



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION III
Delaware, District of Columbia,
Maryland, Pennsylvania,
Virginia, West Virginia

Federal Transit Administration
Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103
215-656-7100
215-656-7260 (fax)

APR 6 2011

Mr. Ralign T. Wells
Administrator
Mass Transit Administration
6 Saint Paul Street
Baltimore, MD 21202-2267

Re: Finding of No Significant Impact (FONSI)
Kirk Bus Division

Dear Mr. Wells:

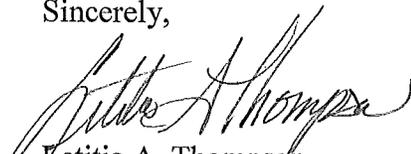
The Federal Transit Administration (FTA) has recently completed its review of the Kirk Bus Division Environmental Assessment and related supporting documentation submitted March 1, 2011. Based on our review, FTA has issued a Finding of No Significant Impact (FONSI) for the project.

Please note that if a grant is approved for this project, the standard terms and conditions of the FTA grant contract will require the Maryland Transit Administration (MTA) to undertake all environmental mitigation measures identified in the environmental assessment.

A copy of the FONSI is enclosed. Copies of the FONSI and the revised Environmental Assessment should be made available to the public by posting them on the project website. Notice of this availability and the web location to access these documents should be sent to the affected units of Federal, State and local government and to the State intergovernmental review contacts in accordance with 23 CFR 771.121(b).

Thank you for your cooperation in meeting the requirements of the National Environmental Policy Act. Gail McFadden-Roberts of my staff is available to answer questions or provide further assistance.

Sincerely,



Letitia A. Thompson
Regional Administrator

Enclosure

FEDERAL TRANSIT ADMINISTRATION
REGION III

FINDING OF NO SIGNIFICANT IMPACT

PROJECT: Kirk Bus Division
APPLICANT: Maryland Transit Administration
PROJECT LOCATION: Baltimore City, Maryland
FTA GRANT NUMBER: None

The Federal Transit Administration (FTA) completed its review of the Environmental Assessment (EA) for the New Kirk Bus Division project in Baltimore City and related supporting documentation. These materials have been reviewed in accordance with 23 CFR Section 771.119: Environmental Assessments, 23 CFR Section 771.121: Findings of No Significant Impact (FONSI) of DOT's August 28, 1987 final rule on Environmental Impact and Related Procedures; Final Rule and FTA's October 16, 1979, Guidelines for Preparing Environmental Assessments to determine if environmental requirements have been satisfied.

Section 771.115 identifies three classes of action that prescribe the level of documentation required in the NEPA process. A project in which the significance of the environmental impact is not clearly established is a Class III (environmental assessment) action. Class III actions require documentation from the applicant to clearly establish that there are no significant impacts or controversy with the project, that no significant environmental impacts will result and that Sections 4(f) and 106 are not issues or have been resolved to the satisfaction of all parties. The actions may be subject to additional study if circumstances warrant. This project falls within the environmental assessment category and the following is documentation of our review.

Project Description

The Maryland Transit Administration (MTA) proposes to expand and modernize the existing Kirk Division bus garage and maintenance facility. An enclosed energy-efficient bus storage, maintenance garage and administration building will be constructed on the site presently occupied by the existing garage. MTA will demolish the existing bus garage and replace it with one building housing administrative offices and a bus garage on the present site at 2226 and 2300 Kirk Avenue. Maintenance activities housed in the current facility will move to a new enclosed maintenance facility that will be constructed, as an element of this project, on property acquired under a hardship/protective acquisition for the expansion. The expansion site is located at 2301 Kirk Ave., directly across the street from the existing location. An off-street employee parking lot will also be constructed at the expansion site.

The building proposed for the existing Kirk Division site will contain approximately 175 bus parking spaces, storage areas, a bus washing area, and a bus fueling and vault pull area, as well as an administrative area for staff. The bus maintenance building across Kirk Avenue will

Kirk Bus Division
Maryland Transit Administration
March 2011

contain under-body wash bays, approximately thirteen bus storage bays, approximately fifteen bus repair bays, and maintenance staff administrative offices.

To address the existing shortage of employee parking, an employee parking lot will be constructed to provide MTA employees a secure area to leave their vehicles, as well as to eliminate the need for on-street parking throughout the community.

Project Purpose and Need

The 6.7-acre Kirk Division bus facility was constructed in 1947 to provide a bus operating, maintenance and storage facility. The addition of facilities for a wash house, parts storage and increased inspection/maintenance activities has resulted in a site that is severely constrained with inefficient operation that impacts the ability of personnel to complete maintenance, fueling, vaulting, and washing activities and returning buses to service in a timely fashion. In addition, employee parking is constrained, resulting in parking spill-over on to local streets in the surrounding neighborhood.

The purpose of this project is to accommodate the existing and programmed bus fleet and employee parking; reduce maintenance and operating costs; improve transit service delivery; modernize employee working conditions; and address community concerns of noise and air quality.

