

Expiration 08/31/2018

OMB No. 2130-0548

Public reporting burden for this information collection is estimated to average 176 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 2130-0548. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave., N.W., Washington D.C. 20590.

Federal Railroad Administration (FRA)
CATEGORICAL EXCLUSION WORKSHEET

The purpose of this worksheet is to assist Project sponsors in gathering and organizing materials for environmental analysis required under the National Environmental Policy Act (NEPA), particularly for projects that may qualify as Categorical Exclusions. Categorical Exclusions are categories of actions (i.e. types of projects) that the FRA has determined, based on its experience, typically do not individually or cumulatively have a significant effect on the human environment and which generally do not require the preparation of either an environmental impact statement (EIS) or an environmental assessment (EA). Decisions to prepare EAs and EISs are made by FRA.

Submission of the worksheet by itself does not meet NEPA requirements. FRA must concur in writing with the Categorical Exclusion recommendation for NEPA requirements to be met.

The Project sponsor is responsible for providing FRA with a sufficient level of documentation and analysis to help inform FRA's determination that a Categorical Exclusion is the appropriate NEPA class of action. Documentation and analysis may include background research, results of record searches, field investigations, field surveys, and any past planning or studies.

Instructions for completing this worksheet are available on the FRA website at: <http://www.fra.dot.gov/eLib/Details/L02708>. Please complete this worksheet using compatible word processing software and submit and transmit the completed form in MS Word electronic format.

The following documents must be submitted along with this worksheet:

1. Include maps or diagram of the Project area that identifies locations of critical resource areas, wetlands, potential historic sites, or sensitive noise receptors such as schools, hospitals, and residences.
 2. Include maps or diagrams of the proposed modifications to existing railways, roadways, and parking facilities.
 3. Copies of all agency correspondence particularly with permitting agencies.
 4. Representative photographs of the Project area.
-

I. PROJECT DESCRIPTION

Project Sponsor Maine Department of Transportation	Date Submitted to FRA September 12, 2018	FRA Funding (TIGER, HSIPR, Rail Line Relocation, RRIF, etc.) or other FRA Action Consolidated Rail Infrastructure and Safety Improvements (CRISI)
Contact Person Nathan Moulton	Phone (207) 624-3563	E-mail address Nathan.Moulton@maine.gov
Proposed Project Title Pan Am Railways Mainline Upgrades and Rail Crossing Safety Improvements		
Location (Include Street Address, City or Township, County, and State) Pan Am Railways – Freight Mainline Waterville, Maine MP 111.57 to North Yarmouth, Maine MP 184.40.		
NEPA Contact Kristen Chamberlain	Phone (207) 557-5089	E-mail Address Kristen.Chamberlain@maine.gov

Description of Proposed Action (Project): Fully describe the Project including specifics that may be of environmental concern such as: *widening an embankment to stabilize roadbed; repairing or replacing bridge pier foundations, extending culverts, including adding rip-rap in a waterway; earthwork and altering natural (existing) drainage patterns and creating a new water discharge; contaminated water needing treatment; building a new or adding on to a shop building; fueling or collection of fuel or oil and contaminated water; building or extending a siding; and building or adding on to a yard. Where applicable fully describe the operational characteristics of the facility to be improved by the proposed action and any anticipated operational changes that may result.*

The Project will involve upgrades along the Pan Am Railways Freight Mainline within three different counties in Maine, including Kennebec, Androscoggin and Cumberland Counties, shown on the Project Location Map in Attachment 1. The project extends from milepost (MP) 111.57 in Waterville, Maine to Royal Junction at MP 184.40 in North Yarmouth, Maine. The Project will improve safety, efficiency and reliability on approximately 75 miles of Pan Am Railways (PAR) freight mainline between the PAR freight yard in Waterville and Royal Jct. in North Yarmouth, Maine by modernization and improvements to rail track, signal and highway/ rail grade crossings. The work to be accomplished is described generally below.

1. **Install 37 Track Miles of New Continuously Welded Rail (CWR)** – PAR will replace existing old jointed rail in the corridor that has become corrugated in many locations and is at the end of its useful life with modern welded rail.
2. **Upgrade 25 Mainline Switches** – PAR will replace all the existing mainline rail switches in the corridor.
3. **Reconstruct 47 Highway/ Rail Grade Crossings** – PAR will modernize signals at all 47 grade crossings and reconstruct surfaces at 23 of these crossings.
4. **Extend New Gloucester Siding** – PAR will extend the existing New Gloucester Siding by 4,800 feet and modernize the remainder of the existing siding so that longer trains can meet and pass in the corridor. The siding extension will be completed in the existing rail corridor rights-of-way (ROW) on top of the existing rail ballast fill where a gravel road is currently located.
5. **Wayside Track Signal Improvements** – PAR will replace interlockings with modernized equipment at CPF-111, CPF-112, and CPF 113. PAR will install interlocking at Leeds Junction and add additional wayside locations to complete the signal system between Leeds Junction and Danville Junction. PAR will install interlockings at both ends of the extended New Gloucester Siding and add additional wayside locations to complete the signal system between Danville Junction and Royal Junction.
6. **Bridge Deck Timber Replacements** – PAR will replace bridge deck timbers on 8 bridges.
7. **Private Crossing Rehabilitations** – PAR will replace planking and install modern signage at 42 private rail crossings to increase safety at these crossings.

All of the proposed improvements will be made within the existing PAR rail corridor ROW property. No purchase or acquisition of new land is needed or proposed. Improvements will be made on the existing rail bed over existing rail ballast fill, and will not require widening or expanding the footprint of the rail bed or ballast fill. The scope of work does not include widening the cleared rail corridor, tree removal or vegetation clearing in new areas, new areas of fill, or new areas of ground disturbance.

