

PUBLIC NOTICE

Comment Period Begins: March 21, 2024 Comment Period Ends: April 22, 2024 File Number: NAE-2020-01064 In Reply Refer to: Roberta Budnik, Regulatory Division Phone: (978) 318-8766 Email: roberta.k.budnik@usace.army.mil

The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a permit application, file number **NAE-2020-01064**, to conduct work in waters of the United States from the **National Passenger Railroad Corporation** (Amtrak). This work is proposed in the **Connecticut and Lieutenant Rivers and their associated tidal wetlands** at Amtrak's Northeast Corridor, Milepost (MP) 106.89, in New London County, Connecticut. The site coordinates are at approximately Latitude 41.10908° N. and Longitude 72.349328° W.

APPLICANT

National Railroad Passenger Corporation (Amtrak), 360 West 33rd Street, New York, NY 10001

PROJECT DESCRIPTION

The work would involve: (1) construction of a new bascule railroad bridge over the Connecticut River between Old Saybrook and Old Lyme, 52 feet south of the existing bridge location, with a two-track, electrified railroad movable bridge, approach spans, and at-grade approaches on either side of the river that tie into the existing railroad; (2) removal of the existing Amtrak Connecticut River bridge between Old Saybrook and Old Lyme, including the superstructure, substructure elements, submarine cables, overhead contact systems, and all decommissioned track and rail systems; (3) removal and rebuilding of the State of Connecticut Department of Energy and Environmental Protection (CTDEEP) Ferry Landing State Park boardwalk within the Connecticut River; and (4) performance of compensatory mitigation involving wetland restoration and invasive species control.

The proposed project would result in the follow impacts for each proposed project component:

Bridge Replacement Area (including temporary access roads):

- Permanent fill in wetlands: 1.59 acres (69,090 square feet)
- Temporary fill in wetlands: 1.06 acres (46,120 square feet)
- Permanent fill below high tide line (HTL; excluding wetland areas): 2.47 acres (107,550 square feet)
- Temporary fill below HTL (excluding wetland areas): 2.41 acres (104,770 square feet)

Ferry Landing Boardwalk Removal and Reconstruction:

- Permanent fill below HTL: 0.04-acre (1,680 square feet)
- Temporary fill below HTL: 0.59-acre (25,830 square feet)

17 Shore Road and 3.25-Acre Site Mitigation:

- Permanent fill in wetlands incidental to compensatory mitigation execution: 400 sf (0.009-acre)
- Temporary fill in wetlands incidental to compensatory mitigation execution: 203,355 square feet (4.67 acres)
- Temporary fill below HTL (excluding wetland areas) incidental to compensatory mitigation execution: 10,250 square feet (0.24 acres)

The new bridge would include at grade approaches that tie into the existing railroad and the existing bridge would remain operational during the new bridge construction. The new bridge would require new embankments and walls on the east and west approaches. Embankments would be constructed using various fill material in accordance with the contract specifications, including foreign borrow, free draining material, granular fill and lightweight aggregates, with poured-in-place concrete retaining walls with sloped riprap for scour protection to minimize impacts adjacent to the Connecticut River and to minimize permanent and temporary impacts onto adjacent tidal wetlands located to the south of the Amtrak right-of-way (ROW).

The new bridge would be of a similar length as the existing bridge and would consist of a ballasted concrete deck superstructure on concrete piers and drilled shaft foundations. Following the construction of the new bridge, the existing bridge would be decommissioned and removed. The new bridge would slightly increase the width of the existing navigation channel from a width of 139 feet to 150 feet and slightly shift the east edge of the channel 16.5 feet west towards the center of the Connecticut River. The new bridge would also provide a vertical clearance of 24 feet to Mean High Water (MHW) in the closed position, representing an increase of approximately 6 feet compared with the existing bridge. The full channel width would have at least 74 feet of vertical clearance.

Upon completion of the new bridge, the existing bridge would be decommissioned. The existing east and west abutments would remain, except the portions of south wing walls and cofferdams on both sides that would be demolished to accommodate the new abutments; and Piers 6 and 7 would remain. The existing pedestrian boardwalk at Ferry Landing State Park would be removed during the bridge construction and rebuilt at a new location after construction.

To facilitate the bridge construction, installation of temporary access roads and staging/trestle work platforms would be required along the existing Amtrak ROW and

within the shoreline to support in-water construction of embankments and retaining walls along the bridge approaches, new superstructure and substructure, and channel fender system. Temporary access roads would be constructed of structural fill supported by temporary retaining walls, where appropriate, and wooden mat and trestle platforms within the intertidal wetland and subtidal areas located south of the existing railroad embankment. Temporary access roads of approximately 12 feet to 20 feet in width would be used for the duration of construction (anticipated to be approximately 48 months) to allow access to sections of the new bridge located over tidal wetlands and/or open water (such as the embankment extensions).

To accommodate construction access in Old Lyme, access would originate at an existing access road at 17 Shore Road that extends approximately 0.2-mile southerly to the Amtrak ROW. This existing road would require upgrades, including widening and surface improvements, to accommodate construction vehicles. From the southern end of the 17 Shore Road access road, the north side of the existing ROW embankment would be widened westerly to the existing bridge location and a temporary trestle bridge across the Lieutenant River would be installed. A temporary trestle bridge, with the same horizontal and vertical clearances as existing structures, at the proposed eastern abutment would extend into a portion of the Connecticut River to provide a vehicle turnaround location and a construction barge access location. The temporary structure crossing the Lieutenant River would meet or exceed the existing horizontal and vertical clearances of the existing railroad bridge directly downstream. The temporary structure would not restrict boating access along the river except for short-term closures for installation and removal activities.

Construction access in Old Saybrook would be through a private quarry, subject to an in-place agreement with the quarry operator and landowners. Amtrak would enter this access from a private drive off Boston Post Road (Route 1) approximately 0.5-mile west from the proposed project site. Once in the Amtrak ROW in Old Saybrook, the existing unpaved access road is approximately 9 feet wide. Amtrak is proposing a 10- to 14-footwide access road with periodic pull offs that widen out to 20 feet to allow for passing. A temporary retaining system that extends northward over the existing embankment would need to be constructed to accommodate this road width and pull offs to provide sufficient separation from the access road and the fouling limits of the active railroad tracks. This temporary access road would need to be constructed in sequential portions starting at the west and working eastward utilizing the path as construction staging for the next portion of the path.

At the western abutment, Amtrak proposes a temporary trestle work platform extending to a portion of the Connecticut River with a minimum river depth of 12 feet as a potential means of turnaround for vehicles with the dual use as a barge access. The elevation of the work platform would be set such that there would be 14 feet of vertical clearance under both the existing and proposed bridge superstructures.

Temporary staging/trestle platforms constructed of steel piles, steel framing, and timber matting decks varying in width from 20 to 40 feet would be constructed in/over intertidal and subtidal areas on each side of the proposed project area for both east and west approaches. While construction of the permanent substructure is not anticipated to employ driven piles, limited pile driving may be required to construct temporary construction staging platforms. The staging platforms would remain in place for the duration of the proposed bridge construction and existing bridge demolition. After the temporary staging platforms are no longer necessary, the platforms would be removed and the temporary piles supporting the portion of the platforms under the new bridge would be fully removed. After the temporary access paths, construction mats, and temporary bridge at the Lieutenant River are no longer necessary, they would be removed in full and pre-existing grades would be restored.

