

**Norfolk Southern Railway Company
Merchant Street Bridge Project
Online Public Meeting - Responses to Comments**

Comment #	Commenter / Topic	Comments	Responses
1	Samuel Robinson / General Comment	<p>Will lowering roads for this project be detrimental to drainage and/or auto traffic, as has been stated by the Pittsburgh media?</p> <p>I would like the project team to consider lowering the railroad's road bed rather than raising auto bridges that pass above the NS right-of-way.</p>	<p>No, the roadway reconstruction plan for the Merchant Street Bridge Project includes necessary accommodations for drainage. Automobile traffic will be safer, with increased sight distance and clearance under the Merchant Street Bridge.</p> <p>The Merchant Street Bridge carries the railroad over Merchant Street. As stated in the online presentation, the Merchant Street Bridge Project is a separate project that is independent of the proposed Pittsburgh Vertical Clearance Projects and is being evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes.</p>
2	Richard Borrelli / General Comment	<p>Upgrade the foundation and replace the steel structure.</p> <p>The team should consider safety. No other concerns.</p> <p>Track and infrastructure maintenance are very important.</p>	<p>Design plans were included in the project presentation. The proposed bridge replacement will be very similar to the existing bridge in size, scale, and appearance, subject to final design following completion of the consulting party and public involvement processes. Minimal visual differences will result from how the new bridge is fabricated using modern fabrication techniques. The new bridge will not have a trough floor system but will have a series of modern rolled beams. The new bridge will not use riveted, built-up members but will use welded and bolted connections. The existing foundation does not require upgrading at this time, but the abutments will be upgraded while preserving the historic stone facing and adjacent stone retaining walls.</p>
3	Peggi Habets / General Comment	<p>I feel, based on the information I have read from environmentalists and activists, that the aesthetics and health of our historic neighborhood and park will be negatively affected by more rail traffic, pollution, and the current proposed re-design of the bridges to accommodate double-stacked cars.</p>	<p>The proposed replacement bridge will be very similar to the existing bridge in size, scale, and appearance, subject to final design following completion of the consulting party and public involvement processes. Minimal visual differences will result from how the new bridge is fabricated using modern fabrication techniques.</p> <p>The Merchant Street Bridge Project does not have any implications on the type of train traffic, including double-stack trains, because trains travel over the bridge, which is situated over a public roadway. A routine inspection of Merchant Street Bridge was conducted in 2018 and the bridge was noted to have large-scale steel corrosion that could create extensive damage with continual usage. The Merchant Street Bridge Project is an on-alignment bridge replacement, which will not have a significant impact on emissions besides temporary construction emissions.</p>
4	Paul Wilcox-Baker / General Comment	<p>It's sad to have a structure this old replaced, but in this instance, it's more important to have effective rail transportation.</p> <p>Rail transportation is the most energy efficient and therefore least polluting form of transportation. Anything that increases railroads share of transportation is good for all of us. Also, the more freight that moves by rail, the less we have to pay to fix up the road damage done by truckers.</p>	<p>Noted. Thank you for your comment.</p>
5	Mark Perreault / General Comment	<p>None -- excellent video explained project thoroughly.</p> <p>Glad Allegheny Commons will be protected, and sandstone abutments retained and improved.</p> <p>Excellent project, thoughtfully designed, overall a great improvement for RR and community.</p>	<p>Noted. Thank you for your comment.</p>

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6	Devyn Duffy / General Comment	It looks like the project team is considering things appropriately. No [other concerns]. They are about the best that can be done given the circumstances. No [other comments] at this time. The presentation explained things well.	Noted. Thank you for your comment.
7	Richard Borrelli / Schedule	When is the estimated start date for this project? How long will it take to replace?	Anticipated start of construction will be January 2022 with a 6-8 month construction duration.
8	Jamie Harkins / Schedule	When is the estimated start date for this project?	Anticipated start of construction will be January 2022 with a 6-8 month construction duration.
