

**MTA Task Order 11: Hudson Line Signal Improvements
Croton-Harmon to Poughkeepsie Signal System II Project
Westchester, Putnam, and Dutchess Counties**

Croton-on-Hudson Local Waterfront Revitalization Program (LWRP)

Metropolitan Transportation Authority Construction & Development (MTA C&D) and Metro-North Railroad (MNR) are proposing to implement a Signal Systems Project (the Project), which would involve replacing the existing signal system with a high-capacity vital cab signaling system with centralized traffic control (CTC) between Croton-Harmon and Poughkeepsie, encompassing approximately 43 miles (the Project site or Project corridor). The Project involves performing improvements at 148 locations within the existing railroad right-of-way (ROW), with some locations requiring temporary or permanent easements. Work would be performed within Westchester, Putnam, and Dutchess Counties.

A portion of the project site would be located within the Village of Croton-on-Hudson and is subject to its LWRP, as shown in Figure 7A. An assessment of the Project's consistency with the applicable policies of the LWRP is provided below. As described below, the Project is consistent with LWRP policies. Figures 7A-7D show the Coastal Area Boundary, Significant Coastal Fish & Wildlife Habitats, and LWRPs throughout the Project corridor. Project plans showing the proposed work within Croton-on-Hudson are attached.

Policy 1: *Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.*

Policy 1A: *Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro-North train station, while facilitating public access to the bay area and recreational use.*

Policy 1B: *Encourage restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.*

The Village-owned land adjacent to the parking lots at the Croton-Harmon MNR station is an important recreational resource for the Village. The Project would not affect this resource, and it would not affect the public's access to the bay area. Additionally, the Project directly supports Policy 1B by updating the components of the MNR signal system, which has reached its useful life and is in need of replacement to ensure continued reliable service in the future. The Project would not add any additional visual intrusions to the viewsheds of the Hudson River from the Village. Thus, the Project is consistent with Policies 1, 1A, and 1B.

Policy 7: *Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.*

Policy 7A: *The quality of the Croton River and Bay Significant Coastal Fish and Wildlife Habitat and Haverstraw Bay Significant Fish and Wildlife Habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.*

Policy 7B: *Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay Significant Fish and Wildlife Habitat and the Haverstraw Bay Significant Fish and Wildlife Habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.*

Policy 7C: *Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay Significant Fish and Wildlife Habitat or Haverstraw Bay Significant Fish and Wildlife Habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.*

Policy 7D: *Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay Significant Fish and Wildlife Habitats and shorelands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.*

Policy 7E: *Runoff from public and private parking lots and from storm sewer overflows shall be effectively managed so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact to the significant fish and wildlife habitats.*

Policy 7F: *Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity in the Croton River and Hudson River spawning areas shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.*

Policy 7G: *Construction activity of any kind must not cause significant degradation of water quality or impact identified significant fish and wildlife habitats.*

The proposed work within the Village of Croton-on-Hudson will include the installation and maintenance of existing and proposed signal equipment and fences at various locations north of, south of, and at the Croton-Harmon MNR Station. Permanent easements and temporary staging areas are required for the proposed work. Work will occur adjacent to the Croton River and Bay and Haverstraw Bay Significant Fish and Wildlife Habitats (Figure 7A). The work will occur within an active rail corridor that is already disturbed, and land disturbance will be minimal. It will require minor in-water work at several locations for the placement of footings for platforms within the Hudson River. Work will adhere to any in-water work restrictions

recommended by NYSDEC and USACE.¹ Soil erosion and sediment control measures implemented prior to construction, including silt fences, erosion protection matting, inlet sediment control bags, hay bales, filter socks, turbidity curtains, and sediment filter bags, will reduce the amount of sediment entering the Hudson River and nearby wetlands. The proposed work will not impair the viability of either area or affect these habitats by changing their physical, biological, or chemical parameters. Thus, the Project is consistent with Policies 7 and 7A-7G.

Policy 8: *Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub-lethal or lethal effect on those resources.*

This Project will not result in the release of pollutants or hazardous wastes into coastal waters. Soil and construction debris generated as a result of construction activities will be properly managed (e.g., handled, tested, transported, and disposed of) in accordance with all applicable regulations and MTA C&D's standard waste management practices. Pesticides, herbicides, insecticides, and fertilizers are not anticipated to be used during operation or construction. The chosen contractor will utilize removal methods and containment systems that eliminate or minimize the risk of degradation of natural resources, including turbidity curtains and filter socks. Thus, the Project is consistent with Policy 8.

