



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

PUBLIC NOTICE

Date: September 23, 2013
File Number: NAE-2007-00698
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Department of the Army Permit Application, Notice of Availability of Final Environmental Impact Statement: Proposed South Coast Rail Project, Massachusetts Department of Transportation.

The U.S. Army Corps of Engineers (Corps) has completed the Final Environmental Impact Statement concerning the permit application to conduct work in waters of the United States incidental to establishment of proposed commuter passenger rail service (South Coast Rail) as described below.

Interested parties may view and download the FEIS/FEIR online at:

<http://www.nae.usace.army.mil/Missions/ProjectsTopics/SouthCoastRail.aspx>.

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

ACTIVITY: Discharge fill material into waters of the United States, including adjacent wetlands. All work is incidental to installation and upgrades of transportation infrastructure (rail and overhead catenary structures) for proposed commuter passenger rail service. This work is proposed in waters of the United States, including adjacent wetlands, along existing active and out-of-service railroad corridors between Boston and the Cities of New Bedford and Fall River, Massachusetts. The proposal now under active review by the Corps would result in permanent loss of approximately 12.3 acres of waters of the United States (including wetlands), and follows (roughly, north to south) the existing Stoughton Commuter Rail Line from Boston to Stoughton Station; an existing rail line that has been out of service since 1958 from Stoughton to MA Route 138 (Broadway Avenue) in Raynham; an existing rail line that has been out of service since ca. 1916 from MA Route 138 (Broadway Avenue) to Longmeadow Road in Taunton; and existing, active (in-service) freight lines, from Longmeadow Road to New Bedford, and from Myricks Junction (Berkley) to Fall River.

AUTHORITY

A Department of the Army Permit is required pursuant to:

XX Section 10 of the Rivers and Harbors Act of 1899

XX Section 404 of the Clean Water Act

 Section 103 of the Marine Protection, Research and Sanctuaries Act).

The Final Environmental Impact Statement (FEIS) has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality regulations (40 CFR parts 1500-1508). This FEIS was prepared to assist in review of a Department of the Army permit application submitted on May 8, 2008 by the Massachusetts Executive Office of Transportation and Public Works, now known as the Massachusetts Department of

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Transportation (MassDOT). The permit application was originally submitted for the discharge of fill material into waters of the United States (U.S.), ranging in area from less than eleven acres to approximately twenty-one acres (depending on the alternative selected), including wetlands, incidental to the construction of new public passenger rail (or other public transportation) facilities connecting the terminal stations of Fall River and New Bedford with South Station in Boston, Massachusetts (the Project). A Notice of Intent to prepare an Environmental Impact Statement (EIS) was published in the Federal Register on October 31, 2008 (FR 73: 64927). The Corps published a Notice of Availability of the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) in the Federal Register on March 25, 2011 (FR 76:16737). In addition, pursuant to CEQ regulations (40 CFR 1506.9) the Environmental Protection Agency assigned EIS No. 20110095 to the DEIS/DEIR and published a Notice of Availability on April 1, 2011 (FR 76:18218).

The EIS/EIR evaluates several transportation facilities and corridor alternatives to implement the proposed transit service over a distance of approximately 50 to 60 miles. Transportation modes considered included rail (diesel or electric) and rapid bus. Corridors considered included a rail corridor through Attleboro, Stoughton or Middleborough or a rapid bus service along Routes MA-24, MA-140, and I-93. MassDOT's preferred alternative is the Stoughton commuter rail alternative (using electric or diesel powered locomotives) which involves using the active freight rail lines from New Bedford and Fall River to Taunton, then using the inactive rail bed north to Stoughton, then using the active commuter rail tracks to South Station in Boston.

This document was prepared with the intent to serve as a Massachusetts Environmental Policy Act (MEPA) and NEPA document to comply with the procedural requirements of both state and federal law and serve as a combined Final Environmental Impact Statement (FEIS)/Final Environmental Impact Report (FEIR). The State's environmental review pursuant to the Massachusetts Environmental Policy Act (MEPA) (G. L. c. 30, ss. 61-621) and the MEPA regulations (301 CMR 11.00) is being conducted simultaneously with the NEPA process.