As a maintenance and repair project in the existing developed footprint of the rail ROW, no state or federal permits are required to complete the proposed scope of work. The Maine Department of Transportation (MaineDOT) has prepared consultation letters to the Maine Historic Preservation Commission (MHPC), Maine's five federally recognized Native American Tribes, the Maine Coastal Program, and the Maine Department of Inland Fisheries and Wildlife to initiate agency consultations. MaineDOT will submit the letters to these agencies if the project is awarded CRISI grant funding. The estimated total project cost is \$35,505,772, and MaineDOT requests \$17,468,840 in CRISI Grant support to fund construction of the project.

Purpose and Need of Proposed Action (Project).

The Pan Am Freight Mainline is a Class 2 track, which allows freight train speeds of up to 25 miles per hour (mph). However, as a result of the poor condition of the existing jointed rail, and the need for signalization, siding extension, and other identified improvements, speed reductions to 10 mph are required in many locations along the Pan Am Freight Mainline to maintain safe train operations. The speed reductions make it more costly to move freight and result in inefficient operations. The project will improve safety, efficiency and reliability on approximately 75 miles of Pan Am Railways freight mainline between their freight yard in Waterville and Royal Jct. in North Yarmouth, Maine. This will be accomplished through modernization and improvements to rail track, signal, and highway/ rail grade crossings.

II. NEPA CLASS OF ACTION

Please check the category or categories that the Project best fits. If no category applies, contact FRA as an EA or EIS may need to be prepared.

- Changes in plans for a Project for which an environmental document has been prepared, where the changes would not alter the environmental impacts of the action. *(Describe the full consequences of the changes only in part III)*
- Maintenance of: existing railroad equipment; track and bridge structures; electrification, communication, signaling, or security facilities; stations; maintenance-of-way and maintenance-of-equipment bases; and other existing railroad-related facilities. *("Maintenance" means work, normally provided on a periodic basis, which does not change the existing character of the facility, and may include work characterized by other terms under specific FRA programs)*
- Temporary replacement of an essential rail facility if repairs are commenced immediately after the occurrence of a natural disaster or catastrophic failure.
- Operating assistance to a railroad to continue existing service or to increase service to meet demand, where the assistance will not result in a change in the effect on the environment.
- Financial assistance for the construction of minor loading and unloading facilities, provided that proposals are consistent with local zoning, do not involve the acquisition of a significant amount of land, and do not significantly alter the traffic density characteristics of existing rail or highway facilities.
- Minor rail line additions *including construction of side tracks, passing tracks, crossovers, short connections between existing rail lines, and new tracks within existing rail yards*, provided that such additions are consistent with existing zoning, do not involve acquisition of a significant amount of right of way, and do not substantially alter the traffic density characteristics of the existing rail lines or rail facilities.
- Acquisition of existing railroad equipment, track and bridge structures, electrification, communication, signaling or security facilities, stations, maintenance of way and maintenance of equipment bases, and other existing railroad facilities or the right to use such facilities, for the purpose of conducting operations of a nature and at a level of use similar to those presently or previously existing on the subject properties.
- Research, development and/or demonstration of advances in signal, communication and/or train control systems on existing rail lines provided that such research, development and/or demonstrations do not require the acquisition of substantial amounts of right-of-way, and do not substantially alter the traffic density characteristics of the existing rail line.
- Improvements to existing facilities to service, inspect, or maintain rail passenger equipment, *including expansion of existing buildings, the construction of new buildings and outdoor facilities, and the reconfiguration of yard tracks.*
- Alterations to existing facilities, locomotives, stations and rail cars in order to make them accessible for the elderly and persons with disabilities, *such as modifying doorways, adding or modifying lifts, constructing access ramps and railings, modifying restrooms, and constructing*

accessible platforms.

- Bridge rehabilitation, reconstruction or replacement, the rehabilitation or maintenance of the rail elements of docks or piers for the purposes of intermodal transfers, and the construction of bridges, culverts, or grade separation projects, predominantly within existing right-of-way, that do not involve extensive in-water construction activities, *such as projects replacing bridge components including stringers, caps, piles, or decks, the construction of roadway overpasses to replace at-grade crossings, construction or reconstruction of approaches and/or embankments to bridges, or construction or replacement of short span bridges.*
- Acquisition (including purchase or lease), rehabilitation, or maintenance of vehicles or equipment that does not cause a substantial increase in the use of infrastructure within the existing right-of-way or other previously disturbed locations, *including locomotives, passenger coaches, freight cars, trainsets, and construction, maintenance or inspection equipment.*
- Installation, repair and replacement of equipment and small structures designed to promote transportation safety, security, accessibility, communication or operational efficiency that take place predominantly within the existing right-of-way and do not result in a major change in traffic density on the existing rail line or facility, *such as the installation, repair or replacement of surface treatments or pavement markings, small passenger shelters, passenger amenities, benches, signage, sidewalks or trails, equipment enclosures, and fencing, railroad warning devices, train control systems, signalization, electric traction equipment and structures, electronics, photonics, and communications systems and equipment, equipment mounts, towers and structures, information processing equipment, and security equipment, including surveillance and detection cameras.*
- Environmental restoration, remediation and pollution prevention activities in or proximate to existing and former railroad track, infrastructure, stations and facilities conducted in conformance with applicable laws, regulations and permit requirements, *including activities such as noise mitigation, landscaping, natural resource management activities, replacement or improvement to storm water oil/water separators, installation of pollution containment systems, slope stabilization, and contaminated soil removal or remediation activities.*
- Assembly or construction of facilities or stations that are consistent with existing land use and zoning requirements, do not result in a major change in traffic density on existing rail or highway facilities and result in approximately less than ten acres of surface disturbance, *such as storage and maintenance facilities, freight or passenger loading and unloading facilities or stations, parking facilities, passenger platforms, canopies, shelters, pedestrian overpasses or underpasses, paving, or landscaping.*
- Track and track structure maintenance and improvements when carried out predominantly within the existing right-of-way that do not cause a substantial increase in rail traffic beyond existing or historic levels, *such as stabilizing embankments, installing or reinstalling track, re-grading, replacing rail, ties, slabs and ballast, installing, maintaining, or restoring drainage ditches, cleaning ballast, constructing minor curve realignments, improving or replacing interlockings, and the installation or maintenance of ancillary equipment.*

III. **PROJECT INFORMATION**

Potential impacts from both construction and changes to operations (where applicable) should be analyzed and identified for each resource type below. Where appropriate, the Project sponsor may commit to mitigation measures to avoid, reduce, or minimize impacts, including the use of Best Management Practices (BMP). Mitigation measures necessary to comply with other laws or regulations (e.g. Clean Water Act Section 404) should also be identified and the impacts from mitigation considered.