9	Glenn Olcerst / RP3 / Advisory Bike Lanes	<p>Norfolk Southern indicates that emergency vehicles and buses will be traveling for the first time under the Merchant Street Bridge once the roadway is lowered, and that the “multi column bent” which now protects pedestrians is being removed. In addition, “advisory bike lanes” — utilized in the Netherlands, will be placed on either side of the one single lane of traffic.</p> <p>The new multi modal traffic arrangement raises safety concerns considering the addition, for the first time, of emergency vehicles and trucks and buses into the mix — especially if a bike is traveling at speed downhill towards the Clark Building. Additional community meetings need to be held to discuss these issues because in the Netherlands- unlike the North side, bikes have legal priority and are respected.</p> <p>The road is being lowered to accommodate trucks, busses and emergency vehicles- allowing less room, maneuverability, and time for vulnerable bikers to escape. The other problem with this terrain for bikers is the hill. If biking down toward the Clark building the bike’s speed presents a complicating variable. If biking up toward the park, the biker may be wobbly, and have difficulty maneuvering out of harm’s way...the terrain is wrong every which way for this experiment.</p>	<p>The decision to lower the roadway to allow for buses and emergency vehicles passage under the bridge was made by the City of Pittsburgh and is being incorporated as part of the project as a result of that request.</p> <p>The multi-column bent of the present Merchant Street Bridge was designed and functions as a structural member of the bridge’s substructure to support the intersection of the bridge’s two-girder superstructure. It was not designed as a pedestrian safety feature.</p> <p>Since the public meeting, the City of Pittsburgh’s Department of Mobility and Infrastructure has removed the advisory bike lanes from the project, and the project will move forward with sharrows in both directions (see rendering below).</p> 

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10	Jamie Harkins / Advisory Bike Lanes	Having a single lane for vehicles and two lanes for bikes is going to be very dangerous. I understand how the road is intended to be used, but you must consider that this road is heavily traveled for sporting and concert events, often by people who don't know their way around. Residents here feel strongly that a two-lane road is absolutely necessary for the safety of all involved.	Since the public meeting, the City of Pittsburgh's Department of Mobility and Infrastructure has removed the advisory bike lanes from the project and the project will move forward with sharrows in both directions (see rendering in comment #9).
11	Nick Ross / Advisory Bike Lanes	<p>We would like more information behind the decision to implement advisory bike lanes. While we support the concept in general and the inclusion of bicycle facilities within the project, there is some concern with sight distance coming over the crest vertical curve north of the bridge. Drivers often struggle to see oncoming vehicles when passing cyclists in the uphill direction.</p> <p>A bicycle climbing lane in the uphill direction has been the preferred treatment by the local bike/ped advocacy group, possibly in an advisory format if space within the typical section is constrained. Sharrows in the downhill direction are acceptable in this location due to speed gained going downhill.</p>	<p>The new roadway will allow for increased sight distance under the bridge for both vehicular and bicycle traffic. The proposed sight distance is clear from the bottom of the hill, at the intersection with Martindale Street, to the top of the hill along Merchant Street. The available 23' cartway width, curb to curb, is constrained by the desired sidewalk width and the existing bridge abutments and therefore a bicycle climbing lane is not feasible with this project.</p> <p>Since the public meeting, the City of Pittsburgh's Department of Mobility and Infrastructure has removed the advisory bike lanes from the project and the project will move forward with sharrows in both directions (see rendering in comment #9).</p>
12	Lawrence Simms / Advisory Bike Lanes	<p>I write as a Pittsburgh resident, cycling enthusiast, & hiker who frequently uses trailways within the city. The scope of these comments is limited to the proposed traffic redesign of the Merchant Street underpass, as presented in the "Merchant Street Bridge Project--Online Public Meeting dated July 27-August 26, 2020." Though I've biked extensively in much of the US and in other countries, the Merchant Street proposal represents my first encounter with the Advisory Bike Lanes concept. I've since done some research on ABL design and implementation, including on the website of Michael Williams (cited in the Merchant Street presentation), the foremost expert--& proponent--in this country on & for ABL use. While I'll share specific facts & observations below, they lead me to the inescapable conclusion that application of the ABL concept on Merchant Street would be ill-advised, for two reasons:</p> <ul style="list-style-type: none"> • The ABL system would, due to the specific conditions & constraints of the Merchant Street bridge environs, prove inherently hazardous to motorists, cyclists, & pedestrians. • Though the ABL concept appears exceedingly well-suited to use on countless miles of rural road (the application for which the system was developed) throughout Pennsylvania, a failure on its 1st installation in the state could seriously delay or deter its widespread adoption. 	Since the public meeting, the City of Pittsburgh's Department of Mobility and Infrastructure has removed the advisory bike lanes from the project and the project will move forward with sharrows in both directions (see rendering in comment #9).
13	Lynne Lehrer / Newmark Knight Frank / Advisory Bike Lanes	What happens to the traffic on the Merchant Street Bridge during stadium events? In a year or two when things revert back to "normal" and there are football games, concerts, baseball games, etc.? The traffic going only one way on the bridge could be quite challenging. Also, what if you are biking or going the wrong way against the traffic? Might be worth considering. We realize the space is narrow, however; that seems like an accident waiting to happen? Thank you for reconsidering this concern.	Since the public meeting, the City of Pittsburgh's Department of Mobility and Infrastructure has removed the advisory bike lanes from the project and the project will move forward with sharrows in both directions (see rendering in comment #9).
14	Nick Ross / Pedestrian Detour	Pedestrian detours are excessive given lack of alternate routes. Sidewalk should be kept open as much as possible including use of protective overhead covering while work is being completed.	The Merchant Street Bridge is a highly skewed structure (not perpendicular/at 90 degrees to the roadway). For this reason, there is a significant amount of temporary support structures required under the bridge to support the beams. Allowing access during active construction is a safety concern.