<u>Avoidance, Minimization, and Compensatory Mitigation</u>: Impacts to aquatic resources would be minimized through the use of best management practices (BMPs) including erosion and sedimentation controls to protect water quality; the use of vibratory hammers (whenever feasible) to minimize noise impacts; time of year (TOY) restrictions to protect sensitive fish and wildlife species; use of temporary construction structures and fills; restoration of temporary impact areas following construction; on-site environmental monitoring, and implementation of robust compensatory mitigation measures. Additionally, design measures were taken to minimize impacts to waters of the U.S., including wetlands, such as construction of pullouts along the widened access road rather than widening the entire length of the road, and fill for the new bridge embankments would be supported with berms and retaining walls.

In order to compensate for unavoidable permanent impacts to waters of the U.S., including wetlands, Amtrak has proposed to restore intertidal marsh habitats through the reintroduction of tidal hydrology along with rehabilitation of intertidal marsh areas through the control of common reed. They propose this restoration at a ratio of 3:1 for tidal wetlands and a 1:1 ratio for permanent impacts below HTL. Additionally, Amtrack has proposed that if any additional compensatory mitigation is required by the USACE for temporary or secondary impacts, it would be satisfied through their invasive species control efforts at Ragged Rock Creek Marsh Wildlife Management Area, and the balance of the mitigation credits available (4.58 acres) from the tidal restoration efforts at 17 Shore Road and the 3.25-Acre Site. Due to size of the compensatory mitigation plan, it will be provided upon request.

The proposed work is shown on the enclosed abbreviated plans titled "Replacement of MB 106.89 Over Connecticut River," on 13 sheets, and dated May 2, 2023. The enclosed abbreviated plans are not the complete proposed project plan set, which consists of 150 pages. The complete plan set will be provided upon request.

PROJECT PURPOSE

A 2006 inspection by Amtrak determined that the bridge was structurally deficient, and that periodic rehabilitation work was no longer sufficient to keep the aging bridge

functional. The purpose of the Project is to replace the aging bridge, enhance its reliability and long-term serviceability, and ensure continued passenger and freight rail operations along the Northeast Corridor as well as vessel navigation in the Connecticut River.

AUTHORITY

Permits are required pursuant to:

- X Section 10 of the Rivers and Harbors Act of 1899
- X Section 404 of the Clean Water Act
 - ____ Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. The USACE will consider all comments received to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an environmental assessment and/or an environmental impact statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevenson Act), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

The Federal Railroad Administration (FRA) is the lead federal agency for the proposed project and has completed EFH consultation under the Magnuson-Stevens Act. The USACE has reviewed the consultation and determined it is sufficient for the USACE's purposes. Additional information regarding compliance with the Magnuson-Stevens Act can be provided upon request.

NATIONAL HISTORIC PRESERVATION ACT

The FRA is the lead federal agency for the proposed project and is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act (NHPA). The FRA determined the proposed project would have an adverse effect on the Connecticut River Bridge, which is listed as eligible for the National Register of Historic Places (NRHP). As such, a Memorandum of Agreement (MOA) to ensure compliance with Section 106 of the NHPA was executed in 2016 between the FRA and the Connecticut State Historic Preservation Officer (CTSHPO). Additional information regarding compliance with Section 106 of the NHPA can be provided upon request.

ENDANGERED SPECIES ACT

The FRA is the lead federal agency for the proposed project and is responsible for compliance with Section 7 of the Endangered Species Act (ESA). The FRA determined there would be no effect to the northern long-eared bat (*Myotis septentrionalis*). The FRA also received concurrence from the National Marine Fisheries Service (NMFS) that the proposed project is not likely to adversely affect any NMFS ESA listed species or designated critical habitat. Additional information regarding compliance with Section 7 of the ESA can be provided upon request.

OTHER GOVERNMENT AUTHORIZATIONS

The U.S. Coast Guard has authority over bridges in navigable waters of the U.S. under Section 9 of the Rivers and Harbors Act of 1899. As such, the proposed bridge itself and removal of the existing bridge are not regulated by the USACE under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). This includes temporary construction activities such as work (spud) barges, trestles, and platforms required for demolition or construction at the bridge site. However, the project also includes several related activities in the surrounding areas that are regulated by USACE under Section 10 as

described above. Bridge construction activities resulting in a discharge of dredged or fill material into the Connecticut River (i.e., installation of new piers) are regulated by the USACE under Section 404 Clean Water Act.

The State of Connecticut has an approved Coastal Zone Management Program. The CTDEEP has made a determination that the proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, license or assent from State.
- (X) Permit from local wetland agency or conservation commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

COMMENTS

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. People submitting comments are advised that all comments received will be available for public review in their entirety and will be considered a matter of public record.

Comments should be submitted in writing by the above date. If you have any questions, please contact **Roberta Budnik**, Regulatory Division, at roberta.k.budnik@usace.army.mil, (978) 318-8766, (800) 343-4789 or (800) 362-4367.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The USACE holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

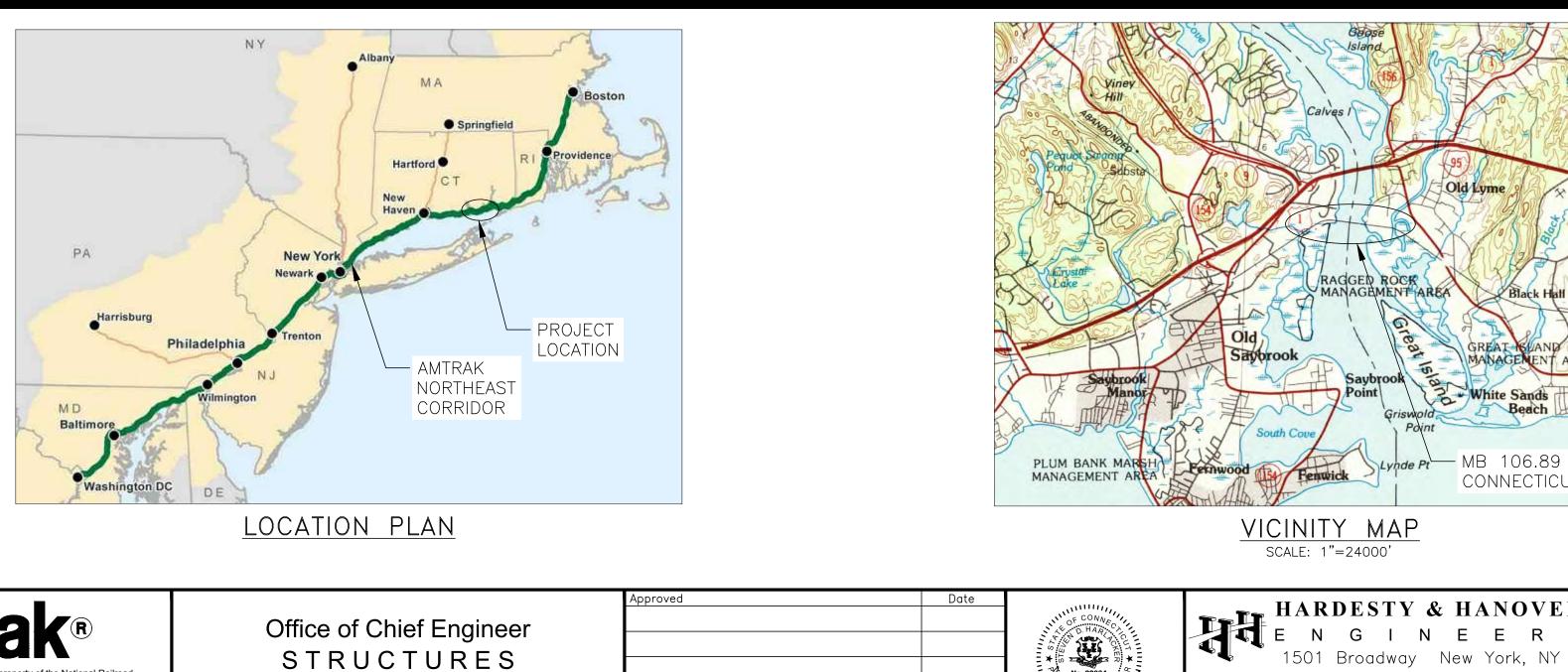
THIS NOTICE IS <u>NOT</u> AN AUTHORIZATION TO DO ANY WORK.