- A. Affected Environment:** *Briefly describe the ecosystems and environmental conditions in the area affected by the Project (defined as broadly as necessary to evaluate potential impacts and address Project area habitats).*

The project area is limited to the existing developed portion of the

FRA Categorical Exclusion Worksheet

railway corridor as defined in the description of the proposed action. Representative photographs of the rail ROW and surrounding area are provided in Attachment 3.

The project route is located within the Midcoast and Central Interior biophysical regions of Maine. The southern end of the project is within the Midcoast biophysical region, which is characterized by hilly terrain, with elevations generally ranging from sea level to 200 feet above sea level. This region contains narrow peninsulas and islands along the coast and areas further inland consist of valleys and ridges with underlying bedrock. The majority of the Project is within the central interior biophysical region. This region is characterized by flat or gently rolling terrain with an average elevation between 200 and 400 feet above sea level. The central interior region includes the lower drainages of the Kennebec River and contains complex bedrock geology.

Land uses along the project area are primarily forested uplands; forested, scrub-shrub, and emergent wetlands; and agricultural fields, with a few locations that are more densely developed. These include the village centers and small towns of Oakland, Winthrop, and Monmouth, and downtown areas of three small cities (Auburn, Lewiston, and Waterville), where residential and commercial development density is higher. The project area also runs along the shores of Cochnewagan Lake in Monmouth, Maranacook Lake in Readfield and Winthrop, and Mesalonskee Lake in Belgrade, where lakefront camps (seasonal or year-round houses) abut or lie close to the railroad ROW.

B. *Location & Land Use: Briefly describe the existing land use of the Project site and surrounding properties and resources and identify and discuss any potential inconsistencies the Project might have with local land use plans and policies.*

The project area includes the currently developed portion of an existing railroad ROW that has been used to carry freight since the mid 1800's. The project area includes Class 2 freight rail line that runs from Royal Junction in Falmouth, Maine (MP 185.40) to Waterville, Maine (MP 111.57). This stretch of rail, called the Pan Am Freight Mainline, is where all project activities as described in in the Description of Proposed Action will occur. As detailed in the description of the Affected Environment, surrounding properties are primarily forested, agricultural land, or wetlands. An aerial photograph-based map of the project area including previously documented historic places, hospitals, schools, drinking water supply wells, conserved lands, aquifers, Federal Emergency Management Agency (FEMA) mapped 100-year floodplains, National Wetland Inventory wetlands, and public drinking water supply watersheds in the project vicinity is included in Attachment 2.

The contemporary land uses and policies surrounding the existing railroad have been developed in the context of the existing railroad corridor. The project is consistent with local land use plans and policies because it would not change the existing use of the railroad or existing land use patterns. The proposed project scope constitutes repair, maintenance, and minor improvements to the existing railroad infrastructure within the existing, previously developed footprint of the rail bed without expansion of the rail bed footprint, excavation outside of the existing rail bed footprint, or new areas of vegetation clearing. Following construction, the railroad will continue to be operated as a Class 2

FRA Categorical Exclusion Worksheet

freight rail line, as it is currently. Similarly, because the project will not result in new areas of development or a change in the use of the railroad, critical resource areas, wetlands, historic sites, parks and recreational areas, or sensitive noise receptors will not be affected by the proposed project.

C. Cultural Resources: *Is the Project of the type where there is no potential to affect historic properties? Check yes or no depending on whether resources have been identified in the immediate vicinity of the Project (Area of Potential Effect)*

Yes, explain how Project has no potential to affect historic properties. (Continue to D)

The Project will not affect historic properties. The project scope does not have the potential to affect archaeological resources because the proposed work will be completed on top of the existing rail bed ballast fill footprint. A search was completed on August 21, 2018, of the National Register of Historic Places (NRHP) website to identify other types of cultural resources along the existing Pan Am Freight Mainline. No properties were identified within the direct project footprint during this search, although two NRHP cultural resource sites were identified within the 150-foot wide study corridor, and other sites were located in the general project vicinity.

One cultural resource in the 150-foot wide project study corridor was identified as a broad swath of land shown as a polygon on the National Register of Historic Places website. This site was identified as the Arnold Trail to Quebec, which is an area along the Kennebec River that runs through Wyman and Flagstaff Lakes in Maine's western mountains region along the Dead River and Chain of Ponds to Quebec Canada. This trail is located in Franklin County, Maine and will not be impacted by the Project, which is located in Kennebec, Androscoggin and Cumberland counties.

The second historic site in the 150-foot wide project study corridor is the Auburn Public Library in Auburn, Maine which is near the Court Street grade crossing at MP 161.64 east of the existing railroad. Project activities that may be in view of this historic site include grade crossing reconstruction at Library Avenue and Court Street, and signalization improvements. The grade crossing and signalization improvement construction activities will not directly impact the Auburn Public Library property because all work will be completed within the existing railroad ROW. While these project activities may be within view of the library, no effects to the Auburn Public Library are anticipated because the proposed improvements will look similar to existing conditions, and the site is located in a densely developed urban area.