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15	Cole Mazur / Pedestrian Detour	Why does the underpass need to be closed to pedestrians? Other nearby bridge replacement work (ex. Federal Street) did not require this full closure for months.	<p>The Merchant Street Bridge is a highly skewed structure (not perpendicular/at 90 degrees to the roadway). For this reason, there is a significant amount of temporary support structures required under the bridge to support the beams. Allowing access during active construction is a safety concern.</p> <p>Federal Street was a three-span bridge that did not require temporary support structures. Pedestrian traffic was able to be routed to the spans without active construction.</p>
16	Cole Mazur / Pedestrian Detour	The pedestrian throughway is used by many essential healthcare workers walking between North Shore parking lots and their workplaces in and around Allegheny General Hospital. You should find a way to do this project and keep the pedestrian walkway open, or only close it intermittently when absolutely necessary.	The Merchant Street Bridge is a highly skewed structure (not perpendicular/at 90 degrees to the roadway). For this reason, there is a significant amount of temporary support structures required under the bridge to support the beams. Allowing access during active construction is a safety concern.
17	Cole Mazur / Railroad Maintenance	Please install and maintain equipment to better and more consistently lubricate the tracks along that bend - to those of us who live nearby (Foster Square and the Allegheny Home), the screeching noise is unacceptable - we know you can do better.	Norfolk Southern has in place rail flange lubricators in close proximity to the Merchant Street Bridge and they are used as an important part of Norfolk Southern's rail health management strategy and in accordance with standard industry practice and any applicable regulatory requirements for track safety and maintenance, which is governed by federal regulations. Recently, Norfolk Southern has been performing maintenance work on the tracks through the Merchant Street Bridge area. Once the work is completed, the lubricators will be reinstalled.
18	Nate Denlinger / Rail Traffic	How does this bridge replacement impact rail traffic through the North Side of Pittsburgh? If any increase in rail traffic due to heightened bridges; what general types of commodities or goods might residents see?	The Merchant Street Bridge Project will not affect rail traffic or railroad capacity as it involves the replacement of a bridge over which rail traffic runs and is being undertaken for safety reasons. As noted in the purpose and need statement, Norfolk Southern is a common carrier and the Fort Wayne Line forms a critical component of Norfolk Southern's route between Chicago and the east coast, carrying a variety of commodities, including both hazardous material such as chlorine, anhydrous ammonia, hydrogen fluoride, crude oil, and ethanol, as well as nonhazardous materials like coal, auto parts and finished vehicles, lumber, agricultural products, and intermodal containers and trailers. Residents will continue to see the same types of freight on trains along that line.
19	Peggi Habets / Outreach	I would like to see much more community outreach and transparency involving this project instead of the lame public meeting held over a year ago and one video. I would like to be able to talk directly with Norfolk officials, to be able to ask questions and listen to fellow community members express their opinions about this project in a series of meetings.	<p>For the Merchant Street Bridge Project, one in-person meeting, one online public meeting, and two consulting party meetings have been held and an additional consulting party meeting is scheduled for October 6, 2020.</p> <p>Additional public/consulting party meetings will be scheduled for the separate Pittsburgh Vertical Clearance Projects when the Pennsylvania and Allegheny County Departments of Health and the CDC determine it is safe for large gatherings. The Pittsburgh Vertical Clearance Projects are being evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes.</p> <p>Additional follow-up questions or comments can be directed to Rudy Husband by phone at 412-893-7041 or by email at NSPghMerchant@gmail.com.</p>
20	Peggi Habets / Outreach	The Merchant Street Bridge should be put on hold until the entire plan for the Northside and Allegheny Commons Park is agreed upon by all parties, including the residents of the Northside of Pittsburgh. This process needs to be more transparent and have more community outreach (as was promised), as well as in person (or zoom) community meetings where the residents who will be affected by the increased rail traffic, pollution, construction, and bridge re-designs can ask questions and voice comments.	As stated in the online presentation, the Merchant Street Bridge Project is a separate project that is independent of the proposed Pittsburgh Vertical Clearance Projects and is being evaluated under an independent compliance process. A routine inspection of Merchant Street Bridge was conducted in 2018 and the bridge was noted to have large-scale steel corrosion that could create extensive damage with continual usage. The Merchant Street Bridge Project was separated from the remaining projects since it has independent utility, logical termini, and a separate purpose and

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			<p>need based on the deteriorated condition of the bridge. Replacing the bridge has no effect on the railroad vertical clearance because the trains run over the bridge, not under it.</p> <p>Additional public/consulting party meetings will be scheduled for the separate Pittsburgh Vertical Clearance Projects when the Pennsylvania and Allegheny County Departments of Health and the CDC determine it is safe for large gatherings. The Pittsburgh Vertical Clearance Projects are being evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes.</p>
21	Glenn Olcerst / RP3 / Outreach	How many people were notified by email about the Merchant Street Bridge video presentation? How many were notified by letter? Which area codes were included?	The Merchant Street Bridge online presentation was advertised in the <i>Pittsburgh Post-Gazette</i> and the <i>Northside Chronicle</i> (both the online and print editions) prior to the release of the presentation. Letters were mailed and emails sent to consulting parties and project stakeholders. The project stakeholders consist of surrounding property owners, community members, and public officials including local, state, and federal representatives. This mailing list included 30 stakeholders. Additionally, Norfolk Southern posted information to Twitter and Facebook, and PennDOT District 11-0 shared and retweeted the information and posted the presentation to its website as well.