This FEIS/FEIR compares the direct, indirect and cumulative impacts of the practicable alternatives on the natural, cultural and socioeconomic environment, including vernal pools and other wetlands; cultural resources; threatened and endangered species; transportation; air quality, including greenhouse gas emissions; noise and vibration; surface water and groundwater; hydrology and water quality; and socioeconomic effects. Mitigation is proposed to offset or reduce the unavoidable impacts. The FEIS/FEIR also provides responses to the public and agency comments received on the DEIS/DEIR, updated technical analyses conducted subsequent to the DEIS/DEIR, and the compliance of the alternatives with various state and federal environmental regulations.

No Department of the Army Permit has been issued for South Coast Rail as of the date of this notice. Under NEPA regulations, the U.S. Army Corps of Engineers must wait a minimum of 30 days following posting of this FEIS/FEIR in the Federal Register before it can complete its Record of Decision (ROD) on the applicant's proposed action. The ROD on whether to issue or deny a Department of the Army permit will likely take several months to complete after the FEIS. An additional Public Notice, including plans of the proposed discharge of fill material into waters of the United States and (if

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applicable) work in navigable waters of the United States, along with a mitigation proposal, will be published prior to completion of the ROD.

The FEIS is intended to provide the information needed for the Corps to perform a public interest review for the Section 404 permit decision. Evaluation of impacts of the alternatives identified in the FEIS included application of the Guidelines for Specification of Disposal Sites for Dredged or Fill Material promulgated by EPA pursuant to Section 404(b)(1) of the Clean Water Act (“404(b)(1) Guidelines”; 40 CFR 230; 45 FR 85336). Issues analyzed in the FEIS include impacts to transportation, land use, socioeconomics, environmental justice, visual effects, noise, vibration, cultural resources, air quality, open space, farmland, hazardous materials, geology and soils, biodiversity, threatened and endangered species, wetlands, water resources, and coastal zone resources. Several alternatives were evaluated for comparative purposes, including the No Action Alternative under which no new transportation infrastructure would be built.

The approximate locations of the build alternative transportation alignments and rail station locations analyzed in the FEIS are shown on the enclosed plan entitled “SOUTH COAST RAIL Figure 1-1: Alternative Routes” and details of the proposed impacts to waters of the United States are identified in the FEIS/FEIR, Chapters 3 (Alternatives) and 4.16 (Wetlands).

Mitigation: Implementation of a mitigation plan to compensate for unavoidable losses to aquatic resource functions will be required if a permit is issued. The FEIS/FEIR provides a conceptual wetland mitigation plan; however specific mitigation measures have not been finalized at this point.

Availability of the FEIS/FEIR: Interested parties may view and download the FEIS/FEIR online at: <http://www.nae.usace.army.mil/Missions/ProjectsTopics/SouthCoastRail.aspx>. A printed copy of the document is also available to review at each of the following locations:

1. State Transportation Library of Massachusetts 10 Park Plaza, 2nd Floor, Boston, MA
2. Russell Memorial Library, 88 Main Street, Acushnet, MA
3. Guilford H. Hathaway Library, 6 North Main Street Assonet, MA 02702
4. Attleboro Public Library, 74 North Main Street, Attleboro, MA
5. Berkley Public Library, 3 North Main Street, Berkley, MA
6. Boston Public Library, Central Library, 700 Boylston Street, Boston, MA
7. Thayer Public Library, 798 Washington Street, Braintree, MA
8. Canton Public Library, 786 Washington Street, Canton, MA
9. Dedham Public Library, 43 Church St, Dedham, MA
10. Ames Free Library, 53 Main St., North Easton, MA
11. Fall River Public Library, 104 North Main Street, Fall River, MA
12. Boyden Library, 10 Bird Street, Foxborough, MA
13. James White Memorial Library, 5 Washburn Rd., East Freetown, MA
14. Lakeville Public Library, 4 Precinct Street, Lakeville, MA
15. Mansfield Public Library, 255 Hope Street, Mansfield, MA
16. Milton Public Library, 476 Canton Avenue, Milton, MA

