

## **APPENDIX F**

### **ENVIRONMENTAL MITIGATION COMMITMENTS**

## Appendix F

### **Environmental Mitigation Commitments**

#### **Lackawanna Cut-Off Restoration Project**

The mitigation measures and other features of the Project that reduce adverse impacts, to which Federal Transit Administration (FTA) and New Jersey Transit (NJ TRANSIT) committed in the Environmental Assessment (EA) and Supplemental Environmental Assessment (SEA), and Finding-of-no-Significant-Impact (FONSI) are summarized in the following table. This Appendix F summary is provided in the FONSI to facilitate the monitoring of the implementation of the mitigation measures. However, the EA, SEA, and appendices to this FONSI provide the full description of all mitigation measures that are included in the Project. NJ TRANSIT will establish a program for monitoring the implementation of the mitigation measures as part of its project management oversight. FTA will oversee NJ TRANSIT's program for monitoring environmental compliance, through quarterly review meetings or other means specified by FTA. NJ TRANSIT will report construction environmental compliance in the quarterly project reports.

NJ TRANSIT is prohibited from eliminating or altering any of the mitigation commitments identified in the EA or SEA for the Project without the express written approval by FTA. In addition, any change to the Project that may involve new or changed environmental or community impacts not considered in the EA or SEA must be reviewed in accordance with FTA environmental procedures (23 CFR Part 771.130). NJ TRANSIT will immediately notify FTA of any proposed change to the Project that differs in any way from what the EA or SEA states. FTA will determine the appropriate level of environmental review for the proposed change (i.e., a written re-evaluation of the EA or SEA, an environmental assessment of the change, or a supplemental environmental impact statement), and the NEPA process for this supplemental environmental review will conclude with a separate NEPA determination, or, if necessary, with an amendment of this FONSI.

During final design, NJ TRANSIT will provide FTA with a detailed outline of environmental commitments and any other procedures to be implemented during the construction phase to protect sensitive resources that may be affected during construction. The outline will discuss how the initial condition of the resource shall be assessed, where applicable; how construction work will actually be implemented to avoid or minimize impacts; and how environmental performance will be monitored during construction. It will provide an effective means for disseminating appropriate current information to the public and other interested parties.

The following commitments have been made by NJ TRANSIT through the EA, SEA, FONSI, Programmatic Agreement, and subsequent letters to resource agencies:

**Zoning** – NJ TRANSIT, while not bound by local zoning, will confer and coordinate with the affected municipalities.

**Community Facilities**– NJ TRANSIT will continue to work with the local municipalities to develop appropriate grade crossing protection measures and spread awareness regarding the new rail service to emergency service providers and school bus operators.

**Land Acquisitions** – No Mitigation is necessary for the MOS as there will be no land acquisition for right-of-way or the station.

Mitigation is necessary for the non-MOS due to land acquisition. All 11 properties or portions of properties needed for the non-MOS will be purchased at fair market value by negotiations or condemnation pursuant to the guidelines set forth in 49 CFR Part 24 "Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs."

Impacts to businesses will be mitigated as per business relocation requirements and guidelines set forth in 49 CFR Part 24 "Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs."

**Parks - Highlands Trail** – Although no adopted plan is currently in place relative to the Highlands Trail and any potential crossing or interface with the Lackawanna Cut-Off, NJ TRANSIT is committed to working with Byram Township to evaluate potential options for a safe and feasible crossing of the Lackawanna Cut-Off right-of-way.

**Historic** - For those components of the system that may affect historic resources, NJ TRANSIT will develop design documents in consultation with the NJ SHPO. SHPO review of design documents (plans and specifications) will occur at the 30%, 60% and 90% design review phases and shall be limited to determining whether proposed designs are compatible with affected historic properties and in conformance with the Standards. Design documents shall include an explanation of how the proposed design conforms to the Standards. The SHPO shall respond within 30 calendar days of receipt of documentation to any design submitted pursuant to this Agreement. Design and preservation issues identified by the SHPO during the 60% design review will be resolved in consultation between the SHPO and NJ TRANSIT prior to the submission of 90% design level documents. All new concrete and concrete repairs will match the existing historic concrete. Masonry analyses will be conducted to ensure that new concrete will match the historic concrete in configuration and detail, finish, color, texture and profile.