22	Glenn Olcerst / RP3 / Outreach	How many people viewed the presentation at least once? How many people submitted questions or comments?	435 unique views were recorded on the Merchant Street Project public meeting page on the project website. All questions and comments received are addressed in this document.
23	Glenn Olcerst / RP3 / Future Maintenance / Outreach	RP3 does not dispute that replacing the Merchant Street Bridge will minimize future maintenance costs over the long term. However, given the stabilization and other maintenance and repairs that have already occurred to make that bridge safe for current daily travel, what maintenance would be needed in the next year so that the type of in person public outreach contemplated by Section 106 could occur along with the rest of the PVCP bridges?	<p>Rail bridge replacement projects are long lead-time projects that require significant advance preparation and materials procurement. Approvals are needed as soon as possible for the bridge replacement in order to ensure timely construction and railroad and vehicular safety.</p> <p>As noted in the stipulated facts of the parties in the parallel Public Utility Commission (PUC) proceeding, as cited by Administrative Law Judge Dunderdale in her Recommended Decision dated August 18, 2020, the Merchant Street Bridge has three major items of structural concern. Those are pumping in the steel bent supporting the bridge, holes developing in the steel trough decking of the bridge allowing ballast to fall through, and the condition of the bottom flange of the girders. Repairs can keep the bridge safe for another five years, but those repairs will become increasingly expensive each year until replacement is necessary. It will take about two years for replacement after PUC approval is obtained. ALJ Dunderdale concluded that the settlement of the parties she reviewed in the PUC proceeding “serves to protect public safety” and recommended approval by the full Public Utility Commission.</p> <p>The online public meeting format has been vetted by PennDOT and has been used with success in its projects throughout the state. As stated in the online presentation, the Merchant Street Bridge Project is a separate project that is independent of the proposed Pittsburgh Vertical Clearance Projects, which are being evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes. The public involvement process for Merchant Street Bridge is distinct and separate from that for the Pittsburgh Vertical Clearance Projects.</p>
24	Glenn Olcerst / RP3 / Capacity	Norfolk Southern maintains that the current daily traffic is 34 freight trains. Public and private conversations with NS VP Rudy Husband indicated that traffic was seasonal and	The Merchant Street Bridge Project has no effect on capacity or rail traffic as the project is simply an on-alignment bridge replacement without change in footprint, purpose, and general configuration. It involves the replacement of a bridge over which rail traffic runs and has no

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		<p>averaged 20-25 trains per day. Norfolk Southern indicates the tracks (without modification) have an existing capacity of 70 trains/day.</p> <p>According to PennDOT emails obtained under Right to Know Requests, the correct number is 70-80 trains/day. Norfolk Southern has indicated that this figure could be higher with track modification.</p> <p>Norfolk Southern maintains in its presentation that replacing the Merchant Street Bridge will “not result in any increased throughput capacity.”</p> <p>It is submitted that adding double stack trains to the Fort Wayne and Pittsburgh lines will result in two to four times the number of trains/day because of a three-hour time saving/train over running those trains around the city on the Mon line. Also, according to Norfolk Southern stockholder literature, those trains are now in the process of being doubled in length. Because the scheduling computers will funnel trains onto the quickest routes, the city can expect all four tracks to be filled to maximum capacity without waiting to take into account projected freight traffic increases through 2045. Of even more concern is that once traffic increases, lower priority trains will be idled in sidetracks all along the 17 mile route (for example Manchester tracks spread from 4 to 11 tracks). Carnegie Mellon University analysts have determined that for every hour of train idling there is one additional pollution related death per year. We have already had examples of Norfolk Southern trains idling for 4 days and nights in Allegheny Commons, and 2 days and nights in Manchester. The PVCP impact is greatest on the Manchester neighborhood.</p>	<p>bearing on whether double-stack or other types of rail traffic can traverse the Fort Wayne and Pittsburgh Lines. The on-alignment bridge replacement will not have a significant effect on air emissions besides temporary construction emissions.</p> <p>It is important to note that the Fort Wayne Line occupies only two tracks; the other two tracks are part of the Conemaugh Line, which is not going to be running double-stack trains. Specific rail traffic, which is different from total available capacity on a line, is based upon freight rail demand and fluctuates over time. Freight train scheduling is a complex endeavor that involves more than just a small set of lines in one part of one city, but rather includes constant systemwide considerations of train movements that will vary from day to day depending on freight demand. For this and many other operational reasons, the assumed train scheduling to “maximum capacity” is not realistic. Further, railroad operations are governed under the exclusive jurisdiction of the Surface Transportation Board. This question was previously addressed in Response 2 to the response to comments for Consulting Party Meeting #2 and that response is incorporated by reference. As stated in that response, the Merchant Street Bridge Project is a separate project that is independent of the proposed Pittsburgh Vertical Clearance Projects and is being evaluated under independent compliance processes. That response also identified rail traffic information, sources for that information, and referenced the air and noise analyses conducted for the Pittsburgh Vertical Clearance Projects addressing air quality and emissions regionally.</p>