Kevin R Kotelly

Kevin R. Kotelly, P.E. Chief, CT/RI Section Regulatory Division

Please contact Ms. Tina Chaisson at <u>bettina.m.chaisson@usace.army.mil</u> or (978) 318-8058 if you would like to be removed from our public notice mailing list.





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National Railroad Passenger Corporation 30th Street Station, Philadelphia, Pennsylvania 19104

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REPLACEMENT OF MB 106.89 OVER CONNECTICUT RIVER OLD SAYBROOK, CONNECTICUT

ENVIRONMENTAL AND PERMIT PLANS

GENERAL NOTES

- 1. THESE PLANS ARE NOT FOR CONSTRUCTION AND ARE INTENDED ONLY FOR ENVIRONMENTAL PERMITTING PURPOSES. THESE PLANS HOLD AUTHORITY FOR ALL ACTIVITIES CONCERNING THE REGULATED AREA. FOR DETAILED PLANIMETRIC INFORMATION AND PAYMENT, REFER TO THE APPLICABLE CONTRACT DOCUMENTS.
- 2. AMTRAK WILL ONLY SUBMIT REVISIONS TO CTDEEP AND USACE FOR CHANGES TO THE DESIGN THAT WILL AFFECT REGULATED AREAS.
- 3. FOR A DESCRIPTION OF THE WATERCOURSES, WETLANDS, AND WETLAND SOILS SEE RELAVANT SECTIONS OF THE PERMIT APPLICATION.
- 4. THE HORIZONTAL CONTROLS REFERENCE THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND THE CONNECTICUT STATE PLANE COORDINATE SYSTEM. THE VERTICAL DATUM REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- ALL CONSTRUCTION ACTIVITIES WILL BE CONDUCTED IN ACCORDANCE WITH THE CTDOT STANDARD SPECIFICATIONS FOR ROADS, BRIDGES, FACILITIES AND INCIDENTAL CONSTRUCTION, FORM 818, SECTION 1.10 AND WILL ALSO FOLLOW REQUIRED BEST MANAGEMENT PRACTICES (BMPs) AND SEDIMENT AND EROSION CONTROL MEASURES IN ACCORDANCE WITH THE 2002 EROSION & SEDIMENTATION CONTROL GUIDELINES AND THE 2004 STORMWATER QUALITY MANUAL.

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SEE IDX-01 FOR LIST OF DRAWINGS

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CJL	— CJL——	COASTAL JURISDICTION LINE (CJL) - ELEVATION 2.9'
HTL	— HTL	HIGH TIDE LINE (HTL) – ELEVATION 3.04'
——— MHW——	— MHW	MEAN HIGH WATER (MHW) - ELEVATION 1.60'
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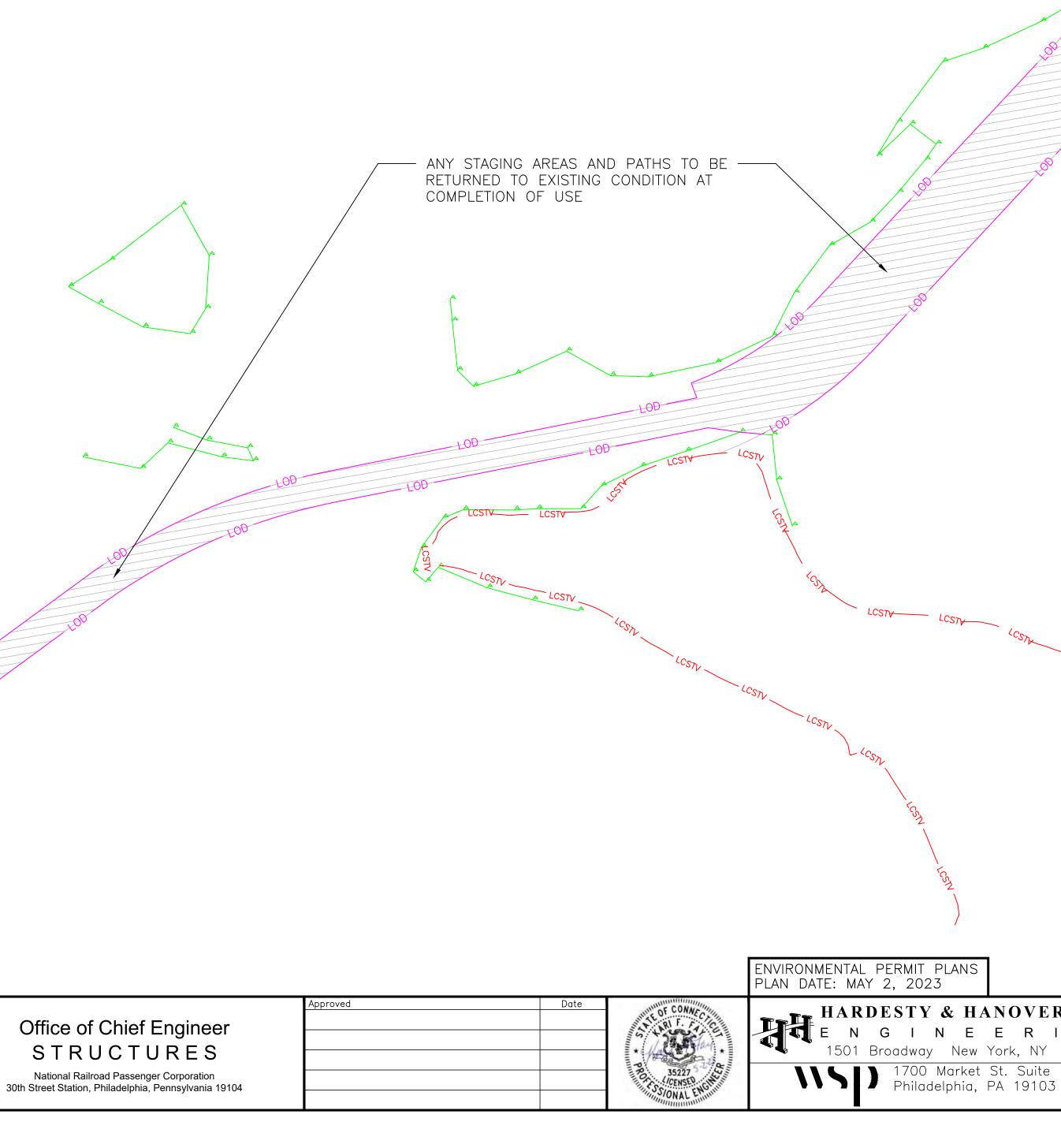
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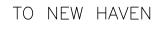




