



# Dannel P. Malloy

GOVERNOR  
STATE OF CONNECTICUT

March 2, 2017

Rebecca Reyes-Alicia  
NEC FUTURE  
Federal Railroad Administration  
One Bowling Green, Suite 429  
New York, NY 10004

RE: NEC Future Tier 1 Final Environmental Impact Statement

Dear Ms. Reyes-Alicia:

Connecticut commends the Federal Railroad Administration (FRA) on the NEC Future program. It has provided a process for considering a long-overdue vision for the Northeast Corridor (NEC). More importantly, NEC Future has set the stage for an investment program that is essential to reverse decades of underinvestment in the corridor and advance significant infrastructure improvements. We see the issuance of the Record of Decision (ROD) as a critical next step to advance sorely needed investments on the NEC and to expedite their implementation. We recommend that the ROD be issued as soon as possible.

Connecticut's support of the Record of Decision is conditioned on the premise that it will:

- Focus principally on investments that will achieve a State of Good Repair to ensure continuation of existing services and handle the projected ridership demand for the next 10-15 years. Connecticut has been clear that the investments in the State-of-Good Repair are the necessary foundation for any longer-term high speed rail investment, and will deliver the most cost-effective outcomes.
- Clearly identify specific projects that are empowered to advance in the No Action and Universal First Phase investments which were identified in Chapter 10 in the FEIS. These projects, such as replacement of aging tunnels and bridges, have broad support among all the NEC stakeholders and their advancement must not await the completion of a Service Development Plan (SDP).

- Incorporate specific references and recommendations regarding NEC connecting corridors.
- Articulate a simplified NEPA process which prioritizes and expedites projects based on their characteristics, potential impacts, costs, etc., including identifying projects eligible for Categorical Exclusions and Environmental Assessments that might result in Findings of No Significant Impacts (FONSIs), and limiting the need for Environmental Impact Statements/Records of Decision.
- Eliminate any specific “representative alternative alignments” along the NEC. Portions of the corridor which require evaluation of alternative investments and alignments to address capacity, speed, or which have other vulnerabilities should be identified without proposing specific options.
- Be adopted by all appropriate U. S. Department of Transportation Agencies, not just the FRA. There must be a clear path forward that does not require the states and operators to navigate and negotiate among the federal agencies to gain project approvals.

Connecticut also makes the following recommendations regarding the Tier 1 Preferred Alternative and the process identified in the FEIS for advancing the Alternative:

- While we support investments in the No Action and Universal First Phase projects, we understand the long range improvements are aspirational and will have commensurate impacts that remain undefined at this time, and may or may not be resolved.
- The longer term opportunities require close coordination with respective states and operators through a more detailed project level transportation and environmental planning and review process. As noted above, this process should be as consistent, simplified and expedited as possible.
- The SDP process may be necessary for the longer term, but should be preceded by additional analyses. First, it is critical to assess the resource, staging, operational and construction requirements to implement the proposed capital investment program. This information is critical to support a future SDP activity. Second, evaluation of the economic impacts and benefit/cost evaluations should be performed for the core projects as well as the aspirational projects to also inform a SDP activity.
- The SDP process should be led by the NEC Commission. It is necessary for all states and rail operators to be engaged in the SDP along with AMTRAK, FRA and FTA. The Commission must be resourced accordingly to handle such a task.

- The SDP should include an extensive outreach plan that incorporates stakeholder and public input into any and all of the SDP recommendations. This plan should include towns, cities and other jurisdictions impacted by potential investments.
- Since states and operating agencies will be burdened with funding investments, they must have the authority for approving any project investments.
- The ultimate vision for a more robust NEC must be accompanied by a commitment by the Federal government to cover a significant portion of the estimated capital costs.

There are state-specific issues within the FEIS that Connecticut raises for action:

- Connecticut appreciates the FRA decision to incorporate the Hartford/Springfield Line into the Preferred Alternative based on feedback from stakeholders and the public. We support the recommendation for additional track between Hartford and Springfield. We recommend that the ROD specifically include a recommendation to advance the FRA-funded NNEIRI study that identified critical investments beyond Springfield, MA north to Vermont and Canada and east to Boston via the inland route. Connecticut asks that the ROD be silent on electrification of this corridor and potential extensions north and east, deferring those evaluations to future Tier 2 EIS initiatives that would be required before recommending investments in electrification and/or extensions.
- The FEIS recommends an in-kind replacement of the Hartford Viaduct in downtown Hartford for the Hartford/Springfield Line. As FRA knows, Connecticut is currently conducting an EIS for the replacement of the Hartford I-84 highway viaduct which is also evaluating realignment of the Hartford Line along a new right-of-way with a new Hartford station. The ROD should reference the I-84 viaduct EIS process regarding the future of the existing rail viaduct.
- The FEIS's representative corridor stage for natural resource and environmental impacts should defer to the Tier 2 EIS for a more detailed evaluation of the environmental impacts entailed in the upgrade and expansion of NEC facilities. Any individual Tier 2 actions will involve more specific review by the Connecticut Department of Energy and Environmental Protection as part of the environmental permit requirements that will arise at the Tier 2 stage.
- The FEIS includes "representative alternative alignments" which have potentially unacceptable physical, historic, environmental and community impacts without significant incremental benefit-cost outcomes, specifically between the Hell Gate Line and Greens Farms and between Old Saybrook and Kenyon, RI. Since any infrastructure alternatives must follow detailed Tier 2 methodologies, Connecticut asks FRA to state in the ROD that future capacity and infrastructure alternatives in those two segments will require the full consent of Connecticut through appropriate Tier 2 alternatives evaluations and recommendations. No specific alignments off of

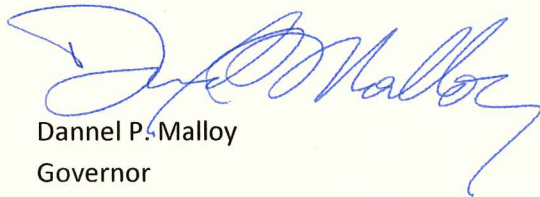
the existing Connecticut NEC right of way should appear in the ROD. Connecticut elected officials and citizens have been very clear about this throughout the EIS process.

- The FEIS states, "Construction of new parallel segments of track provides the opportunity to relocate existing trains to new tracks before beginning work on upgrades to the existing NEC. Such phasing of construction could provide capital cost efficiencies and reduce impacts." There is no analytical basis for this conclusion, since no alternatives have actually been studied.
- The FEIS states, "In the ROD, the FRA may define the service and performance aspects of the Selected Alternative as a starting point for subsequent Tier 2 project studies. It is the FRA's intent to define these characteristics in such a way as to set standards for use in developing alternatives in Tier 2 project studies." It is unacceptable for FRA to predetermine service and performance characteristics unilaterally and without prior consultation and agreement with all partners and stakeholders. Connecticut will have direct participation in any Tier 2 projects in this state and will reserve judgements about ultimate performance outcomes and service standards for the appropriate Tier 2 evaluations and recommendations.

The FRA's work has spurred a broad public conversation on the future of this important national transportation asset. The ROD must now conclude with a clear set of near and long-term recommendations and next steps that enable immediate investment. There must be no ambiguity in what comes next.

Thank you for the opportunity to provide our comments on the NEC Future Tier 1 FEIS and the Record of Decision. I look forward to your response.

Sincerely,



Dannel P. Malloy  
Governor