



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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**New Haven-Hartford-Springfield High Speed Intercity Passenger
Rail Program
Annual Programmatic Agreement Report
State Project 170-2296
December 11, 2013**

The Connecticut Department of Transportation (Department) is proposing a program of rail infrastructure and service improvements along the existing 62 mile New Haven-Hartford-Springfield (NHHS) Rail Corridor between New Haven, Connecticut and Springfield, Massachusetts. The Federal Railroad Administration (FRA) is providing partial funding for the project through the High-Speed Intercity Passenger Rail Program and is the lead agency for compliance with the National Environmental Policy Act, Section 4(f) of the Department of Transportation Act of 1966, and Section 106 of the National Historic Preservation Act of 1968 (Section 106).

The FRA, following consultation among the Department, the Federal Transit Administration, the Connecticut State Historic Preservation Office, the Massachusetts State Historic Preservation Office, the National Railroad Passenger Corporation (Amtrak), and interested Native American Tribes, has executed a Programmatic Agreement (PA) for compliance with Section 106 for the five identified phases of the entire NHHS project.

In accordance with Stipulation XVII.C. of the PA, the Department has compiled the below Annual Programmatic Agreement Report and has made it available for public inspection. If you have any questions or need additional information please contact Mr. Stephen V. Delpapa, Transportation Supervising Planner (860) 594-2941.

Mark W. Alexander
Transportation Assistant Planning Director
Bureau of Policy and Planning

Annual Programmatic Agreement Report

New Haven-Hartford-Springfield High-Speed Intercity Passenger Rail Project

September 30, 2013

In accordance with the “Programmatic Agreement Among the Federal Railroad Administration, the Federal Transit Administration, the Connecticut State Historic Preservation Office, the Massachusetts State Historic Preservation Office, and the Connecticut Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the New Haven-Hartford-Springfield High-Speed Intercity Passenger Rail Project” (August 2012) Stipulation XVII.C., the Connecticut Department of Transportation (Department) has prepared this Annual Programmatic Agreement Report. The purpose of this report is to summarize the actions taken under the Programmatic Agreement (PA) and to document its effectiveness.

Summary of Actions

- The Department’s Office of Environmental Planning has sent information about the cable plow installation phase of work along the entire project corridor for the New Haven-Hartford-Springfield High-Speed Intercity Passenger Rail Project (NHHS Project) to all the PA Signatory and Concurring Parties and the five consulting federally-recognized Native American tribes with a determined preliminary finding of no adverse effect on historic properties (November 7, 2012). Revised information for the cable plow installation on the Trout Brook Bridge was sent to the Connecticut State Historic Preservation Office (CTSHPO) and the Federal Railroad Administration (FRA) (December 5, 2012). A letter was sent from the Department to FRA on 2-28-2013 concluding the cable plow phase of work consultation. No objections were received and only Amtrak returned a signed letter concurring with the preliminary finding. Therefore, as per the PA, it was determined that the signatories concurred with the finding of no adverse effect on historic properties.
- Letters were sent to the PA Signatory and Concurring Parties and the five consulting federally-recognized Native American tribes informing all parties of the upcoming archaeological survey at the proposed wetland mitigation site in Windsor, CT. The five tribes were asked for input, and no determination of effect has yet been made. The Mashantucket Pequot Tribe concurred with the need for the archaeological survey and the Stockbridge-Munsee Tribe responded that the project is not within their area of interest.
- The Department has held two meetings (6-21-2013 and 7-25-2013) with CTSHPO to discuss historic structures along the Historic Line that will be impacted by Phase 1 of construction and three historic train stations that will be impacted by the NHHS Project. Based on comments received during the meetings, 90% design plans will be developed by

the project consultants and analyzed by the cultural resources consultant to make recommendations of effect on cultural resources. Upon completion of the cultural resources reports by the consultant, the Department will distribute the information to the PA Signatory and Concurring Parties and the five consulting federally-recognized Native American tribes along with a recommendation of effect. If necessary, a memorandum of agreement will be developed and distributed for comment.

Future Actions

- In accordance with Attachment B.1.A. of the PA, the cultural resources consultant will develop a draft Corridor Exhibit Design Guide.
- The project consultant will draft a letter to Amtrak to solicit agreement to donate historic engineering materials no longer needed on the Historic Line to local historic railroad preservation groups in accordance with Attachment B.6. of the PA.
- Archaeological and historic architectural surveys are currently underway and information will be forthcoming.
- The final Annual Programmatic Agreement Report will be added to the nhhsrail.com website for public inspection and will be made available for public comment upon request.

Effectiveness

To date the PA appears to be working successfully. Correspondence is mailed to the PA Signatory and Concurring Parties and the five consulting federally-recognized Native American tribes for each phase of proposed work, and the letters include contact information should any questions arise. Letters to the five tribes include FRA contact information should the tribes request direct government-to-government consultation.

There have been no public objections or inadvertent effects or foreclosures on cultural resources.

Recommendations

Future correspondence to the PA Signatory and Concurring Parties and the five consulting federally-recognized Native American tribes should be grouped in a logical way so as to maintain a reasonable and efficient quantity of review actions.