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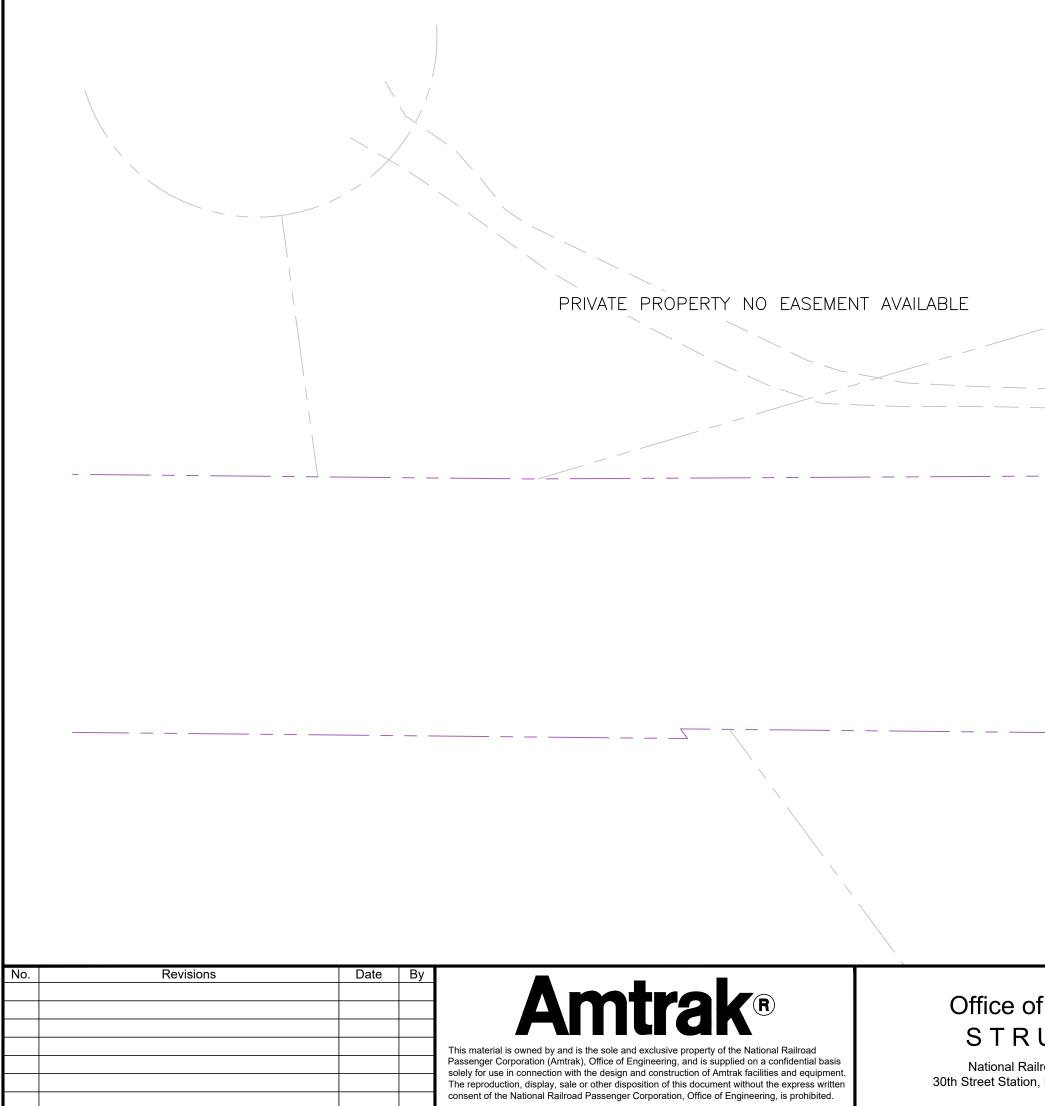
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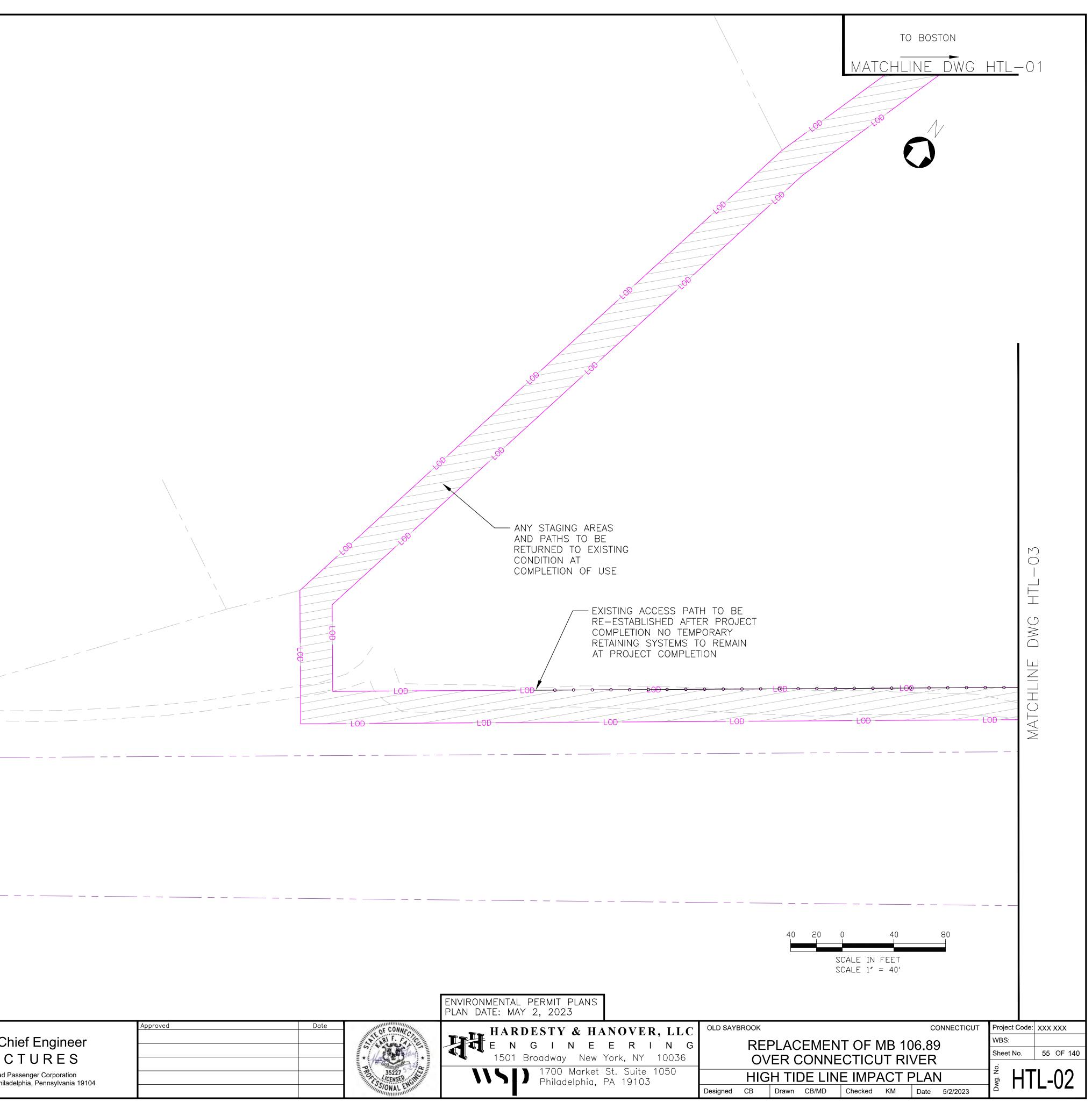
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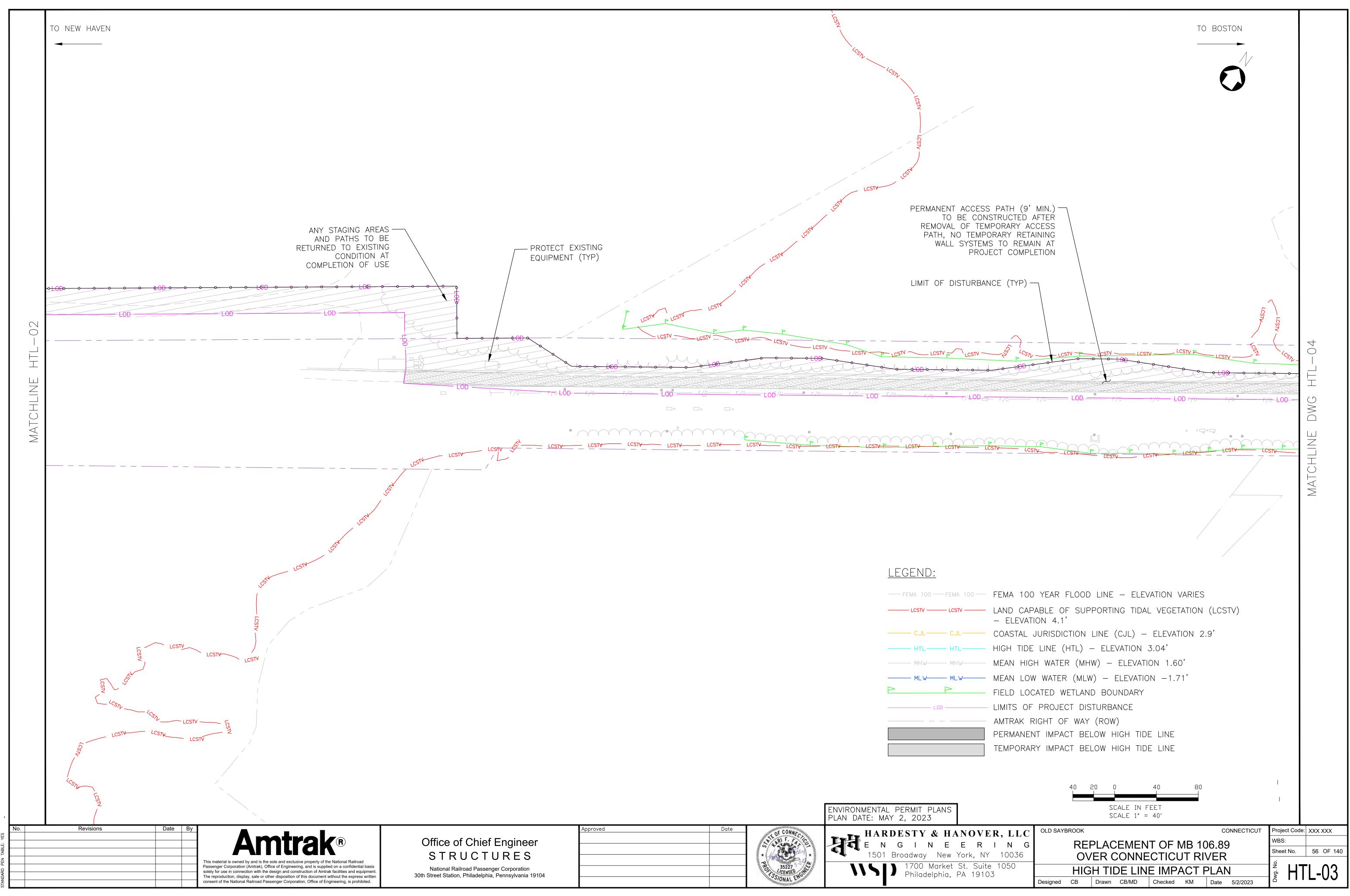