25	Dr. Zandrea Ambrose / Capacity	<p>I am vehemently opposed to Norfolk Southern increasing its train capacity through my neighborhood, which I can hear from my home and would directly impact my air quality, noise pollution, and safety.</p> <p>While I appreciate that this bridge needs to be replaced soon, I cannot help but wonder if this is the first phase of your attempt to start using double stacked trains and increasing railroad traffic through my neighborhood.</p> <p>I want independent confirmation from an outside party with no conflict of interest to determine that it is performed appropriately and safely.</p>	<p>The replacement of the Merchant Street Bridge has no effect on track capacity or rail traffic as the project is simply an on-alignment bridge replacement without change in footprint, purpose, and general configuration. It involves the replacement of a bridge over which rail traffic runs and has no bearing on whether double-stack or other types of rail traffic can traverse the Fort Wayne and Pittsburgh Lines. The on-alignment bridge replacement would not result in additional noise impacts or air emissions. Minor, temporary emissions will result from construction equipment and vehicles, but the on-alignment replacement of the bridge will not affect overall emissions.</p> <p>PennDOT is overseeing this project since a portion of the project’s funding is coming from a PennDOT grant as noted in the project presentation. In addition, the PUC must review and authorize the project, which a PUC Administrative Law Judge has already done in the parallel proceeding. All applicable laws and regulations will be followed during project design and construction.</p>
26	Dr. Zandrea Ambrose / Historic Resources & Detours	<p>I would like assurances that this will not affect historic Allegheny Commons/West Park and will not significantly impact my neighborhood by an independent or government entity. I do not trust Norfolk Southern to determine this, as you have a significant conflict of interest. As a resident, I walk and bike down Merchant Street regularly between my home, downtown, and work. Closing this for construction and altering it will directly impact me and traffic within my neighborhood, particularly at a time when there are already multiple detours around this area.</p>	<p>It has been demonstrated in the Determination of Effects Report that there will be no adverse effect on Allegheny Commons as a result of the Merchant Street Bridge Project. The replacement of the Merchant Street Bridge will not adversely affect the qualities of the Allegheny Commons Historic District that qualify it for inclusion in the National Register of Historic Places. PennDOT has vetted the finding presented in the Determination of Effects Report with the Pennsylvania State Historic Preservation Office (PA SHPO) in accordance with PennDOT procedures and the PA SHPO has concurred with this finding in its September 16, 2020 letter.</p>

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			The Merchant Street Bridge is a highly skewed structure (not perpendicular/at 90 degrees to the roadway). For this reason, there is a significant amount of temporary support structures required under the bridge to support the beams. Allowing access during active construction is a safety concern.
27	Glenn Olcerst / RP3 / Impact Analyses	<p>Norfolk Southern maintains that no impact analysis is required since there is no significant effect on noise, air quality or vibration because there is no change in intensity, source, or location—relying on the Federal Transit Administration Impact Assessment Manual.</p> <p>First, that manual, while adopted by the FRA, relates to roads, cars and trucks. The appropriate standard and analysis to be followed by Norfolk Southern and PennDOT is laid out in the decision by Judge Pellegrini as follows:</p> <p>Just because the PUC under its own regulations is required to impose an overhead clearance of 22 feet unless the railroad seeks an exemption does not necessarily mean that the Bridges have to be reconstructed to achieve that height clearance because that goal could also be achieved by lowering the tracks. There is no dispute that the site is historical in nature in that it was created at the time of the Revolutionary War. If the Bridges are raised, that will have a severe impact on the park due to longer and higher street approaches to the Bridges and that could impact its historic nature. It is also undisputed that the park is an important recreational asset that could also be undermined by the increased height of the Bridges. One or both of those concerns seemed to have been taken into consideration by placing the railroad line in a cut so as not to visually impact the park when the line was constructed. Also, the PUC is constitutionally required to take those concerns into consideration under Article I, Section 27 of the Pennsylvania Constitution which declares the people's right to the preservation of the natural, scenic, historical and esthetic values of the environment and further provides that the public natural resources are the common property of all the people.</p> <p>While the PUC took away from itself the ability to exempt reconstruction of bridges at less than 22 foot overhead clearance requirements unless the carrier sought an exemption, it must take into consideration the historic and esthetic nature of the park and the recreational activities in fashioning a remedy. Based on the outcome of those considerations, the PUC could order that the Bridge be raised, that the tracks be lowered or a combination to preserve the park's historic and esthetic nature as well as its recreational use. Accordingly, that portion of its order is vacated, and the case is remanded to the PUC for the purpose of determining how the 22 foot clearance will be achieved in accordance with this opinion.