

ATTACHMENT C

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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 Pennsauken Junction Transit Center and Park and Ride RiverLINE and Atlantic City Rail Line Environmental Assessment (EA) are summarized in the following table. This summary is provided in the Finding-of-no-Significant-Impact (FONSI) to facilitate the monitoring of the implementation of the mitigation measures. However, the EA provides the full description of all mitigation measures that are included in the Project. FTA, with the assistance of the FTA project management oversight contractor, will oversee NJ TRANSIT's program for monitoring environmental compliance, through quarterly review meetings. 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 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 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 states. FTA will determine the appropriate level of environmental review for the proposed change (i.e., a written re-evaluation of the EA, 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 and FONSI:

1. Land Acquisition and Displacements

NJ TRANSIT is coordinating with Conrail regarding the property acquisition, and has received Conrail's support for the Project (see correspondence in EA Appendix B). The Hess Corp. has allowed NJ TRANSIT access to its property for the purposes of preliminary site evaluations, and coordination between Hess and NJ TRANSIT regarding

property acquisition is also ongoing. Upon the completion of the FONSI, NJ TRANSIT will proceed with the necessary property acquisition processes.

2. Land Use, Zoning and Consistency with Local Plans

NJ TRANSIT will, in accordance with its standard practice, make a presentation before the Pennsauken Planning Board to afford the Board and the public an opportunity to comment on the Project, and will respond to such comments.

3. Water Quality, Navigable Waterways and Coastal Zones

NJ TRANSIT will file the required construction documents for certification of the Soil Erosion and Sediment Control Plan with the Camden County Soil Conservation District. Construction activities will be controlled in accordance with the SESCO to minimize and avoid temporary surface water impacts from the land disturbance and excavation activities.

To mitigate erosion and the water quality impacts, the Project will be designed to achieve NJ Department of Environmental Protection's (NJDEP) water quality design criteria by routing stormwater through vegetated swales in the catch basin area and structured treatment devices (stormwater filters) before being discharged via sheet flow immediately south of the Project site. The structured treatment devices approved by NJDEP are designed to accept stormwater and remove a high percentage of suspended solids and hydrocarbons before discharge.

4. Endangered and Threatened Species

NJ TRANSIT shall monitor site for bald eagle activity and adjust the construction plan, if required.

5. Historic and Archaeological Resources

In consultation with the New Jersey State Historic Preservation Office (SHPO), FTA determined that, based on the *Cultural Resource Investigation* report, the proposed Pennsauken Junction Transit Station will not adversely affect any historic resources provided that the Project is undertaken in satisfaction of the following conditions:

1. Preconstruction photographic documentation shall be performed. (The required photographs were submitted to the SHPO for review on July 28, 2009, and the SHPO approval of these images is pending.)
2. All proposed new construction shall be performed in accordance with the recommended approaches and guidance set forth in the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)*.
3. NJ TRANSIT shall consult with the SHPO regarding the design, materials, color, texture and appearance of the new construction and give the SHPO an opportunity to review a complete set of plans and specifications prior to construction.
4. Provide samples of materials to the SHPO such as brick, mortar, cast stone, railing, etc.

These conditions are delineated in more detail in the SHPO March 13, 2009 concurrence letter provided in EA Appendix B, Correspondence.

The SHPO deemed the *Cultural Resources Investigation* report acceptable on March 13, 2009 (refer to EA Appendix B, Correspondence) and confirmed that no further effort to identify archaeological properties was warranted. In the event that any archaeological resources are identified during the construction phase of the Project, NJTRANSIT will immediately contact FTA and SHPO. Based on coordination with FTA and SHPO an archaeological investigation would be conducted and recommendations made for further assessment as appropriate.

6. Aesthetics

NJ TRANSIT shall continue consultation with the Township of Pennsauken and SHPO during final design and install landscape buffer at the station.

7. Direct and Indirect Effects – Construction Impacts

The following are temporary impacts that are anticipated during construction:

- a. Noise and Vibration –
 1. All work activities will conform to local noise ordinances. The primary noise sources will be construction equipment such as vehicle engines and compressors.
 2. Since residences are present within 100 feet of the Project site, noise abatement controls such as careful staging of noise intensive construction activities during daylight hours and the use of less noise intensive construction practices will be instituted to minimize potential adverse effects.
 3. At no time will noise levels exceed New Jersey Noise Regulations limits applicable to daytime construction.
 4. Temporary vibrations from construction activities are expected to be minimal and typical of the normal activities associated with construction.
- b. Hazardous Materials and Air Quality –
 1. All debris resulting from construction will be removed in compliance with approved standards and, as appropriate, disposed off-site in accordance with applicable regulations.
 2. In the event that contaminated or impacted materials are encountered, the material will be managed in accordance with applicable regulations and, as appropriate, the material will be contained and removed from the Project site to a proper offsite disposal/recycling facility, also in accordance with all applicable regulations.
 3. Air quality impacts from fugitive dust emissions will be controlled through best management practices, such as wetting roadways, and dust covers on vehicles hauling fill from the Project site.
 4. Additionally, NJ TRANSIT will require that all construction equipment utilize ultra-low sulfur diesel fuel.

8. Safety and Security

NJ TRANSIT will comply with all Federal and, State safety requirements. These will include the National Fire Protection Standards ((NFPA) 30, 30A, National Electrical Code (NFPA 70), and International Building Code requirements. Construction activities will follow regulations and codes put forth by the Occupational Safety and Health Administration (OSHA), Building Officials and Code Administration, the NJ Department of Community Affairs and the NJ Department of Transportation.

Specific safety and security measure are:

- a. All contractor employees will be required to attend Roadway Worker Safety training provided by NJ TRANSIT, Conrail, and the RiverLINE operator.
- b. Any employee working on or near an active rail right-of-way will be protected by a flagman provided by the rail operator.
- c. Project site access will be limited to construction workers, NJ TRANSIT employees and other authorized individuals during construction.
- d. As part of the Project, closed circuit television cameras will be mounted in the parking lot and on the station platforms to improve overall security at the station.

9. Hazardous and Non-Hazardous Waste

Contamination within the RiverLINE right-of-way (ROW) was thoroughly documented during construction of the line. The ROW contains historic fill material contaminated with heavy metals and PAH's (polycyclic aromatic hydrocarbons) at levels that exceed the NJDEP's unrestricted soil cleanup standards. As a result, the entire RiverLINE ROW has been placed under a deed notice, and engineering controls (cap of clean material), have been placed over all contaminated areas. Before any excavation takes place within the deed noticed area, a plan to prevent the migration of contaminated materials during construction will be developed and submitted to NJDEP for approval. All excavated soil not reused on the Project will be disposed of as ID-27 (regulated contaminated waste) at a properly permitted re-use or recycling facility. At the conclusion of construction, all engineering controls will be restored to NJDEP's satisfaction.

Environmental due diligence will be performed on the Atlantic City Rail Line (A.C.R.L.) ROW once Conrail has issued an environmental access permit. If contamination exceeding the most restrictive NJDEP soil cleanup standards is found, appropriate remedial measures will be applied during construction. It is anticipated that types and levels of contamination to be encountered on the A.C.R.L. will be similar to what is already known to exist on the RiverLINE.