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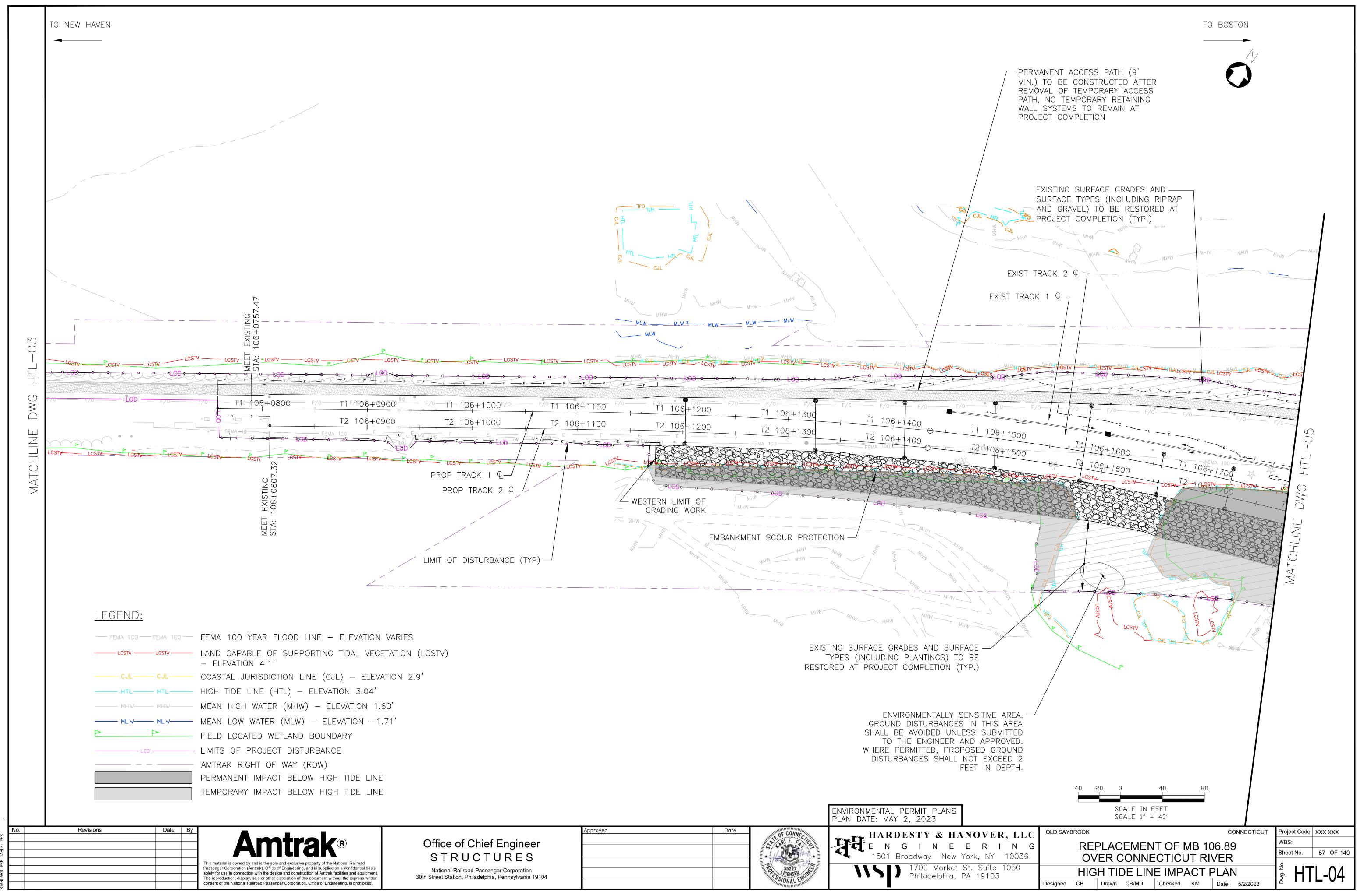
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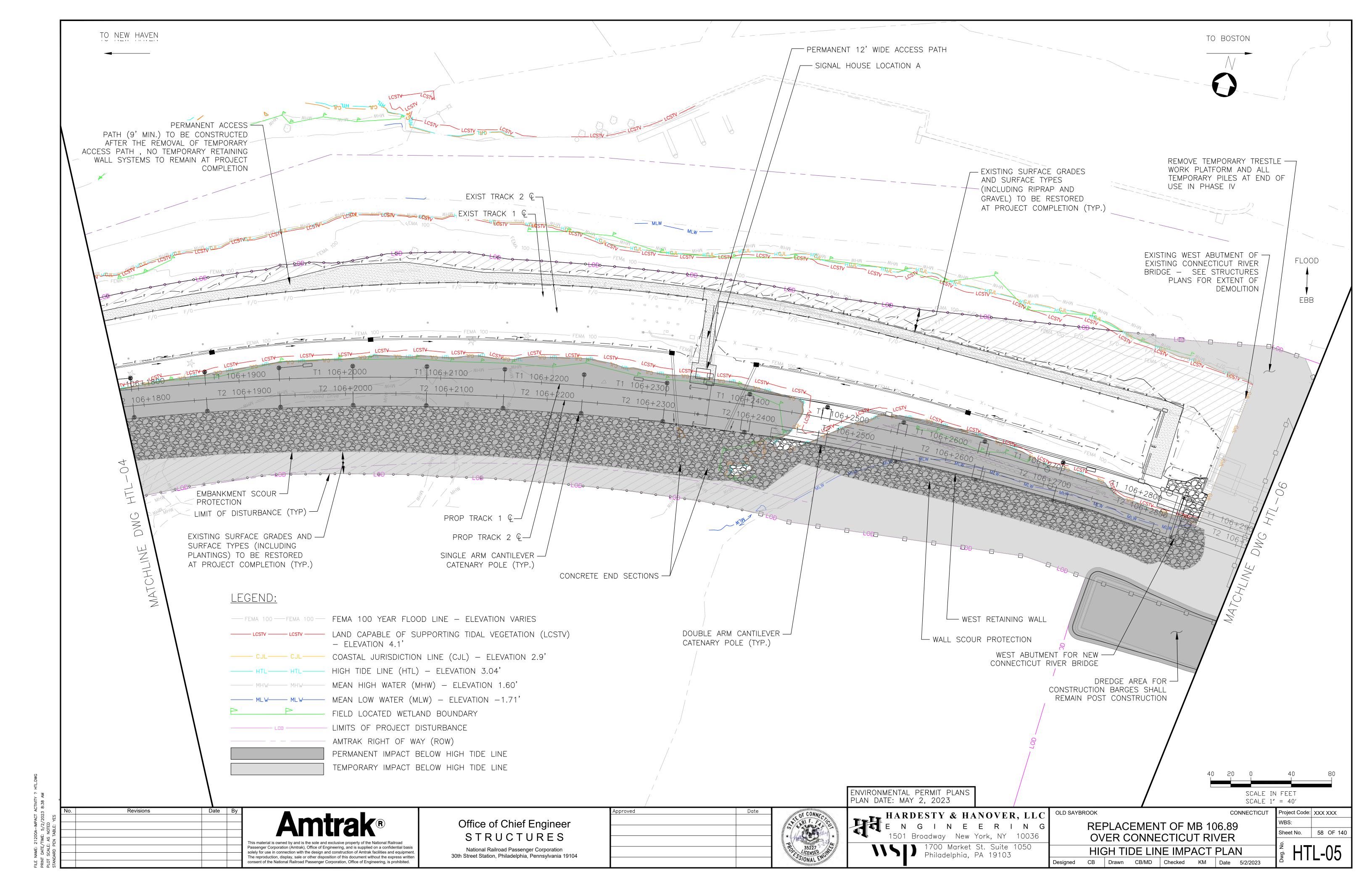