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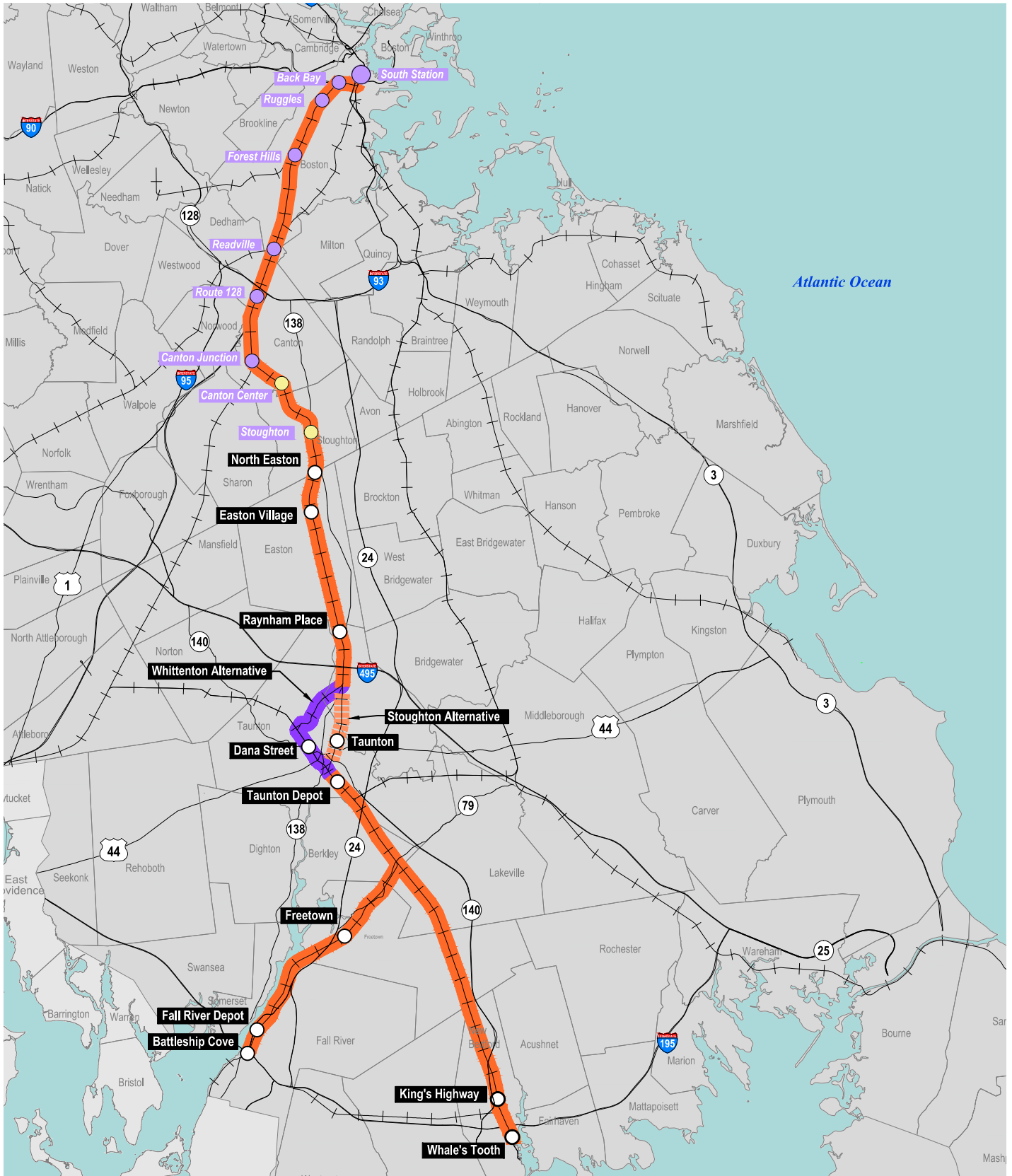
17. New Bedford Free Public Library, 613 Pleasant Street New Bedford, MA
18. Norton Public Library, 68 East Main Street, Norton, MA
19. Thomas Crane Public Library, 40 Washington St., Quincy, MA
20. Turner Free Library, 2 North Main Street, Randolph, MA
21. Raynham Public Library, 760 South Main Street, Raynham, MA
22. Sharon Public Library, 11 North Main Street, Sharon, MA
23. Stoughton Library, 84 Park Street, Stoughton, MA
24. Taunton Public Library, 12 Pleasant Street, Taunton, MA
25. West Bridgewater Public Library, 80 Howard Street, West Bridgewater, MA

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

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Jennifer L. McCarthy
Chief, Regulatory Division

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- Legend**
- Stoughton Alternative
 - Whittenton Alternative
 - Existing Stations
 - Proposed Stations
 - Existing Stations to be Reconstructed

**Figure 1-1
Alternative Routes**