MaineDOT has prepared a consultation letter to the Maine Historic Preservation Commission to solicit the MHPC's input on the proposed project and whether it would have an effect on cultural resource sites (see Attachment 6). MaineDOT will submit the letter to the MHPC if the project is awarded CRISI grant funding.

No, there is potential to affect historic properties. Describe identification procedures to determine the existence of cultural resources in the Project area.

Describe any resource(s) identified in the project area and then describe any potential effect of

the Project on the resource(s).

Has consultation with the State Historic Preservation Office occurred?

No, contact FRA

Yes, describe and attach relevant correspondence

What resources of interest to Federally-recognized Native American Tribes are known to be present in the Project area?

There are no known resources of interest to Federally-recognized Native American Tribes present in the project area. MaineDOT has prepared consultation letters to each of Maine's five federally recognized to request information regarding cultural resource effects (see Attachment 6). MaineDOT will submit the letters to the tribes if the project is awarded CRISI grant funding.

D. Parks and Recreational Facilities: *Are there any publicly owned park, wildlife and waterfowl refuge, or recreational area of national, state, or local significance within or directly adjacent to the Project area?*

No, include a short statement describe efforts to identify parks and recreational facilities in the Project area.

Yes, include a detailed description of the property, including map or drawing, describe the recreational uses of the property, any unique characteristics of the property, any consultations with the entity with legal jurisdiction over the property, and the potential impact on the property.

MaineDOT identified parks and recreational facilities abutting the Pan Am Freight Mainline railroad corridor based on a search of the Maine Office of GIS Data Catalog's "Conserved Lands" dataset. The Conserved Lands GIS dataset includes conservation lands in federal, state, municipal and non-profit ownership with easements. The conservation lands abutting the project area include:

1. Several water supply properties in Yarmouth and North Yarmouth managed by the Yarmouth Water District, which are under permanent protection and are to be maintained in a primarily natural state;
2. Miscellaneous municipal lands in North Yarmouth, Maine;
3. University of Maine Foundation lands that are partially developed for municipal use in Gray, Maine;
4. Maine Department of Environmental Protection Wink conservation easement which allows general use and is maintained for ecological preservation;
5. Pineland Public Lands, multiple use property, owned by the Maine Bureau of Parks and Lands in Gray, Maine;
6. Miscellaneous municipal lands that are partially developed in Gray, Maine;
7. The Intervale Preserve, a multiple use area, owned by the Department of Environmental Protection as a third-party easement in New Gloucester, Maine;
8. Gawler State Wildlife Management Area, a multiple use lot owned by the Maine Department of Inland Fisheries and Wildlife in

FRA Categorical Exclusion Worksheet

Winthrop, Maine;

9. Westman Woods Preserve, owned by the Kennebec Land Trust as a multiple use lot in Readfield, Maine; and,
10. Massalonskee Lake Bog State Wildlife Management Area, a multiple use lot owned by the Maine Department of Inland Fisheries and Wildlife in Belgrade, Maine.

The location of conserved lands in relation to the Pan Am Freight Mainline is displayed on the mapping provided in Attachment 2. The project will not impact conserved lands that abut the Pan Am Freight Mainline because project construction will occur within the existing developed footprint of the railroad on property owned by Pan Am Railways. Following construction, there will be no change in the use of the Pan Am Freight Mainline with the potential to affect conserved lands. No impacts will occur to publicly owned parks or recreational facilities, so additional documentation and coordination under Section 4(f) of the Transportation Act is not required.

E. Transportation: *Would the Project have any effect (beneficial or adverse) on transportation including but not limited to other railway operations, road traffic, or increase the demand for parking?*

No, explain why the Project would have no effect (beneficial or adverse) on transportation

Yes, describe potential transportation, traffic, and parking impacts, and address capacity constraints and potential impacts to existing railroad and highway operations. Also, summarize any consultation that has occurred with other railroads or highway authorities whose operations this Project will impact.

During construction, the project may potentially require minor road detours or traffic management, or the use of alternate routes for freight train traffic. However, these effects will be transient and short-lived as construction occurs along the Pan Am Freight Mainline.

During operations, the project would have a positive effect on freight rail operations because it will allow freight trains to run at a consistent speed. The existing Class 2 railroad designation permits transportation of freight trains at up to 25 miles per hour (mph). The need for track replacement, grade crossing improvements, bridge deck replacement, switch upgrades, and signalization improvements currently requires speed reductions to 10 mph at some locations along the Pan Am Freight Mainline. The project will address these maintenance needs, and allow freight trains to run at a consistent Class 2 rail speed of 25 mph. The number of trains operated per day will be similar to pre-construction operations. Since the proposed improvements will simply enable Pan Am to consistently operate freight trains at the existing rail class speed, there will be no adverse effects to rail operations. The project will not result in other beneficial or adverse impacts to railroad or highway operations.

F. Noise and Vibration: *Are there any sensitive receptors in the Project area?*

No, describe why there are no sensitive receptors (residences, parks, schools, hospitals, public gathering spaces) in or near the Project area. (Continue to G)

Yes, will the Project change the noise and/or vibration exposure of the sensitive receptors when applying the screening distances for noise and vibration assessment found in FRA and Federal Transit Administration's noise impacts assessment guidance manuals? Such changes in exposure might include changes in noise emissions and/or events, or changes in vibration emissions and/or events.

Sensitive noise receptors including residences, hospitals, schools, and parks are located within the project vicinity, as shown on the project mapping provided in Attachment 2. While the Project is near sensitive receptors, the noise or vibration exposure of the sensitive receptors will not change relative to existing conditions when applying the screening distances for noise and vibration assessment found in FRA and Federal Transit Administration's noise impact assessment guidance manuals. There will be no changes in exposure, noise emissions and/or events, or changes in vibration emissions and/or events that are different than those currently emitted by the existing Class 2 rail line because the project will not result in freight train speeds exceeding Class 2 rail line limits of 25 mph, and freight train traffic is not anticipated to change as a result of the project following construction.