Alternatives Considered

MTA conducted a feasibility study to replace the Kirk and Eastern Avenue Bus Divisions. Kirk and Eastern are MTA's two site-constrained bus divisions and are the only divisions located on the east side of Baltimore City. The study considered:

- Constructing one large, new facility and closing the Kirk and Eastern Divisions;
- Constructing a new facility and closing one facility, either the Kirk or Eastern Division; and,
- Reconstructing and expanding the Kirk Division and maintaining the Eastern Division.

As a result of the inability to identify a site suitable to replace operations at both Eastern and Kirk divisions, and the demonstrated priority need for improvements at Kirk, the MTA selected reconstruction or relocation of the Kirk Division as the priority project. That effort, described below, resulted in the identification of three alternatives: a new Biddle Street Bus Facility that would replace Kirk Bus Division; expansion of the existing Kirk Bus Division; and the No-Build.

MTA identified the Kirk Bus Division Expansion and Modernization alternative as the Preferred Alternative. The Preferred Alternative meets the project purpose and need, since the larger project area allows enclosure of maintenance and storage activities which will increase overall

Kirk Bus Division
Maryland Transit Administration
March 2011

operational efficiencies, as well as address community concerns regarding parking, noise and air quality.

Environmental Effects and Findings

Based on the evaluation contained in the EA, significant impacts that cannot be mitigated have not been found. MTA will construct the proposed Action in accordance with the mitigation measures presented in the Kirk Bus Division Environmental Assessment (March 2011), which is incorporated by reference into this finding of no significant impact (FONSI).

FTA will require in any future funding agreement on the project that all committed mitigation measures be implemented in accordance with the EA. Any project changes, including changes in mitigation, deemed necessary or desirable as final design and construction proceed, will be subject to appropriate environmental review before FTA approval. FTA will require that MTA submit quarterly written reports on its progress in implementing the mitigation commitments.

The environmental record for the Kirk Bus Division project includes the previously referenced EA that represents the detailed statement required by NEPA and by 49 USC Section 5324(b) of the Federal Transit Act on:

The environmental impacts of the proposed project;

Adverse environmental effects which cannot be avoided should the proposed project be implemented;

Alternatives to the proposed project; and

Any irreversible and irretrievable impact on the environment which may be involved in the proposed project should it be implemented.

The environmental effects and measures to minimize harm are fully described in the EA. A summary of effects and associated mitigation measures appears below.

Environmental Justice

The site is located in a neighborhood that is predominantly African-American, 93.6%. Twenty-seven percent of the residents have incomes that are below the poverty level. Temporary community impacts will result from the demolition of structures and construction of the new buildings and there will be temporary aesthetic impacts related to debris, storage of construction equipment, and the on-going bus operations. The community surrounding the existing Kirk Division bus facility is bordered by row homes. The Reese Press site, across the street from the existing bus garage, is also bordered by row homes and commercial and industrial land uses.

Kirk Bus Division
Maryland Transit Administration
March 2011

Construction specifications will be prepared in accordance with state regulations and will limit the time of day during which construction activities may occur. Work hours during construction will be coordinated with the community; haul routes and schedules will be established and coordinated with the City of Baltimore. Dispersal of dust related to the physical demolition of the building(s) will be mitigated with a mechanical demolition which has a one-time dispersal of dust and debris as the buildings come down.

A comparative analysis of a similar project to that of the New Kirk Bus Division but in a non-minority community was not completed as part of this documentation. MTA has not built or modernized an existing bus facility in an area with a non-minority community. Based on the above analysis, no significant impacts are anticipated on environmental justice communities.

Land Use and Zoning

The existing Kirk Division site is zoned Community Commercial which permits bus and transit vehicle garages. The Reese Press property that was acquired across the street from the original facility is zoned industrial and will house the maintenance building activities. Bus storage and maintenance operations will be enclosed, avoiding adverse impacts to residential areas.

Traffic Impacts

There will be new "internal" trips generated across Kirk Avenue because of the new building that will be constructed on the Reese Press property across the street from the existing garage. There will be no change in on-street bus operations and no additional external trips will be generated on the roadway network. Off-site employee parking will be reduced. No adverse traffic impacts or impacts on employee and resident parking conditions will result from the project. MTA will provide a forum for traffic and parking discussions with the community.

Historic Resources

On November 29, 2007 the Maryland State Historic Preservation Office (SHPO) concurred with a Determination of Eligibility (DOE) that the existing building at 2226 and 2300 Kirk Ave. does not represent a distinguished example of its type and is not eligible for listing in the National Register of Historic Places (NRHP). Before a determination of eligibility occurred for the existing building, a determination was made and sent to the SHPO for the Reese Press property at 2301 Kirk Ave. that was acquired as a protective buy. The SHPO concurred in the DOE that the building on this site does not represent a distinguished example of its type and is not recommended for listing in the NRHP. On December 18, 2006, the SHPO concurred with this determination. The new Kirk Bus Division will have no effect on historic resources.

