



US Army Corps
of Engineers
New England District

Regulatory Program Fact Sheet

SOUTH COAST RAIL CORRIDOR Boston - New Bedford/Fall River, MA

September 23, 2013

1. Project Information:

Project Proponent: Massachusetts Department of Transportation (MassDOT)

Description: Proposed new commuter service between Boston and the Cities of New Bedford and Fall River

Authority: The Corps of Engineers (Corps) is reviewing an application for a permit for the proposed placement of fill material into wetlands and waterways in accordance with **Section 404 of the Clean Water Act**. The **National Environmental Policy Act (NEPA)** establishes the requirement that all federal agencies' permitting decisions be made with full consideration of the impact to the natural and human environment. NEPA requires agencies disclose these impacts to interested parties and the general public. The central element in the environmental review process is a rigorous evaluation of alternatives including the "no action" alternative. This is being accomplished through an Environmental Impact Statement (EIS).

2. Background/Issues:

- Joint federal-state Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR) was published March 2011. Public hearings were held and comments are addressed in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) published today.
- The DEIS/DEIR focused on four principal alternatives. MassDOT provided, to the Corps, the technical reports which were necessary for development of the FEIS and any additional information needed to address the state's requirements for a FEIR.

3. Current Status:

- **Alternatives:** The FEIS/FEIR identifies and fully discloses the environmental impacts of the practicable alternatives. The U.S. Army Corps of Engineers has determined that there is no practicable alternative to the Stoughton Electric alternative which would have less adverse impact on the aquatic ecosystem, and also does not have other significant adverse environmental consequences.
- **Section 106 of the National Historic Preservation Act (NHPA):** MassDOT submitted final cultural resources reports to us in spring of 2013, and we have coordinated this information, as required, with Tribal and State Historic Preservation Officers as part of the ongoing consultation process. The FEIS includes a determination of eligibility for inclusion in the National Register of Historic Places for sites in the pathway of the alignments and the potential effects of South Coast Rail on those sites. A Draft Programmatic Agreement is provided in appendices to the FEIS/FEIR and remains under consideration to ensure completion of the Section 106 NHPA process. Additional consultation is required with the Tribal and State Historic Preservation Officers, the Advisory Council on Historic Preservation and the National Park Service – National Historic Landmarks Program.

4. Major Next Steps: The FEIS/FEIR includes a conceptual wetland mitigation plan. The mitigation design will need to be finalized. In addition, the Programmatic Agreement must be implemented to ensure that the requirements of Section 106 of the National Historic Preservation Act will be met.

5. Future Actions: Under NEPA regulations the Corps must wait a minimum of 30 days following release of the FEIS/FEIR 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/FEIR.