If the Project is anticipated to change the noise or vibration exposure of sensitive receptors, complete and attach a General Noise and/or Vibration Assessment. Describe the results of the Assessment and any mitigation that will address potential impacts.

G. Air Quality: *Is the Project located in a Non-Attainment or Maintenance area?*

No, identify any air emissions increases or benefits that the project will create.
(Continue to H)

The project site is located in Cumberland, Androscoggin, and Kennebec counties, which meet National Ambient Air Quality Standards (NAAQS), are designated as attainment areas with regard to all NAAQS, and are not considered to include any maintenance areas. Construction-phase air emissions will be short-term and transient as construction progresses along the Pan Am Freight Mainline. The project's operations phase emissions will be comparable to pre-construction emissions because freight train frequency or operations are not expected to change. As such, the construction or operation of the Pam Am Railway would not have the potential to increase ambient criteria pollutants to levels that exceed NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment.

Yes, for which of the following pollutants:

- Carbon Monoxide (CO) Ozone (O₃), volatile organic compounds or Nitrous Oxides (NO_x)
 Particulate Matter (PM₁₀ and PM_{2.5})

Will the Project, both during construction and operation, result in new emissions of criteria pollutants including Carbon Monoxide (CO), Ozone (O₃), volatile organic compounds, or Nitrous Oxides NO_x, Particulate Matter (PM₁₀ and PM_{2.5})?

No Yes, Attach an emissions analysis for General Conformity regarding CO, O₃, PM₁₀, and NO_x.

Based on the emissions analysis, will the Project increase concentrations of ambient criteria pollutants to levels that exceed the NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment?

No Yes, Describe any substantial impacts from the Project.

H. Hazardous Materials: *Does the Project involve the use or handling of hazardous materials?*

No (continue to I)

Yes, describe the use and measures that will mitigate any potential for release and contamination.

I. Hazardous Waste: *Is the Project site in a developed area or was previously developed or used for industrial or agricultural production,*

No, describe the steps taken to determine that hazardous materials are not present on the Project site. (Continue to J)

Yes. *If yes, is it likely that hazardous materials will be encountered by undertaking the Project? (Prior to acquiring land or a facility with FRA funds, FRA must be consulted regarding the potential presence of hazardous materials)*

Yes, complete a Phase I site assessment and attach.

- No, explain why it is unlikely that hazardous materials will be encountered.

The project area bisects numerous areas that have a history of use as industrial or agricultural land. However, project construction will occur on top of the existing fill footprint of the rail ballast, and extensive excavation into the rail ballast is not anticipated as part of project construction. Therefore, it is unlikely that hazardous materials will be encountered.

A desktop review was completed for the entire project area using publicly available Maine Department of Environmental Protection databases for existing Hazardous Oil Spill System (HOSS) Sites, registered petroleum tanks, remediation sites, and soil waste-closed municipal landfill sites. No such hazardous waste sites are known to occur within the project area based on review of these databases.

If a Phase I survey was completed, is a Phase II site assessment recommended?

- No, explain why a Phase II site assessment is not recommended.

Yes, describe the mitigation and clean-up measures that will be taken to remediate any hazardous materials present and what steps will be taken to ensure that the local community is protected from contamination during construction and operation of the Project.

J. Property Acquisition: *Is property acquisition needed for the Project?*

- No (continue to K)

The project area property where construction and project operation will occur is currently owned by Pan Am Railways. Property acquisition is not required to construct or operate the project.

Yes, indicate how much property and whether the acquisition will result in relocation of businesses or individuals. **Note:** *acquiring property prior to completing the NEPA process and receiving written FRA concurrence in the NEPA recommendation may jeopardize Federal financial participation in the Project.*

K. Community Impacts and Environmental Justice: *Is the Project likely to result in impacts to adjacent communities? Impacts might be both beneficial (e.g. economic benefits) or adverse (e.g. reduction in community cohesion).*

- No, describe the steps taken to determine whether the Project might result in impacts to adjacent communities. (Continue to L)

The project area demographics were reviewed using the U.S. Environmental Protection Agency EJSCREEN tool. A one-mile radius around the project area was included in the review. The EJSCREEN Report is provided in Attachment 5. The project includes areas that are diverse in population densities, income, and age. The approximate population within one mile of the project area is 63,000 people, with minority populations comprising approximately 11% of this total, 42% representing low income populations, and 2% are

FRA Categorical Exclusion Worksheet

considered linguistically isolated. The proposed project work will be contained within the existing, developed rail bed footprint and will not change the current use of the rail line, or the frequency or speed of freight trains. Construction phase effects (such as temporary construction noise, or traffic management at grade crossings) will be minor and very short term at any given location. The proposed maintenance, repair, and upgrade work associated with the project will not directly or indirectly effect community resources, or disrupt, displace, or segment the communities in which the project is located. There are no environmental justice concerns that would adversely affect human health or the environment as the result of this project, and there is no known opposition to the Project.

Yes, characterize the socio-economic profile of the affected community, including the presence of minority or low-income populations.

Describe any potential adverse effects to communities, including noise, visual and barrier effects. Indicate whether the Project will have a disproportionately high and adverse effect on minority or low-income populations. Describe outreach efforts targeted specifically at minority or low-income populations.

L. Impacts On Wetlands: *Does the Project temporarily or permanently impact wetlands or require alterations to streams or waterways?*

No, describe the steps taken to determine that the Project is not likely to temporarily or permanently impact wetlands or require alterations to streams or waterways.