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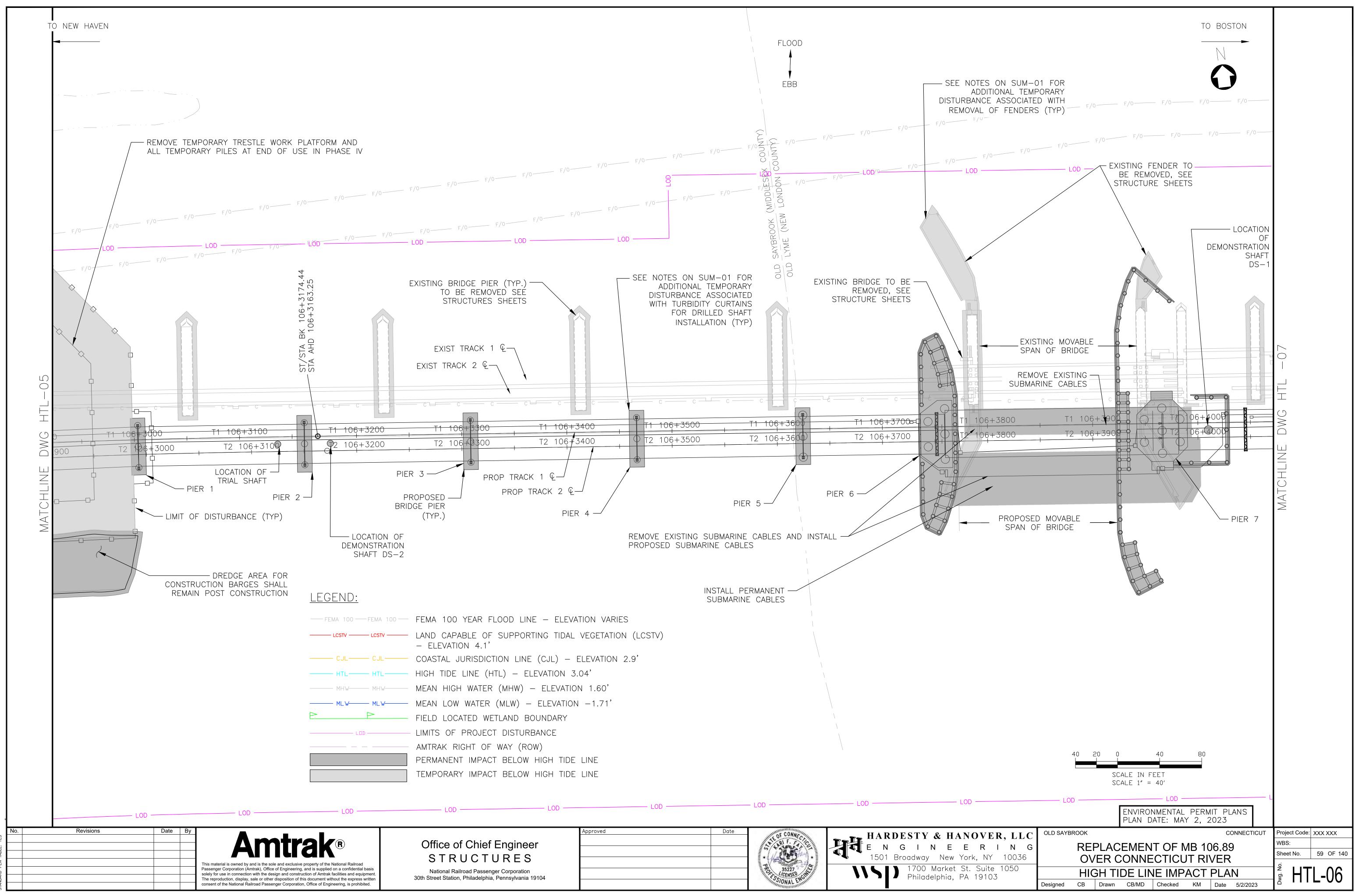
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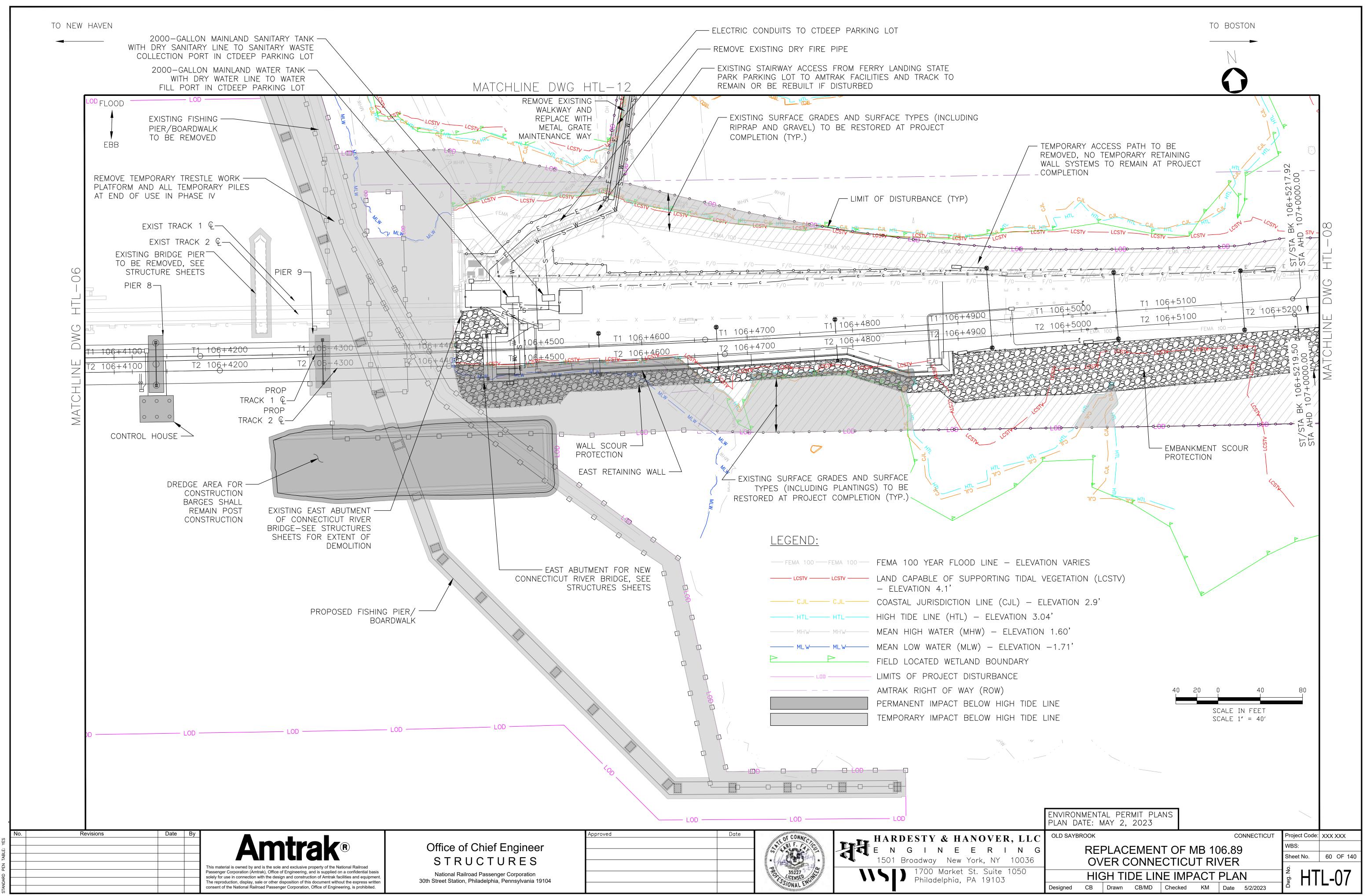
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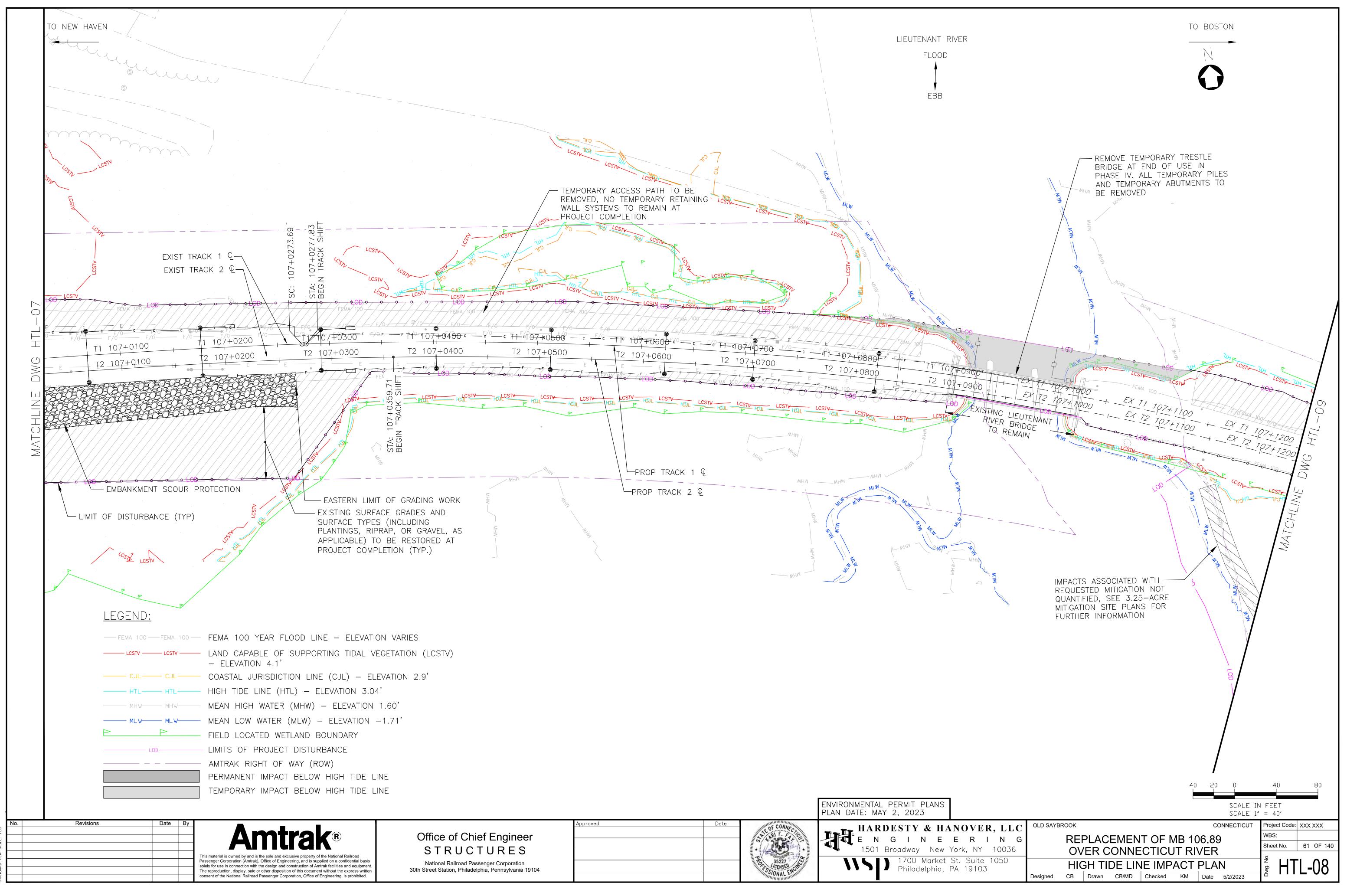