</p> <p>RP3 submits that, to date, neither PennDOT nor Norfolk Southern have followed the analysis, balancing or process ordered by Judge Pellegrini. The Constitutional Environmental Rights Act Amendment quoted by Judge Pellegrini is being totally disregarded since there is a direct and an indirect taking of protected Allegheny</p>	<p>PennDOT guidance adopts the National Environmental Policy Act requirements with respect to project-level air quality analysis outlined in 23 CFR Part 771. The rehabilitation, reconstruction, or replacement of bridges is categorically excluded by FRA regulations from additional analysis for air quality based on the Federal Highway Administration's (FHWA) past experience that such projects do not have significant environmental effects. See, e.g., 23 CFR 771.116 FRA; 23 CFR 771.117 FHWA; and 23 CFR 771.118 FTA. The Merchant Street Bridge Project will have no changes in footprint or general configuration that would change purpose, capacity, operation, or function. Rail traffic and associated impacts will not change. As such, the on-alignment replacement of the Merchant Street Bridge would not result in any significant effect on noise, air quality, or vibration except for the minor, temporary emissions relating to construction equipment. This issue has been previously addressed, and in support of the analysis, Norfolk Southern provided several regulatory and guidance sources that come to similar conclusion regarding on-alignment replacement, including federal regulations applicable to transportation generally, freight rail specifically, and impact assessment under federal and state law. Among these sources and supporting documents is the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual. The manual has been adopted by the Federal Railroad Administration (FRA) for use with freight rail projects such as this project. The FTA manual, as the other sources, regulations, and guidance documents, support the conclusion that the reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as improvements to existing bridges, would not require a noise impact analysis because the project would not change the noise source. The proposed Merchant Street Bridge will occupy the same geographic footprint and will not change the noise-generating source; therefore, the Merchant Street Bridge Project will not significantly change the noise level relative to the existing condition.</p> <p>The comment incorrectly assumes the Merchant Street Bridge Project is related to double-stack train traffic. The Pittsburgh Vertical Clearance Projects are separate and distinct from the Merchant Street Bridge Project with separate purpose and need and will be evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes. As stated in the online presentation and discussed elsewhere in this response to comments, the Merchant Street Bridge Project has no effect on rail traffic, including the height of the trains, because it is a rail bridge over the public roadway, and this bridge therefore currently has no height restrictions for train traffic. As such, the PUC order issued by Judge Pellegrini as referenced in the comment is inapposite. The PUC's order regarding consideration of Allegheny Commons in achieving vertical clearance does not apply to the Merchant Street Bridge because it is an overhead crossing. In fact, a PUC Administrative Law Judge has recommended that the full Commission authorize the Merchant Street Bridge replacement as agreed upon by the parties to that parallel proceeding.</p>

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		<p>Commons park land as a result of the PCVP as a whole. The Merchant Street Bridge is being replaced to accommodate the increased rail traffic.</p> <p>A violation of Section 27 exists based on the fact that Allegheny Commons is a natural resource and common property that is held in public trust. Diminution of access use, recreation and enjoyment- are all recognized violations of a public trust.</p>	<p>Furthermore, there will be no parkland subject to direct or indirect use by the on-alignment replacement of the existing bridge's superstructure with a new superstructure with the exception of a temporary construction easement needed for access to repair the fence. As has been demonstrated many times in writing and by graphic representation, the elevation of the Merchant Street Bridge is unaffected by any of the Pittsburgh Vertical Clearance Projects, including the nearest one at W. North Avenue.</p> <p>From a factual perspective, it is worth noting that the railroad grade through Allegheny Commons was set as part of a corridor-wide grade separation project that extended from Union Station to Woods Run in Pittsburgh in the early 1900s. The grade was lowered through the park only sufficiently to provide an overhead crossing for W. North Avenue/Brighton Road. The railroad's setting in a park likely had no effect on determining the grade at this location. Prior to the ca. 1905 grade separation project, the tracks were partly depressed and partly at grade through Allegheny Commons.</p>