As shown by National Wetlands Inventory wetlands mapping for the project area (see project mapping provided in Attachment 2) and confirmed by a hi-rail review of the project area by a Maine-based wetland and soil scientist, wetlands, streams, and waterways are located along the Pan Am Freight Mainline ROW. However, construction or operation of the Project will not temporarily or permanently impact wetlands or require alterations to streams or waterways. The components of the Project include approximately 40,000 linear feet of rail replacement, 25 mainline switch replacements, 47 grade crossing reconstructions, signal system improvements, bridge deck replacements in eight locations, and farm crossing rehabilitations, all of which will occur within the existing fill footprint of the railbed and do not occur within wetlands, streams, or waterways based on review of the project area. Bridge deck replacement crossings will be completed from the existing rail bed, and will not require in-water work. Erosion and sedimentation controls will be used during construction as needed to protect adjacent wetlands, streams, and waterways from potential erosion and sedimentation.

Yes, show wetlands and waters on the site map and classification. Describe the Project's potential impact to on-site and adjacent wetlands and waters and attach any correspondence with the US Army Corps of Engineers.

Is a Section 404 Permit necessary?

Yes, attach all permit related documentation

No

M. Floodplain Impacts: *Is the Project located within the 100-year floodplain or are regulated floodways affected?*

No (continue to N)

Yes, describe the potential for impacts due to changes in floodplain capacity or water flow, if any and how the Project will comply with Executive Order 11988. If impacts are likely, attach scale maps describing potential impacts and describe any coordination with regulatory entities.

The project area lies within 112, 100-year floodplains mapped by the Federal Emergency Management Agency (FEMA) within the 150-foot wide study corridor. However, the project will not affect floodplain capacity or water flow because construction will occur within the existing rail bed footprint and will be limited to repair, replacement, or maintenance of existing infrastructure. The existing water runoff patterns will not change as a result of the project. Flooding is not anticipated at the project site and there will be no flooding induced by the proposed project construction or operation. The project will comply with Executive Order 11988 because it will not create additional floodplain encroachment, and therefore avoid long and short-term impacts associated with modification and development of existing floodplains.

N. Water Quality: *Are protected waters of special quality or concern, or protected drinking water resources present at or directly adjacent to the Project site?*

No, describe the steps taken to identify protected waters of special quality or concern, or protected drinking water resources present at or directly adjacent to the Project site.

Yes, describe water resource and the potential for impact from the Project, and any coordination with regulatory entities.

Based upon data available through the Maine Office of GIS, the 150-foot wide study corridor crosses five aquifers and one public water supply well located in the Town of Greene. No public drinking water supply watersheds or sole source aquifers are intersected by the study corridor. Operation of the project will occur within the developed footprint of the existing rail bed, and will not effect water quality any differently than existing Pan Am Mainline operating conditions. Construction-phase risks to water quality will be minor, such as the potential for leaks of small volumes oil hydraulic fluid associated with heavy equipment. These construction-phase risks will be mitigated through implementing standard construction best management practices such as maintaining absorbent and clean up materials on-site for clean up of small volume spills. The project will not expand areas of impervious surface that could impact water quality by increasing runoff, will not generate wastewater, and will not alter surface or subsurface drainage patterns.

The project does not cross any designated "Wild and Scenic Rivers", and does not cross areas identified as Essential Fish Habitat. While parts of the project are located within the Gulf of Maine

FRA Categorical Exclusion Worksheet

Distinct Population Segment Watershed for Atlantic Salmon (see discussion in Section R. Critical Habitat and Endangered Species), the project does not cross and is not adjacent to stream or river segments identified by the Maine Department of Marine Resources (Maine DMR) as Atlantic salmon spawning or rearing habitat or diadromous fish runs.

The Project does cross several waterways that are considered wild brook trout habitat. Wild brook trout are not a state or federally listed or protected species, but are valued native fisheries. These waterways include:

1. Toddy Brook, North Yarmouth, Maine
2. Royal River, East Gray, Maine
3. Several unnamed tributaries of the Royal River, in North Yarmouth and New Gloucester, Maine
4. Stevens Brook, New Gloucester, Maine
5. Little Androscoggin River, Auburn/Lewiston, Maine
6. Androscoggin River, Auburn/Lewiston, Maine
7. Jepson Brook, Lewiston, Maine
8. Stetson Brook, Green, Maine
9. Unnamed tributary of Stetson Brook, Greene, Maine
10. Hopper Brook, Greene, Maine
11. Unnamed tributary of Hopper Brook, Greene, Maine
12. Cochnewagon Lake, Monmoth, Maine
13. Messalonskee Lake, Belgrade, Maine

Construction or operation of the project will not impact wild brook trout habitat because there will be no in-stream work. Construction that is adjacent to wild brook trout habitat will be within the existing footprint of the rail bed, and erosion and sedimentation controls will be used as necessary during construction to protect waterways.

O. Navigable Waterways: *Does the Project cross or have effect on a navigable waterway?*

No (continue to P)

Navigable waterways in Maine are defined by the U.S. Army Corps of Engineers as all tidal waters and their tributaries to the head of the tide as well as the following rivers: Kennebec River to Moosehead Lake; Penobscot River to the confluence of the East and West Branch at Medway, Maine; and Lake Umbagog within the State of Maine. The project area does not intersect with any of these waterways. Therefore, the project will not directly or indirectly effect any navigable waterways.

Yes, describe potential for impact and any coordination with US Coast Guard.

P. Coastal Zones: *Is the Project in a designated coastal zone?*

No (continue to Q)

- Yes, describe coordination with the State regarding consistency with the coastal zone management plan and attach the State finding if available.

Maine is a participating state in the National Coastal Zone Management Program. Maine's coastal zone extends to the inland boundary of all towns bordering tidal waters and includes all coastal islands. The one town within the project area that meet this criteria is Yarmouth, Maine based on a review of the Maine Department of Marine Resources, coastal zone map and list of towns and townships within Maine's Coastal Zone accessed on August 24, 2018. MaineDOT has prepared a consultation letter to the Maine Coastal Program, which is the state agency responsible for federal consistency review, to request a Coastal Zone Consistency Determination (see Attachment 6). MaineDOT will submit the letter to the Maine Coastal Program if the project is awarded CRISI grant funding.