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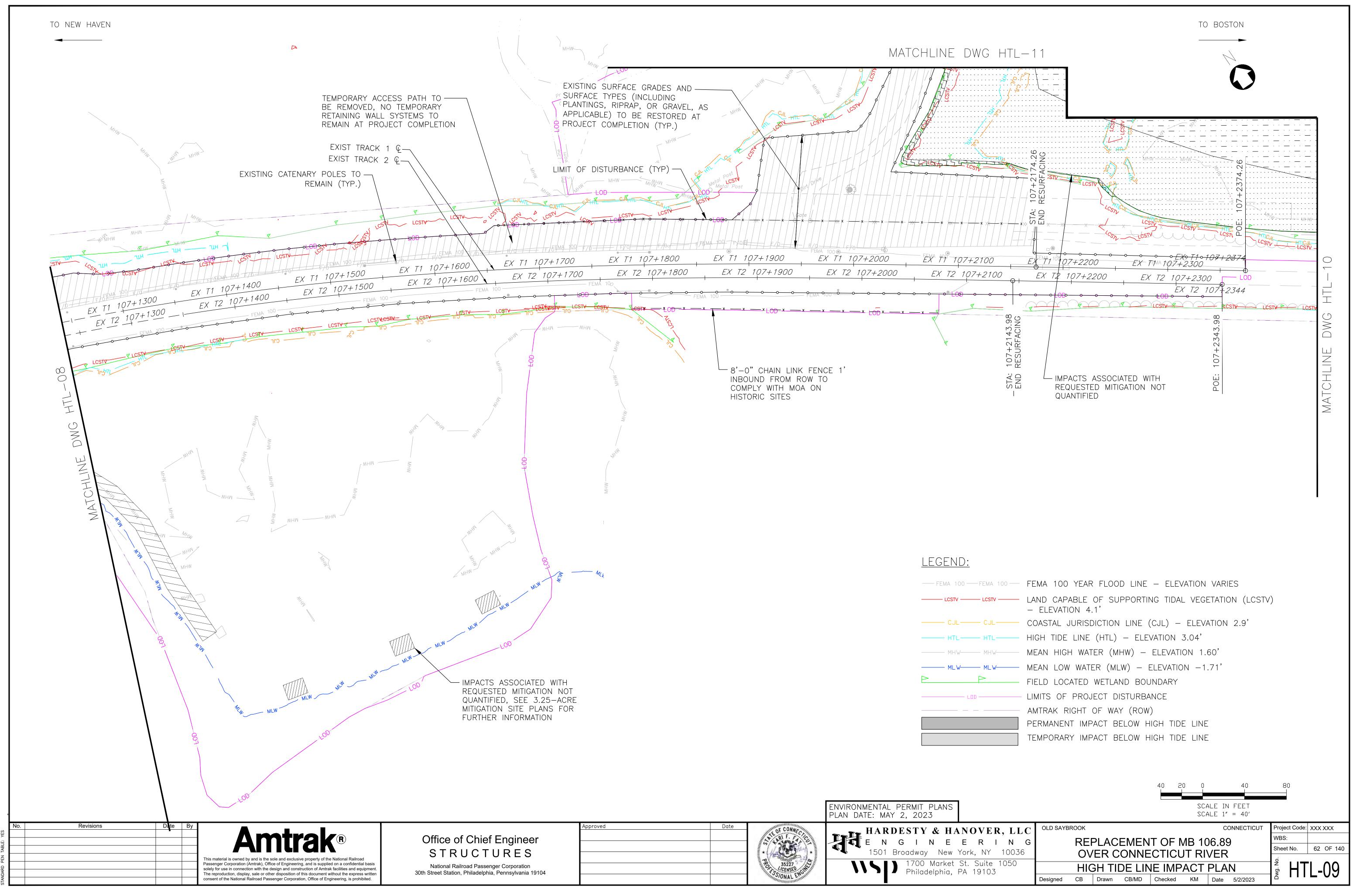