Parklands and Recreation

The project will not require property from, or have any physical impacts to, any public parkland, recreation areas, or other Section 4(f) resources. There will be no constructive use or other impacts to these resources.

Visual Impacts/Aesthetics

The development of the new Kirk Bus Division will consist of demolishing the existing Division and Reese Press structures and constructing an enclosed bus storage building, bus maintenance building with administrative offices, and an employee parking lot. Any adverse visual impacts will be temporary and limited to the period of construction. Landscape buffers will be provided along the perimeter of the facility. On-going community outreach activities will provide a forum for discussion related to the appearance of the new Division.

Air Quality Conformity

The facility is exempt from conformity requirements because it is located in an area that is in attainment for carbon monoxide (CO). The project has been reviewed by the Interagency Consultation Group of the Metropolitan Planning Organization (MPO). The Traffic Impact Study indicates there are no significant traffic impacts at any intersections that would occur as a result of this project, therefore CO hot spots will not result. The emissions generated by the bus fleet will not result in emissions above what is being generated today. With the on-going replacement of diesel vehicles with hybrid buses, emissions will decrease.

Hazardous Materials

REESE PRESS PROPERTY

Phase I and II Environmental Site Assessments (ESA) were initiated in February 2006 to explore the environmental liabilities associated with acquiring the Reese Press property. The ESA's concluded the potential for contamination resulting from prior activities on the site was not of sufficient magnitude to delay purchase of the property, but warranted entering the property in the Voluntary Cleanup Program (VCP), which is administered by the Maryland Department of Environment (MDE). MTA received "Inculpable Person" status for the Reese Press property on December 26, 2007.

KIRK BUS FACILITY

A Phase I ESA was prepared for the existing Kirk Division bus facility. Based on historical reviews of the area, and available regulatory records, this property may have been impacted by petroleum releases associated with bus maintenance activities and with the former USTs that have been removed and replaced at the site. Prior to building demolition and redevelopment, testing will be conducted in order to characterize soil and groundwater conditions at the project site that could be encountered.

Mitigation

Kirk Bus Division
Maryland Transit Administration
March 2011

The MTA will enter the property at 2301 Kirk Avenue into the Voluntary Cleanup Program (VCP) administered by the Maryland Department of Environment, and perform any remediation required.

Testing will be conducted at the existing Kirk Bus Division in order to characterize soil and groundwater conditions at the project site that could be encountered during construction.

Noise and Vibration

Noise from buses entering or exiting the facility, or driving across Kirk Avenue between proposed bus storage and maintenance buildings should not exceed current noise levels and will not have an adverse effect on residential receptors.

Mitigation

The project proposes to enclose all bus storage and maintenance activities. MTA will coordinate construction activities with the community.

Wetlands

There are no wetlands or other Waters of the United States in the area of the proposed bus facility.

Vegetation

The project site is located in a highly urbanized area that is almost completely impervious without vegetation.

Water Quality

There are no tidal wetlands, navigable waterways or coastal zones in the area of the proposed project.

Floodplains

The project site is not located within a 100 or a 500-year floodplain. Therefore, there will be no impacts to floodplains.

Rare, Threatened and Endangered Species

In consultation with MDNR and the U.S. Fish and Wildlife Service, no known rare, threatened or endangered species are expected to be found within the project area, and therefore no impacts to these species should occur.

Safety and Security

Kirk Bus Division
Maryland Transit Administration
March 2011

The new Division will be completely fenced. Security measures will be taken to discourage trespassing and vandalism. The maintenance and parking areas will be illuminated to provide a safe environment for employees.

On the basis of the evaluation of social, economic and environmental impacts contained in the EA, and the written and oral comments offered by the public and other agencies, FTA has determined that in accordance with 49 USC Section 5324(b) of the Federal Transit Act:

Adequate opportunity was afforded for the presentation of views by all parties with a significant economic, social, or environmental interest in the community in which the proposed project is located; and

There exists no feasible and prudent alternative to the adverse effect of the project and all reasonable steps have been taken to minimize such effect.

Section 4(f)

Because the Kirk Bus Division replacement project does not affect any resources covered by Section 4(f) of the U.S. Department of Transportation Act, 23 U.S.C. 138; 49 U.S.C. 303, there will not be a Section 4(f) use.

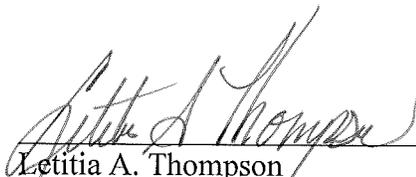
Section 106

The project will not affect any resources covered by Section 106 of the National Historic Preservation Act.

NEPA Finding

FTA has reviewed the Kirk Bus Division project, as described in the final EA and finds that the project will have no significant impacts on the environment.

Approval



Letitia A. Thompson
Regional Administrator
Federal Transit Administration

Date 4-06-11