28	Glenn Olcerst / RP3 / Area of Potential Effect	<p>Norfolk Southern maintains that the project will not adversely affect Allegheny Commons Historic District.</p> <p>According to the Pennsylvania State Historic Preservation Office, it reviews projects in accordance with the following state and federal laws: Section 106 of the National Historic Preservation Act and its implementing regulations; The Environmental Rights Amendment, Article 1, Section 27 of the Pennsylvania Constitution; and the Pennsylvania History Code.</p> <p>The guidelines for Section 106, which are incorporated for Pennsylvania state money projects by Section 2002, states as follows: "Full consideration of historic properties includes consideration of all kinds of effects on those properties: direct effects, indirect or secondary effects, and cumulative effects. Effects may be visual, audible, or atmospheric. Beyond the effects from physical alteration of the resource itself, effects on historic properties may result from changes in such things as local or regional traffic patterns, land use, and living patterns."</p> <p>RP3 presented the above during the Merchant Street Bridge Consulting Party Meeting # 2.</p> <p>In response, by letter dated 4/30/20, the Pennsylvania State Historic Preservation Office agreed with our position and determined as follows:</p> <p>"Area Of Potential Effect The proposed project includes planned increases in the number of trains, thereby resulting in increases in noise and emissions. However, the May 2018 report does not provide a discussion of changes in noise or air quality associated with increased freight traffic. Please provide documentation of consideration of the potential increases of noise and emissions associated with the Pittsburgh Vertical Clearance Project and the associated indirect effects on historic properties along the corridor, and if necessary,</p>	<p>It has been demonstrated in the Determination of Effects Report that there will be no adverse effect on Allegheny Commons as a result of the Merchant Street Bridge Project. The replacement of the Merchant Street Bridge will not adversely affect the qualities of the Allegheny Commons Historic District that qualify it for inclusion in the National Register of Historic Places. The PA SHPO is also involved in the review process in accordance with PennDOT procedures and has concurred with this finding in its September 16, 2020 letter.</p> <p>As previously stated, the Merchant Street Bridge Project will replace the deteriorated superstructure of the existing bridge with a new superstructure within the existing railroad right-of-way. The comment incorrectly assumes the Merchant Street Bridge Project is related to double-stack train traffic. The Pittsburgh Vertical Clearance Projects are separate and distinct from the Merchant Street Bridge Project with separate purpose and need and will be evaluated under independent Pennsylvania History Code and Section 2002 of Act 120 compliance processes. As stated in the online presentation and discussed elsewhere in this response to comments, the Merchant Street Bridge Project has no effect on rail traffic, including the height of the trains, because it is a rail bridge over the public roadway and this bridge therefore currently has no height restrictions for train traffic. Continued conflation of the Merchant Street Bridge Project with the separate and distinct Pittsburgh Vertical Clearance Projects by various websites and the misinformation contained on those websites appears to have confused members of the public and agencies. Factual information pertaining to both the Merchant Street Bridge Project and the Pittsburgh Vertical Clearance Projects can be found at: http://www.nscorp.com/content/nscorp/en/in-your-community/the-pittsburgh-vertical-clearance-projects.html.</p> <p>Norfolk Southern is considering all potential impacts consistent with the Pennsylvania History Code and Section 2002 of Act 120 compliance processes. Furthermore, PennDOT, which is the agency with approval authority, determined that project impacts would not be significant as the result of the Merchant Street Bridge Project. There is no data to suggest that a bridge replacement project will have an effect on the spread of COVID-19 to EJ communities or elsewhere.</p>

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		<p>revise the APE (Area of Potential Effect.)” -Douglas McLearn, Chief Division of Environmental Review</p> <p>This letter is directly contrary to conclusion at 25.29 that there is no adverse effect on the Allegheny Commons Historic District Park. The reality is that there will be more longer trains once all of the interrelated projects necessary to carry the increased traffic are completed. That surge in rail traffic will occur in the near future - rather than in 2045 as projected. The result will be more noise, vibration and pollution.</p> <p>The latest study from Harvard https://www.hsph.harvard.edu/news/hsph-in-the-news/air-pollution-linked-with-higher-covid-19-death-rates/ determined that higher levels of pollution result in more serious outcomes for those afflicted with the virus. Given that the mortality rate of black and brown residents is twice that of whites, this impact must be acknowledged and mitigated given the 128,000 Environmental Justice Area (EJA) residents living along the high-risk pollution fallout zones on Norfolk Southern’s proposed modified route. Those lives must be made to matter to Norfolk Southern. Residents of EJA are required to receive extra consideration in policy decisions to ensure that we do not disproportionately shoulder the burden of environmental hazards.</p>	
29	Glenn Olcerst / RP3 / Environmental Process	<p>The Environmental Document (ED) for Merchant Street Bridge alone will be completed fall/winter 2020. The March 19, 2018 Scoping Meeting Minutes for the PVCP (which specifically included the Merchant Street Bridge on P 4 along with all of the other bridges) states as follows:</p> <p>“All nine crossings being advanced by Norfolk Southern could be addressed in the Environmental Document [ED] as a single project. PennDOT agreed with this approach...” (P5) [while] design could be advanced as Norfolk Southern wishes, the ED would ultimately require consideration of all bridges for approval (together). P 6.</p> <p>It was agreed that a qualitative noise and air quality analysis would be performed along with an asbestos survey (P 6) and that Historic Review Commission approval was required. (P 7) It is submitted that all of those steps must occur before public outreach occurs. It appears that Norfolk Southern is now disregarding all of the above agreements, studies and steps.