1. The rehabilitation or stabilization of existing historic structures as part of the Project will be reviewed and approved by the SHPOs. The following historic structures will be rehabilitated and reused by the Project:
  - a. Blairstown Railroad Station
  - b. Greendell Station
2. The following historic structures will be stabilized and weatherproofed by the Project; if feasible, a reuse of these structures will be sought.
  - a. Blairstown Freight House

- b. Greendell Interlocking Tower
  - c. Port Morris Interlocking Tower
3. NJ TRANSIT and the NJ SHPO shall consult on the appropriate disposition of the Johnsonburg Station Site.
  4. All new construction on the former Lackawanna Cut-Off will be compatible in design and materials, colors and features to adjacent historic resources and to the significance, integrity and the character defining features of the Lackawanna Cut-Off Historic District.
  5. All plans and specifications for the *Roseville Tunnel* improvements will be reviewed and approved by the NJ SHPO. A masonry analysis will be conducted to ensure that the new concrete will be compatible with the existing historic stone of the tunnel. The exterior rock faces of the tunnel portals will remain intact and not be altered.
  6. The Project will use architecturally detailed concrete and glazed ceramic roof tiles for the *station, platforms, and station canopies*.
  7. All *parking areas* that are to be constructed as part of the Project will have historically compatible landscape buffers and historic style lighting. Light shielding will be implemented where necessary.
  8. The proposed work to be conducted for the Project in the *Port Morris Rail Yard* will have historically compatible landscape buffers and low profile lighting if and where required, due to adjacent historic resources, as well as where compatible with safety and operational requirements.
  9. Any proposed change that has the potential to affect a historic property, whether or not previously considered, shall be reviewed and approved by the SHPO prior to the initiation of construction activity that may affect the historic property.
  10. During the design of the Project, NJ TRANSIT will hold a *public information meeting* and will invite the general public and other individuals and organizations who are likely to have knowledge of, or concerns with, historic properties in the area, and who NJ TRANSIT identifies in consultation with the SHPOs. The purpose of the meeting will be to ensure that the design is compatible with the historic resources. Results of this information meeting will be summarized and any resultant actions will be mutually agreed upon, by the consulting parties, within 30 calendar days of receipt of documentation.

**Archaeology** – Soil borings that will be available during the engineering phase will be reviewed by accredited archeologists to determine if there are potential archeological resources present. If there is deemed a potential presence of archeological resources, then a Phase 1B archeological investigations will be conducted by accredited archeologists during the engineering phase at the proposed Andover station. If Phase 1B investigations reveal the presence of resources, further archeological evaluation will be performed by accredited archeologists and will be mitigated in consultation with the appropriate SHPO. In the event that previously non-recorded archeological resources are

encountered during construction, all such activities will halt in the subject area pending investigation and review by the accredited project archeologist. Upon the archeologist's consultation with the SHPO in accordance with the project Programmatic Agreement discussed above, construction activities may resume as modified by the results of such consultation. These responses will be further characterized in the project Construction Environmental Control Plan.

**Visual** – Best Management Practices will be utilized during project construction to minimize any minor impact to sensitive resources in the corridor. Best Management Practices will include using screened staging areas within the existing right-of-way wherever possible.

**Traffic/Transit** – Physical improvements, such as additional signage, changes to traffic signal timing, and geometry modifications will be implemented as necessary. The traffic analysis results presented in Section 3.7 of the June 2008 EA determined that the use of the following mitigation measures would mitigate the traffic impacts:

1. Tobyhanna: PA Route 423 eastbound (AM Peak) and westbound (PM Peak) at Route 611 – Signal timing change from 95 to 60 second cycle;
2. Pocono Mountain: Pa Route 611/ Route 196 at PA Route 940 (AM and PM Peak) – signal timing change from 100 to 150 second cycle;
3. East Stroudsburg: Crystal Street at Analomink (PM Peak) – Geometry modification and installation of a two-phase, 100-second cycle traffic signal; and,
4. Delaware Water Gap: Interstate 80 ramp at PA Route 2028 – Retime traffic signal with two-phase, 80-second cycle (AM) and 70-second cycle (PM) and traffic signal warning flasher sign on off ramps.

Contact with the affected agencies will continue through the design phase to ensure a coordinated effort on the minor improvements. Coordination between area transit operations and the MOS operations will continue.

**Pedestrians** – Sufficient lighting and secure pedestrian passages will be provided to safely direct patrons from the train to their cars, including appropriately placed sidewalks, lighting and signage. All pedestrian facilities will be fully ADA-compliant.

