



U.S. Department
of Transportation

**Federal Transit
Administration**

Region II

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**DECISION MEMORANDUM
OF THE
FEDERAL TRANSIT ADMINISTRATION**

**Second Avenue Subway Phase 2
NEPA Re-Evaluation 2
Ancillary A/Lot 46**

I. Introduction

This memorandum documents the Federal Transit Administration's (FTA) conclusion that a supplemental environmental document is not necessary for the New York Metropolitan Transportation Authority's (MTA) Second Avenue Subway Phase 2 Project. FTA is the lead federal agency for ensuring compliance with the National Environmental Policy Act (NEPA).

This NEPA re-evaluation incorporates by reference MTA's NEPA Re-Evaluation Worksheet and related attachments dated March 2025, and subsequent correspondence involving resource agencies.

II. Standard for Re-Evaluating Environmental Documents

A NEPA re-evaluation is a review conducted by the agency of any proposed change in an action, affected environment, anticipated impact, applicable requirements, or mitigation measure as they relate to the environmental document or decision. Pursuant to 23 CFR 771.129, the purpose of a re-evaluation is to determine whether an environmental document or decision remains valid, or if a supplemental or new analysis (e.g., supplemental environmental impact statement (EIS) or environmental assessment (EA)) is needed. A re-evaluation is a continuation of the project development process, though it does not per se reopen the NEPA decision. A re-evaluation is not considered a supplemental environmental document.

Generally, a supplemental EIS is necessary if:

- (1) Changes to the proposed action would result in significant impacts that were not evaluated in the EIS; or
- (2) New information or circumstances relevant to environmental concerns and bearing on the proposed action or its impacts would result in significant environmental impacts not evaluated in the EIS.

III. Summary of Project Changes and Available Information

MTA has proposed project modifications following the original FEIS and Record of Decision of 2004 and subsequent re-evaluations in a 2018 Supplemental EA and the 2020 Re-Evaluation.

MTA proposes to locate Ancillary A on portions of Lot 44 and Lot 46 along 125th Street. MTA would use this location for removal of a Tunnel Boring Machine and staging activities.

Ancillary A would be approximately 80 feet wide, 100 feet deep, and 45 feet tall. MTA may reduce the building's height and increase its frontage along 125th Street. MTA also may use excess property to pursue a joint development opportunity with a private developer. If MTA does not pursue joint development, it may dispose excess property. Any scope change, such as joint development, would be subject to further NEPA re-evaluation prior to execution.

IV. Changes to Mitigation Commitments

The proposed design modification would require acquisition of one additional commercial property, Lot 46 on Block 1909. The acquisition would result in displacement of an estimated 80 additional employees, for a total of 209 employees for Second Avenue Subway Phase 2 overall. This figure falls within the range estimated in the 2018 EA, which estimated that between 157 to 505 employees with jobs in the local area would be displaced.

The additional acquisition would be a fee simple acquisition and would be conducted in accordance with the Project's approved Full Funding Grant Agreement, dated November 4, 2023, which establishes the conditions for property acquisition. All other mitigation measures from the FEIS/ROD and other approved re-evaluations are unchanged.

V. Brief Summary of Related Environmental Reviews

Section 106 of the National Historic Preservation Act

FTA and MTA have evaluated the potential effects on historic properties of the proposed modification in accordance with the requirements of the 2004 Programmatic Agreement, including consultation with the State Historic Preservation Office and the New York City Landmarks Preservation Commission. Based on this evaluation, they have concluded, and SHPO has concurred in a letter dated September 19, 2024, that the proposed modification would not result in adverse effects to historic properties.

Section 4(f) of the USDOT Act of 1966

The proposed design modification would have no effect on parks. A new Section 4(f) analysis is not required.

Section 7 of the Endangered Species Act and the Magnuson Stevens Act

The planned alignment for the Project does not include suitable habitat for any of the identified protected species potentially occurring in the Project area and therefore neither the Project nor the proposed modification to Ancillary A would adversely affect protected species. No habitat would be removed. The proposed design would not result in new impacts to natural resources.

VI. FTA Decision

Based on the information and analysis in the Second Avenue Subway Phase 2 NEPA Re-Evaluation Worksheet and related attachments completed in March 2025, FTA concludes that MTA's proposed project modifications and new information do not change the validity of the FEIS/ROD and do not warrant preparation of a supplemental environmental document.

Approved by:

Michael L. Culotta
Regional Administrator