</p>	<p>While the March 19, 2018 Scoping Meeting Minutes included nine projects, additional consultations led to two of the projects being removed from PennDOT funding, and therefore from the Pennsylvania History Code and Section 2002 of Act 120 compliance processes. In addition, the Merchant Street Bridge Project was separated from the remaining projects because it has independent utility, logical termini, and a separate purpose and need based on the deteriorated condition of the bridge and the lack of a need for changing the railroad vertical clearance. A qualitative noise and air quality analysis is not required for an on-alignment bridge replacement project that will occupy substantially the same geographic footprint and will not change the noise-generating source. An asbestos survey of the bridge has been conducted and none of the samples contained asbestos greater than the United States Environmental Protection Agency criteria level of 1% asbestos by weight.</p> <p>Norfolk Southern is considering all potential impacts consistent with the Pennsylvania History Code and Section 2002 of Act 120 compliance processes and is doing so in a manner consistent with PennDOT guidance on timelines and sequencing of public involvement activities. Coordination with the City of Pittsburgh Historic Review Commission (HRC) will be conducted for all undertakings in which a city-listed historic property or historic district is present. Minimization and mitigation measures are still being considered by the consulting parties participating in the Pennsylvania History Code compliance process. The HRC prefers that Section 106/Pennsylvania History Code consultation be completed prior to submitting an application for a certificate of appropriateness from the HRC.</p>
30	Glenn Olcerst / RP3 / Separate from PVCP	<p>Rail Pollution Protection Pittsburgh (RP3) objects to public outreach relating to only the Merchant Street Bridge - which is only one of a number of bridges within Norfolk Southern’s PVCP. The bridges are inextricably intertwined. According to Norfolk Southern’s application, the stated purpose of the PVCP is to increase capacity for freight</p>	<p>As stated in the online presentation, the Merchant Street Bridge Project is a separate project that is independent of the proposed Pittsburgh Vertical Clearance Projects and is being evaluated under an independent compliance process. The Merchant Street Bridge Project was separated from the remaining projects since it has independent utility, logical termini, and a separate</p>

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		<p>and to accommodate double-stack traffic throughout the North side, through the city, and to East Braddock. Segmenting or splitting the project bridge by bridge has precluded taking into account the full range of the total impact of the PVCP, and improperly restricted the area of potential effects.</p> <p>The area of potential effects is viewed broadly to go beyond the project limits or permit area at each bridge. The area of potential effects may include public or private property. On the Northside, predictive modeling and a survey canvassing 100% of the impact area (Ridge Ave Bridge, West Ohio, West North Ave Bridge, Allegheny Commons, and surrounding neighborhoods) is warranted.</p> <p>Because of the isolated objective and segmentation, the process has failed to take into account the cumulative impact on the park and community, failed to consider alternatives, and to date, an inadequate analysis of mitigation measures.</p>	<p>purpose and need based on the deteriorated condition of the bridge. Replacing the bridge has no effect on the railroad vertical clearance because the trains run over the bridge, not under it.</p> <p>The PA SHPO concurred with the boundaries of the Merchant Street Bridge Project area of potential effects (APE) and the methodology for the identification of historic properties in a letter dated June 5, 2018. The letter is provided in Appendix I.4, Agency Coordination of the Identification of Historic Properties Report (Michael Baker International, Inc. 2019). The APE was drawn to take into account the nature of the proposed undertaking and its potential for direct and indirect (including secondary and cumulative) effects on historic properties in accordance with Advisory Council on Historic Preservation regulations at 36 C.F.R. Part 800.</p> <p>Cumulative effects considerations are included in the delineation of the APE as part of the assessment for potential indirect effects of the undertaking. Cumulative effects of undertakings are included in the definition of Adverse Effects at 36 C.F.R. 800.5. Note that the assessment of project effects takes into account those effects that “may occur farther removed in distance” from the project location, as stated in 36 C.F.R. § 800.5, so an expansion of the APE is not warranted.</p>
31	Glenn Olcerst / RP3 / Project Funding	It is requested that taxpayer funding be frozen until the appropriate processes are followed and the taxpayers living in each impacted community have a voice in the process.	The purpose of the public involvement process is to obtain feedback on the project. This question is not directed to that purpose.
32	Glenn Olcerst / RP3 / Document – Legal Fees	How much has Norfolk Southern paid in legal fees to oppose community group intervention in PUC proceedings?	The purpose of the public involvement process is to obtain feedback on the project. This question is not directed to that purpose.
33	Samuel Robinson / Street Closure	I believe one of the overhead streets will be so affected by raising a bridge that it runs on, that the street may have to be permanently closed, which is completely unacceptable in my view.	The Merchant Street Bridge Project involves "on-alignment" bridge replacement, meaning the alignment of the railway on top of the bridge will not move. The bridge is not being raised. Additionally, the bridge carries only rail traffic; there are no streets being carried by the bridge. No permanent closures of any roadway will be required as a result of the Merchant Street Bridge Project.