**Air Quality** – The following measures will be implemented to reduce particulate matter and NOx emissions: options to purchase new locomotives that meet or exceed USEPA's emission standards; retrofit and/or rebuild of older locomotives to achieve a better air quality rating; re-powering equipment with generator set/hybrid technology; and, use of cleaner diesel fuel or alternative fuel.

**Noise and Vibration** – The following grade crossings are proposed for Quiet Zones:

1. Brooklyn Road in Stanhope, NJ.
2. Stokes Avenue (Gravel Place) in East Stroudsburg, PA;
3. North Cortland Street in East Stroudsburg, PA;
4. Burson Street in East Stroudsburg, PA;
5. East Broad Street in East Stroudsburg, PA;
6. Analomink Street in East Stroudsburg, PA; and

## 7. Wolf's Corner Road in Green Township, NJ.

As required by the Federal Railroad Administration (FRA), the county/municipality will be required to petition the FRA for Quiet Zone designations, in accordance with FRA's Interim Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings (49 CFR Part 222 and 229). The Project will provide funding for support of the application, design and installation of the Quiet Zone safety measures. Initial conversations with East Stroudsburg (04/17/03, 05/20/04), Green Township (03/26/03, 05/13/04), and Stanhope (06/10/03, 05/07/04, 6/22/08) have indicated their desire to have a Quiet Zone incorporated into the project.

The implementation of Quiet Zones depends on the physical condition of the grade crossing. The intersecting roadway must be sufficiently wide and the sight lines appear to be adequate for four-quadrant gates and median barriers. Should it be determined during the engineering phase that the installation of a Quiet Zone at any grade crossing listed above is not physically feasible, NJ TRANSIT is committed to adopting substitute measures to reduce noise, while still complying with FRA regulations. These measures include the use of directional horns at the grade crossing whose purpose is to direct noise down the roadway or the installation of noise-reduction windows in the homes severely impacted by the train noise. NJ TRANSIT commits to eliminating all impacts in the 'severe' range.

NJ Transit will not start construction of the Project until the Quiet Zones have been approved. In the event that Quiet Zone designations are not approved, NJ Transit will notify FTA. And FTA will advise of what further NEPA review, if any, is necessary. NJ Transit will need to develop alternate mitigation measures prior to the commencement of construction.

***Project Corridor Safety*** – The FTA requires each state with fixed rail guideway transit systems to develop and implement a Safety and Security Program Plan (SSPP) standard (*State Safety Oversight of Rail Fixed Guideway Systems*, 49 CFR, Part 659). The State of New Jersey requires each rail transit system within the State to develop and implement an SSPP that meets the requirements of the state standard (*New Jersey Department of Transportation Fixed Guideway Safety Oversight Standard*, NJAC 16:53 E-4). The Project will follow NJ TRANSIT SSPP standards.

NJ TRANSIT, local railroad authorities and local municipalities, separately or in cooperation, will undertake a public information campaign or campaigns in the project area to brief local residents on the implementation of rail service and safety issues to bear in mind when in close proximity to the right-of-way. Such information campaigns have been successful in promoting safety in several major U.S. cities that recently have implemented new rail services.

***Station Area Security*** – NJ TRANSIT will work closely with municipal police departments along the project corridor to ensure that security needs are met.

Another area of security concern is the Scranton Yard Facility, where the passenger coaches will be stored and where maintenance will be performed. To ensure the personal

safety of customers and the security of the facility and rolling stock, rail yard access will be stringently controlled. Security measures include one or a combination of the following: security fencing; closed circuit camera monitoring; guard stations at vehicular and pedestrian entrances; positive identification requirements to enter; and other means as deemed necessary and useful.

NJ TRANSIT will help ensure a safe environment during construction and revenue service operation. Measures include a safety protocol; coordination between NJ TRANSIT police and local law enforcement for station area patrols; and the installation of modern active gates, flashers, and audible warnings at grade crossings.

***Geology, Soil, and Topology*** – A Soil Erosion and Sediment Control Plan will be developed during the engineering phase. Suitable excavation, construction and soil erosion techniques will be implemented during construction in coordination with county soil management district requirements.