Q. Prime and Unique Farmlands: Does the Project impact any prime or unique farmlands?

- No, describe the steps taken to identify impacts to prime or unique farmlands.

The project will be constructed within the existing rail bed fill. Therefore, construction or operation of the project the will not impact any prime or unique farmlands and is not subject to the Federal Farmland Protection Policy Act.

- Yes, describe potential for impact and any coordination with the Soil Conservation Service of the US Department of Agriculture.

R. Critical Habitat and Endangered Species: Are there any designated critical habitat areas (woodlands, prairies, wetlands, rivers, lakes, streams, and geological formations determined to be essential for the survival of a threatened or endangered species) within or directly adjacent to the Project site?

- No, describe the steps taken to identify critical habitat within or directly adjacent to the Project site.

- Yes, describe them and the potential for impact.

There is one critical habitat within the project area according to consultations with the United States Fish and Wildlife Service (USFWS) through the Information, Planning and Consultation (IPAC) process. Atlantic salmon (*Salmo salar*) critical habitat was noted to be within the project area. There will be no impact to the Atlantic Salmon critical habitat as the result of this project because there will be no in-stream work related to the proposed action.

Are any Threatened or endangered species located in or adjacent to the site?

- No, describe the steps taken to identify the presence of endangered species directly adjacent to the Project site.

- Yes, describe them and the potential for impact. Describe any consultation with the State and the US Fish and Wildlife Service about the impacts to these natural areas and on threatened

and endangered fauna and flora that may be affected. If required prepare a biological assessment and attach it and any applicable agency correspondence.

Three species that are listed as either federally threatened or endangered have the potential to occur within the project area based on an Information for Planning and Consultation (IPaC) review with the U.S. Fish and Wildlife Service (USFWS) (See Attachment 4). Atlantic salmon is listed as federally endangered, and its potential range and critical habitat partially overlaps with the project area. Northern Long-eared bat (*Myotis septentrionalis*) is listed as federally threatened, and its potential range overlaps with the entire project area. Critical habitat is not designated for the Northern long-eared bat. The flowering plant small whorled pogonia (*Isotria medeoloides*) is also listed as federally threatened, and its range partially overlaps with the project area, although critical habitat is not designated for small whorled pogonia.

Project construction or operation will not require any in-stream work, so there will be no effect to Atlantic salmon or designated critical habitat where the project bisects the watershed of the Gulf of Maine Distinct Population Segment (GOM DPS) of Atlantic salmon, or critical habitat sub-watersheds of the DOM DPS.

The northern long-eared bat roosts in trees during summer and parts of spring and fall before hibernating in caves, mines, and similar hibernacula during colder months of the year. Project construction and operation does not include new areas of tree clearing or removal, so the project will have no effect on summer roosting and pup-rearing habitat. If there are no known northern long-eared bat hibernacula within 0.25 miles of the project area, then the project will have no effect on winter hibernacula or hibernating bats. As the lead federal agency, FRA will likely need to coordinate with the Maine Field Office of the USFWS to confirm the presence or absence of known hibernacula or maternal roost trees in the project vicinity, and submit a Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form to solicit USFWS concurrence on FRA's effects determination for northern long-eared bat.

The small whorled pogonia is a flowering orchid which grows in older hardwood stands of beech, birch, maple, oak and hickory with open understories. This plant often prefers habitat with acidic soils and a thick layer of dead leaves. The preferred habitat of the small whorled pogonia is not present within the project area. The project will have no effect on small whorled pogonia because project construction and operation will be limited to the currently developed rail bed, which is maintained regularly to prevent vegetation encroachment and does not support suitable habitat for small whorled pogonia.

Six bald eagle nest locations were identified within the 150-foot wide study corridor based on review of the State of Maine Department of Inland Fisheries and Wildlife's (MDIF&W) Beginning with Habitat web-based map viewer (accessed on August 22, 2018). Mapped eagle nests may or may not be actively used by nesting pairs of birds in any given year. Construction and operation of the project will not require new areas of tree clearing, disturbance to bald eagle nest trees, or expansion of the rail bed footprint, so no effects to bald eagle nest trees or habitat are anticipated. As the lead federal agency, FRA may need to consult with the Maine Field Office of the USFWS to evaluate whether project activities adjacent to active bald eagle nest trees has

FRA Categorical Exclusion Worksheet

the potential to disturb or harass nesting eagles, because they are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Typically, activities within 660 feet of an active nest are considered by the Maine Field Office of the USFWS, and may require seasonal work window restrictions to avoid effects to nesting bald eagles.

The MDIF&W Beginning with Habitat web-based map viewer was accessed on August 22, 2018 to identify state-listed species with the potential to occur within the project area. Review of MDIF&W's Beginning with Habitat database identified the following occurrences within the project area: four unnamed species occurrences, one insect species occurrence, and three bird species occurrences. The four unnamed species occurrences were mapped as overlapping with the study corridor, but did not include a species name or a protection status. In order to identify these species within the project area consultation with MDIF&W will be required.

The MDIF&W Beginning with Habitat viewer identified two occurrences of a species of damselfly, the scarlet bluet (*Enallagma pictum*) within the project study corridor. The scarlet bluet is considered to be a species of greatest conservation need in the state of Maine, and has the potential to occur within the wetlands along Hopper Brook in Greene, Maine. This species prefers sand-bottomed lakes and ponds with clear open water, often surrounded by narrow belt of emergent sedges and grasses and with abundant floating vegetation. Because there will be no in-water work and no impact on wetlands as part of this Project, effects to the scarlet bluet are not anticipated.