Policy 11: *Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.*

Policy 12: *Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.*

Policy 12A: *Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the point.*

Portions of the project corridor within the Village are mapped within a 100-year floodplain (Zone AE or Zone A) and 500-year floodplain. No coastal erosion hazard areas are designated within Croton-on-Hudson. The Project will require very minor in-water work at several locations for the placement of footings for platforms within the Hudson River. Land disturbance will be minimal, and the overall use of the land will remain the same, as an active rail line. Flood and waterproofing measures will be incorporated into the design where appropriate. These efforts will be made to minimize damage to property and damage to natural resources. Work will not occur on Croton

¹ Pursuant to PAL Section 1266(11), MTA MNR is not subject to ECL Articles 24 (FWW) and 25 (TW) and pursuant to ECL Section 15-0501(5) is exempt from Protection of Waters permits. If MTA MNR invokes any or all of these exemptions, MTA MNR will still adhere to NYSDEC guidance and standards.

Point, and the activities will not increase erosion or flooding. Thus, the Project is consistent with Policies 11, 12 and 12A.

Policy 19: *Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.*

Policy 19A: *Encourage the linkage of open space from upland areas to and along the Hudson and Croton Rivers in the form of a trail or walkway system.*

Policy 19B: *Increase public access to areas that offer physical and visual connection to the Hudson River or Croton River and Bay.*

Policy 19C: *Encourage the improvement of public transportation, when feasible, where water-dependent and water-enhanced recreation activities are located.*

Policy 19D: *Improve and maintain access to Croton River and Bay at the Village-owned Echo Canoe Launch south of the Village parking lots at the Croton-Harmon Station.*

Policy 20: *Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses.*

The Project improves public transportation by upgrading MNR's existing signal system, which has reached the end of its useful life. While the Project is not increasing public access, it will maintain the level of access to public water-related recreation resources and facilities in the Village, as well as publicly owned land adjacent to the water's edge. Existing and future access to these resources will not be reduced or eliminated by the Project, which will maintain access to these resources via safe and reliable MNR service. Access south of the Village parking lots at the Croton-Harmon Station will be maintained. Thus, the Project is consistent with Policies 19, 19A-19D, and 20.

Policy 24: *Prevent impairment of scenic resources of statewide significance.*

Policy 25: *Protect, restore or enhance natural and manmade resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.*

While there are no scenic resources of statewide significance located within Croton-on-Hudson, the Hudson Highlands SASS is located adjacent to the City's waterfront on the Hudson River. The Project will not affect the beauty of this important scenic resource, reduce identified views to the resource, or diminish the scenic quality of the resource. Further, pursuant to Policy 25, none of the natural or manmade resources in the Village would be affected by the proposed work. None of the proposed signal structures, fences, or signage would reduce identified views or diminish the scenic quality of the coastal area. Thus, the Project is consistent with Policies 24 and 25.

Policy 30: *Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.*

Policy 30A: *Existing rail services and transportation-related facilities shall not dispose of any regulated materials in coastal waters until all such regulated materials have been tested by the State for conformance with water quality standards.*

The Project will not result in the release of pollutants into coastal waters. Soil and construction debris generated as a result of construction activities will be properly managed (e.g., handled, tested, transported, and disposed of) in accordance with all applicable regulations and MTA C&D's standard waste management practices. Pesticides, herbicides, insecticides, and fertilizers are not anticipated to be used during operation or construction. Construction materials and equipment will be stored in locations that do not create risks to public health or the environment. Material transport off-site for disposal will be conducted in accordance with Federal, State, and local requirements. This includes properly licensed haulers and trucks, required placarding, approved truck routes, and manifesting. The chosen contractor will utilize removal methods and containment systems that eliminate or minimize the risk of human exposure to contaminants, dust, hazardous materials, and/or debris generated from construction, as well as potential degradation of natural resources, as required. The contractor will also abide by MTA C&D's waste disposal requirements. Thus, the Project is consistent with Policies 30 and 30A.

Policy 35: *Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.*

The Project will require minor in-water work at several locations for the placement of footings for platforms within the Hudson River. No dredging is required. The work will be undertaken in a manner that meets existing New York State permitting requirements, including adherence to any in-water work restrictions during construction. Thus, the Project is consistent with Policy 35.

Policy 44: *Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

Policy 44A: *Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.*

Based on use of the NYSDEC Environmental Resource Mapper, the USFWS NWI Mapper, and high-resolution aerial imagery of the Project site, the limited in-water work for the installation of signal platforms and upgrades with the Project work areas is anticipated to have temporary minor impacts to open water areas and wetlands. Soil erosion and sediment control measures will be implemented prior to construction to reduce the amount of sediment entering the Hudson River

and nearby wetlands. Permits for in-water work will be obtained from NYSDEC and USACE, and the Project will comply with all permit conditions.² Thus, the Project is consistent with Policies 44 and 44A.

² Pursuant to PAL Section 1266(11), MTA-MNR is not subject to ECL Articles 24 (FWW) and 25 (TW) and pursuant to ECL Section 15-0501(5) is exempt from Protection of Waters permits. If MTA-MNR invokes any or all of these exemptions, MTA MNR will still adhere to NYSDEC guidance and standards.