***Water Quality*** – Mitigation of water quality and quantity effects will first be directed towards avoidance, followed by minimization. Excess stormwater runoff resulting from impervious surfaces associated with the project will be mitigated through the use of wet ponds, stormwater infiltration or detention facilities and bio-retention Best Management Practices as outlined by the NJDEP Land Use Regulation Program and PADEP Office of Water Management. A New Jersey Pollution Discharge Elimination System (NJPDES) water quality certificate will be obtained prior to MOS implementation for each stormwater management system pertaining to sites in New Jersey. A Section 402 National Pollutant Discharge Elimination System (NPDES) permit will be required if discharges are made into adjacent federally regulated surface waters in either New Jersey or Pennsylvania.

Should construction activities need to occur within migratory fish waterways, permit approval would be required, as well as agreement to timing restrictions. The construction schedule will be developed accordingly.

Andover Junction Brook/Kymer Brook is classified as an NJDEP State Water Quality classified Category 1 (C1) stream, which according to the Stormwater Management Rules, has a 300-foot Special Water Resource Protection Area (SWRPA) within which construction should not occur. The conceptual design currently shows a portion of the proposed Andover Station within the SWRPA. Development is permitted within the SWRPA area for linear developments, unique hardships or disturbance within the outer 150 feet of the SWRPA if the area is already disturbed. NJ TRANSIT will coordinate with NJDEP Land Use Program to determine if the project could qualify for a waiver for the C1 waterbody development regulations. During final design, and in coordination with NJDEP, the layout of the parking area could be modified to reduce the area within the SWRPA, and to maintain or improve the overall function and value of the SWRPA.

To comply with the Flood Hazard Area and Stormwater Management Rules, NJ TRANSIT will mitigate for any impacts within the SWRPA and riparian zone. Mitigation would be developed with NJDEP and may include conservation easements, removal of pavement, and planting trees.

**Wetlands** – The wetland mitigation strategy will be developed in coordination with the NJDEP, USACE and USEPA. Impacts will be mitigated within the project limits in accordance with discussions with the USACE Philadelphia District, if possible. In the event that onsite restoration of impacted wetlands is not feasible, unavoidable impacts to aquatic resources will be compensated for per applicable Federal and State regulations. For the wetland impacts along the railroad alignment in Byram Township, at the request of Byram Township, NJ TRANSIT commits to incorporating mitigation at Lake Lackawanna and along the Lubbers Run corridor in Byram Township as a first priority, pursuant to approval by the Federal and State regulatory authorities during the permit application process.

The Project's maximum wetland impact of 5.82 acres (0.2 acres at the Andover Station, 4.1 acres along the MOS alignment, and 1.52 acres along the non-MOS alignment) will be mitigated at a ratio between 2:1 and 4:1 pursuant to the New Jersey Freshwater Wetlands Protection Act (N.J.S.A. 13:9B), administered by the NJDEP and the Federal Clean Water Act, Section 404 and the Rivers and Harbors Act, Section 10 administered by the USACE and USEPA, and Pennsylvania State Chapter 105 under the Dam Safety and Waterway Management Rules and Regulations, administered by PADEP. The wetland mitigation strategy for both the MOS and the non-MOS will be developed in coordination with the NJDEP, USACE and USEPA, as well as Byram Township, as highlighted below. As the station development and track alignment design advances through the design phases, emphasis will be placed on avoidance and minimization of impacts to wetlands where practical and feasible.

NJ TRANSIT, at the request of NJDEP will continue consultation with NJDEP during project design to minimize wetland impacts and to agree to mitigation measures. Additionally, NJ TRANSIT will seek any necessary regulatory approvals for improvements to crossings that may be identified during the design phase, that may impact wetlands. Best Management Practices would be followed, and all work will be done in a way to minimize impacts.

NJ Transit will mitigate wetland impacts based upon the results of the following agencies as specified below:

1. NJDEP: NJ TRANSIT, at the request of NJDEP will continue consultation with NJDEP during project design to minimize wetland impacts and to agree to mitigation measures. Additionally, NJ TRANSIT will seek any necessary regulatory approvals for improvements to crossings that may be identified during the design phase that may impact wetlands. Best Management Practices would be followed, and all work will be done in a way to minimize impacts.
2. USACE: Impacts will be mitigated within the project limits as requested by the USACE Philadelphia District, if possible. In the event that onsite restoration of impacted wetlands is not feasible, unavoidable impacts to aquatic resources will be compensated for per applicable Federal and State regulations.
3. Byram: For the wetland impacts along the railroad alignment in Byram Township, at the request of Byram Township, NJ TRANSIT commits to incorporating

mitigation at Lake Lackawanna and along the Lubbers Run corridor in Byram Township as a first priority, pursuant to approval by the Federal and State regulatory authorities during the permit application process.