The three bird species within the project area include two birds that are state endangered, the least bittern (*Ixobrychus exilis*), and the black tern (*Chlidonias niger*) and a special concern species, the American Coot (*Fulica Americana*). All of these bird species are located on the Beginning with Habitat web-based viewer along Messalonskee Lake, in Belgrade, Maine. There is another occurrence of the least bittern within the wetlands around Annabessacook Lake in Winthrop, Maine. Both the least bittern and the American coot are considered wading birds in the state of Maine and typically inhabit wading bird habitats. The least bittern can be found in freshwater or brackish marshes with tall vegetation. The American coot inhabit shallow areas of freshwater, lakes, ponds or marshes. The black tern is often found in coastal habitats but will occupy freshwater wetlands over 350 feet from the shore. Because there will be no new areas of ground disturbance or development, in-water work, or wetland impacts associated with the Project, these bird species will not be affected by the proposed project.

The only state-protected Significant Wildlife Habitat within the 150-foot study corridor based on review of the MDIF&W Beginning with Habitat web-based viewer include two deer wintering areas. Deer wintering areas are characterized by forested areas with over 50 percent soft wood cover and forest stands over 35 feet. The Project crosses two deer wintering areas, although there will be no effects to deer wintering areas, because the project requires no new areas of tree clearing and will be constructed and operated within the existing developed footprint of the rail bed, which does not meet the habitat requirements for deer wintering areas. MaineDOT has prepared a consultation letter to MDIF&W to request the agency's comments

regarding the project's potential effects to state-listed species and protected wildlife habitats (see Attachment 6). MaineDOT will submit the letter to MDIF&W if the project is awarded CRISI grant funding.

S. Public Safety: *Will the Project result in any public safety impacts?*

No, describe method used to determine whether the Project results in any safety or security impacts

Yes, describe the safety or security concerns and the measures that would need to be taken to provide for the safe and secure operation of the Project during and after its construction.

There are several positive public safety effects that will occur because of the Project. Grade crossing reconstruction will ensure road crossings are safe for both freight trains and crossing traffic, signal improvements will improve visibility and signalization for trains, the proposed siding extension will allow for safer train passage in the rail corridor, track improvements will allow for consistent and reliable freight train operations at Class 2 rail speeds. No negative impacts to public safety are anticipated as a result of Project operations.

Road detours and alternative freight train routes may be required during project construction, which may have minor temporary effects on public convenience or safety. However, temporary construction-phase changes to road or train traffic will be implemented following Pan Am's construction operation procedures, applicable federal and state law, and in coordination with the applicable local and state public safety officials, departments, and agencies.

T. Cumulative Impacts: A "cumulative impact" is the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts may include ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or resulting from smaller actions that individually have no significant impact. Determining the cumulative environmental consequences of an action requires delineating the cause-and-effect relationships between the multiple actions and the resources, ecosystems, and human communities of concern.

Are cumulative impacts likely? No Yes, describe the impacts:

Cumulative impacts are not anticipated as a result of this Project. The proposed scope of work constitutes maintenance, repair, and minor upgrades within the existing developed footprint of an actively used freight rail line. Following project construction, the Pan Am Freight Mainline will continue to operate as a Class 2 freight rail line, and no significant changes in freight train frequency or speeds are anticipated.

U. Indirect Impacts: "Indirect impacts" are those that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect impacts may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Are Indirect impacts likely? No Yes, describe the impacts:

Indirect impacts are not anticipated as a result of this Project. The proposed scope of work constitutes maintenance, repair, and minor upgrades within the existing developed footprint of an actively used freight rail line. Following project construction, the Pan Am Freight Mainline will continue to operate as a Class 2 freight rail line, and no significant changes in freight train frequency or speeds are anticipated.

V. Commitments: List all measures, procedures and practices that have been incorporated into the Project avoid and minimize impacts, if any, as identified in the above sections of this worksheet.

The project has been designed in order to minimize natural resource impacts. The project is limited to a construction area within the existing developed footprint of the rail bed and has limited its scope to avoid wetlands, historical resources, hazardous waste, and threatened and endangered species impacts as well as avoiding in stream work. The proposed action includes rail replacement, mainline switch replacements, grade crossing reconstruction, siding extension, signal system improvements, bridge deck replacements, and private crossing rehabilitations that all have a limited footprint in the currently developed rail bed. No new areas of tree clearing will be necessary to construct and operate the project, and erosion and sedimentation control measures will be put in place during construction to avoid any indirect impacts to nearby water resources.

W. Public Notification: Briefly describe any public outreach efforts undertaken on behalf of the Project, if any. Indicate opportunities the public has had to comment on the Project (e.g., Board meetings, open houses, special hearings).

As of August 22, 2018, no public outreach efforts have occurred.

Has the Project generated any public discussion or concern, even though it may be limited to a relatively small subset of the community? Indicate any concerns expressed by agencies or the public regarding the Project.

The project has not generated any public discussion or concern, and as of August 22, 2018 there have not been any concerns expressed by either the public or by any agency regarding the project.

X. Related Federal, State, or Local Actions: Does the Project require any additional actions (e.g., permits) by other Agencies? Attach copies of relevant correspondence. It is not necessary to attach voluminous permit applications if a single cover Agency transmittal will indicate that a permit has been granted. Permitting issues should be described in the relevant resource discussion above.

Section 106 Historic Properties

Section 401/404 of the Clean Water Act; Wetlands and Water Quality

Section 402 of the Clean Water Act

USCG 404 Navigable Waterways

Migratory Bird Treaty Act

FRA Categorical Exclusion Worksheet

- Endangered Species Act** *Threatened and Endangered Biological Resources*
- Magnuson-Stevens Fishery Conservation and Management Act** *Essential Fish Habitat*
- Safe Drinking Water Act**
- Section 6(f) Land and Conservation Act**
- Other State or Local Requirements** (Describe)

