboken/Weehawken study area block groups are home to environmental justice communities, with substantial minority populations but only a limited number of low-income residents. Waterfront block groups in Hoboken and Weehawken generally do not meet the thresholds for environmental justice communities, while areas further from the waterfront contain a larger percentage of minority populations. Further review of these areas for facilities servicing any identified environmental justice community, dedicated housing communities, or other program indicators of minority or low-income communities did not reveal any small or localized environmental justice populations.

Hudson Tunnel Project

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two private properties. As described elsewhere in this re-evaluation, this modification would not result in any increased potential for impacts in any analysis category. The two properties proposed for acquisition are commercial properties with corporate owners (Dykes Lumber Company and Conrail), and property acquisition would be conducted in accordance with the Uniform Act. Displacement of the existing Dykes Lumber business and its approximately 40 employees would not substantially reduce employment opportunities for environmental justice populations in the study area, as there are numerous other jobs available in and near the study area, including within the same industry (see Section 3-4 “Socioeconomic Conditions,” which provides a list of building material suppliers in the immediate area). Furthermore, the Dykes Lumber parcel is currently for sale, and the business would likely be displaced independently of the proposed Project modification.

3-20 COMMITMENT OF RESOURCES

The FEIS describes the irreversible and irretrievable commitment of resources that would be required in order to implement the Project, and assesses the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity. The proposed Project modification would not change the commitment of resources required to implement the Project or the long-term productivity benefits of the Project.

3-21 SECTION 4(f) EVALUATION

The FEIS describes the Project’s effects on Section 4(f) properties. Section 4(f) properties include publicly owned parklands, recreation areas, or wildlife and waterfowl refuges, and publicly or privately owned historic sites of national, state, or local significance. As described above in **Section 3-5 Open Space and Recreational Resources** and **Section 3-6 Historic and Archaeological Resources**, the proposed Project modification would not result in any change in Project-related effects on these categories of resources.

4 CONCLUSION

The proposed Project modification would involve minor changes in the alignment of one of the haul routes that was analyzed in the FEIS, and associated acquisition of two additional private properties.

The proposed changes to the haul route alignment would have several benefits:

- Avoids the alignment of the proposed RBDH floodwall, and thus the need for the installation of a swing gate crossing at the floodwall; this would constitute a benefit to the Hoboken/Weehawken study area and is consistent with a commitment in the FEIS/ROD to evaluate ways to accommodate the presence of the proposed RBDH floodwall in conjunction with use of Haul Route Option 3.
- Eliminates the need for trucks leaving the Hoboken staging area via the haul route to make a complicated left turn onto 19th Street adjacent to the HBLR; avoids the reconstruction of the 19th Street concrete median island; avoids effects to the

HBLR traffic signal crossing at 19th Street; and avoids modifications to the 18th Street/Lincoln Harbor Road intersection traffic signal timings.

- Avoids the need to modify an existing drainage channel adjacent to the Dykes Lumber property to allow construction trucks to pass over it.

Property acquisition would be conducted in accordance with the Uniform Act. With the proposed acquisition of the Dykes Lumber parcel, the existing Dykes Lumber store would vacate the property; however, the existing building on the property would remain in place. The proposed changes to the haul route alignment under Haul Route Option 9 would require modifications to the building's façade, and possibly to some interior elements of the building, to construct new openings on the east and west facades of the structure to allow outbound trucks to pass through the structure (see Section 2-1, above). Haul Route Option 10 would not require the existing building to be modified. Displacement of the existing Dykes Lumber business would not substantially reduce the availability of services or employment opportunities in the study area, as similar businesses are present in and near the study area; furthermore, the Dykes Lumber parcel is currently for sale, and the business would likely be displaced independently of the proposed Project modification.

With the proposed Project modification, there would be no change in the number of Hudson Tunnel construction trucks accessing the Hoboken staging area. The FEIS/ROD included a commitment to allow a maximum of 8 construction trucks per hour in each direction at the Hoboken staging area; this commitment would remain in place with the proposed Project modification.

In conclusion, after comprehensive consideration of how the proposed Project modification would impact the affected environment, the original FEIS/ROD remains valid. Supplemental NEPA analysis is not required. *