No construction will occur until NJ TRANSIT has received the appropriate wetlands permits as regulated by the agencies having jurisdiction.

**Floodplains** – Mitigation measures to minimize impacts and/or restore and preserve natural floodplain values will include using structures to cross floodplains instead of fill material, providing adequate flow circulation, reducing grading requirements and preserving natural drainage when possible, as per the requirements of Federal Executive Order 11988.

**Endangered Species** - Impacts identified for the Project will be mitigated using measures such as construction timing restrictions, construction monitoring, avoidance, habitat replacement, incidental take permits or relocation.

1. Blue-spotted and long-tailed salamanders – NJ TRANSIT will consult with NJDEP during design/engineering to determine whether wildlife tunnels should be considered to reduce the potential risk of habitat/population fragmentation.
2. Timber rattler - mitigation for impacts could include the construction of wildlife crossings at key wildlife corridors.

**Hazardous Waste** – Preliminary hazardous waste database reviews and site inspections identified two proposed station areas where hazardous contaminants could be located and further analysis will be conducted to ensure that contamination of the soils has not occurred:

1. **Scranton Station Area-** The U.S. Department of the Interior – Steamtown National Historic Park is listed as having Leaking Underground Storage Tanks (LUST) according to the database search. The contaminants are benzene (B-tex) and heating oil.
2. **Tobyhanna Station Area-** The 1,293-acre Tobyhanna Army Depot located approximately 0.25 miles northwest of the proposed station area was formerly utilized by the United States Army for uses including field artillery training and ordnance storage. The presence of hazardous materials contamination resulting from past and present activities conducted on the Army property have resulted in the site being listed in numerous environmental databases including the National Priority List (NPL), the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), CORRACTS, and the Resource Conservation and Recovery Information System (RCRIS).

These sites will undergo a further review into the Public Record with regard to any contamination assessment or remedial action plans which were generated since the analysis was performed for the June 2008 EA. Additionally, NJ TRANSIT, per the real

estate transfer requirements in NJ, performs testing prior to all its property transactions. Therefore, this will be done for this project as well.

Additionally, due to past uses at the Blairstown station and the East Stroudsburg station, soil and groundwater investigations will be performed to assess the potential for petroleum contamination impacts.

If contaminated media are encountered during construction, additional investigations will be necessary to implement mitigation activities required to support construction. Such activities will include design and operation of on-site groundwater treatment equipment, implementing special handling, characterization, and disposal procedures for contaminated soils or implementation of engineering controls (slurry walls, infiltration trenches, etc.) to prevent affecting natural fate and transport parameters of existing groundwater contaminant plumes. Additionally, the results of the contamination assessment activities will be utilized to assess the need for performance of a more detailed contamination assessment or Remedial Action Plan for the potential contamination sites.

In the event that hazardous or regulated materials are encountered during construction, such materials will be handled and classified for offsite disposal in accordance with the project Contaminated Soils, Water and Materials Management Plan and in accordance with (ISRA) concerning the handling, disposal, and remediation of hazardous materials and petroleum products and Resource Conservation and Recovery Act (RCRA), which regulates the treatment, storage, transportation, and disposal of solid hazardous waste. Monitoring and remediation plans would be developed and approved by NJDEP and PADEP requirements.

Additionally, although the project construction requirements do not project ground water dewatering as part of necessary construction activities, should dewatering be required, all ground water will be handled and disposed of in accordance with applicable Federal, state and local regulations as detailed in the management plan referenced above.

***Construction Impacts*** – Prior to the start of construction, the following plans will be developed by NJ TRANSIT in compliance with applicable regulations and in cooperation with municipal, agency, and industry representatives:

- Maintenance and Protection of Traffic Plan (MPT)
- Contaminated Soils, Water, and Materials Management Plan
- Construction Environmental Control Plan
- Emergency Control Plan
- Safety Protocol - This plan will continue to serve the Project during revenue service

To minimize overall impacts during construction, the proposed project will be planned, designed, scheduled and staged to minimize disruption to existing traffic, abutting neighborhoods and the environment. Contractors will be required to make considerable

efforts to avoid staging equipment and traversing areas beyond the construction site boundaries. NJT will implement the following:

1. Use of screened staging area within the existing right-of-way wherever possible.
2. Avoidance of sensitive areas for staging, including the wetlands identified in the wetlands delineation report (Appendix C of the September 2008 FONSI) and/or environmentally sensitive areas where mature vegetation and potential fish and wildlife habitats are present. Parklands will also be avoided as staging areas, and access to parkland and public recreational resources will be maintained.
3. Coordination between NJ TRANSIT and the involved municipalities and NJDOT, PennDOT and DLRC to develop construction plans and regular, on-going coordination and communication with the affected municipalities throughout construction process.
4. Historic: Reduction of fugitive dust, particularly near historic resources, through measures including: application of water or other soluble moisture-retaining agents to dirt areas; cleaning construction equipment and adjacent paved areas that may be covered with dirt or dust; covering haul trucks carrying loose materials to and from construction sites; use of clean fuels in construction equipment; deployment of clean diesel construction equipment (new, retrofit, rebuilt or repowered), and the implementation of anti-idling practices at construction sites.
  - a. To protect the Morris Canal right-of-way during construction, NJ TRANSIT will require that contractors not to perform earthwork associated with temporary construction and not use the right-of-way for temporary construction areas or laydown areas. Additionally, should any subsurface work be required in the vicinity of the Morris Canal right-of-way, NJ TRANSIT and the SHPO shall consult to address: 1) the effects of the proposed plan or design modification; 2) the actions needed to avoid, minimize, or mitigate adverse effects; and 3) a mitigation plan, if necessary.
5. Noise: Measures to mitigate noise and vibration, particularly near historic resources, including: use of specific equipment, including concrete cutters rather than pavement breakers; proper maintenance of construction equipment mufflers installation of temporary noise barriers; and rerouting of heavy equipment and truck movements, where practical and necessary.
6. Traffic: Measures to mitigate traffic impacts, including: development and implementation of a Maintenance and Protection of Traffic (MPT) plan; limiting temporary grade crossing and roadway lane closures by doing the relevant construction during off-peak traffic hours when viable; providing public and business notification of future closures and detour routes; use of well-positioned closure and detour warning signs; and the appropriate scheduling and coordination of all construction activities that will occur at the same grade crossing or within the same area.
7. Surface Water: Measures to mitigate impacts to surface water quality including: soil erosion reduction techniques (a combination of silt fences, hay bale filters,

- inlet filters, stone rip-rap and temporary vegetative covers) and ground water such as dewatering and proper construction equipment maintenance procedures; and immediate containment and disposal of spills.
8. Wetlands: Measures to mitigate wetland impacts including the use of temporary signs and fences; erosion and sediment control measures consisting of silt fences, hay bales, mats or temporary drainage systems; spill prevention plans; restricting washing activities to areas distant from wetlands and other sensitive resources.
  9. Endangered Species: Measures to mitigate impacts to threatened and endangered species include construction timing/seasonal restrictions, construction monitoring, exclusion fencing and tunnel crossings.
    - a. **Tree removal** is prohibited between April 1 and November 15 (to protect roosting/breeding Indiana bats) for the area east of Andover Station, and between April 1 and October 1 for the area west of Andover Station. Should tree clearing be proposed during the restricted season, further consultation with the USFWS will be required.
    - b. **“Monitoring during construction”** needs to be performed by a qualified bog turtle surveyor, as well as **buried double silt fencing** in the areas with the potential to provide suitable habitat. Between March 15 and October 15 the qualified bog turtle surveyor should monitor the fence conditions weekly and immediately after storm events. Between October 15 and March 15, monitoring should take place every two weeks and immediately after storm events.
    - c. Protected Species: Prior to the start of construction, NJ TRANSIT will consult with the USFWS to determine whether any new bald eagle nest locations or communal roost sites are being utilized on or adjacent to the project area. If new nest or roost sites are established on or near the project area, measures will be taken to minimize impacts. The USFWS's National Bald Eagle Management Guidelines will be adopted in order to provide the requisite protection.
    - d. Wood turtle - mitigation for impacts during construction activities will include timing restrictions, construction monitoring, and exclusion fencing.
  10. Hazardous Materials: Measures to mitigate impacts from hazardous materials, including further investigation and testing and development and implementation of monitoring plans, remediation plans and an Emergency Response Plan, as necessary.
  11. A construction monitoring and staging plan for the Project will be prepared by NJ TRANSIT and reviewed and approved by the NJ SHPO.