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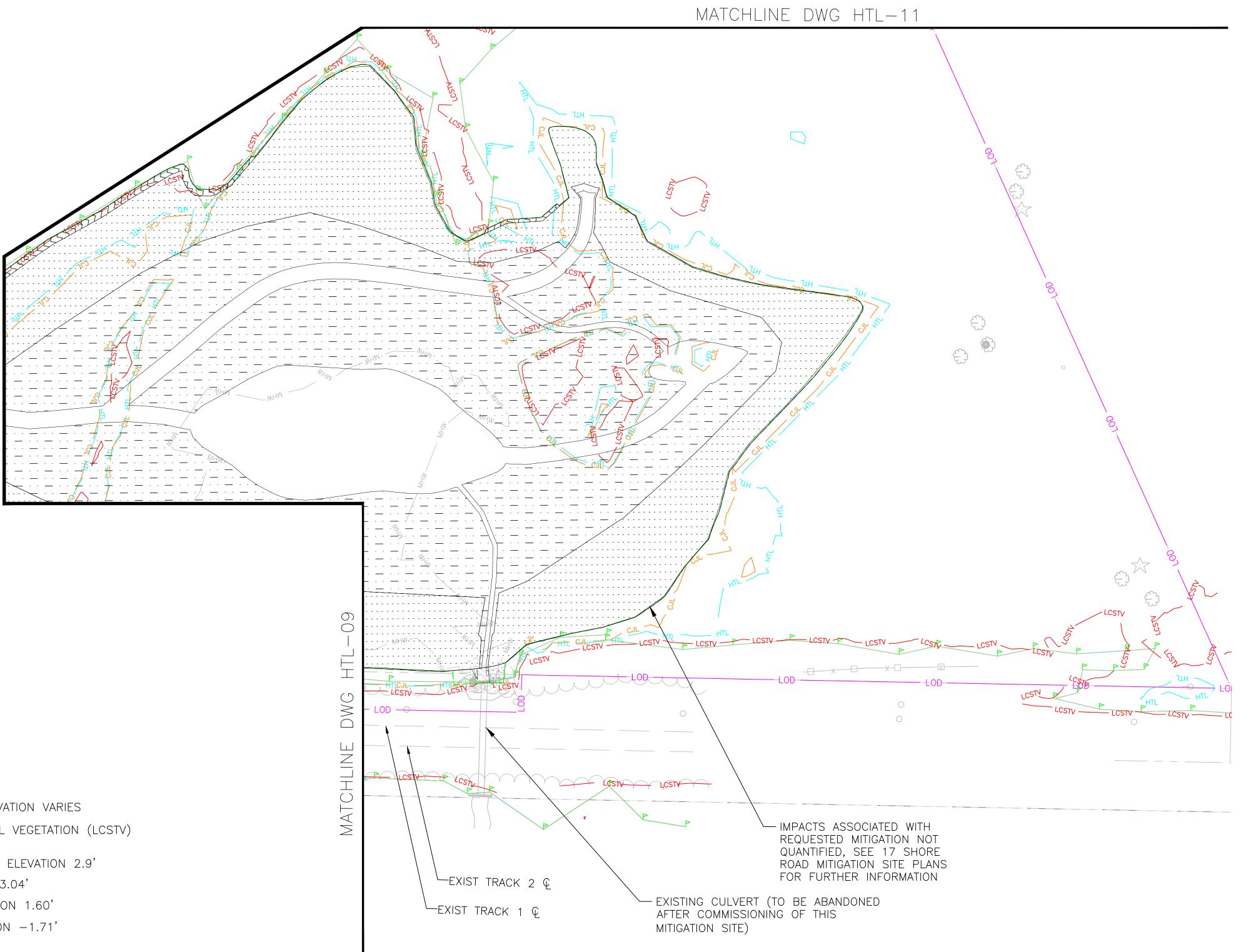
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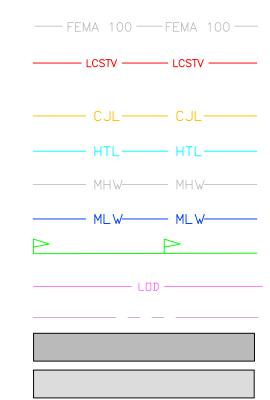
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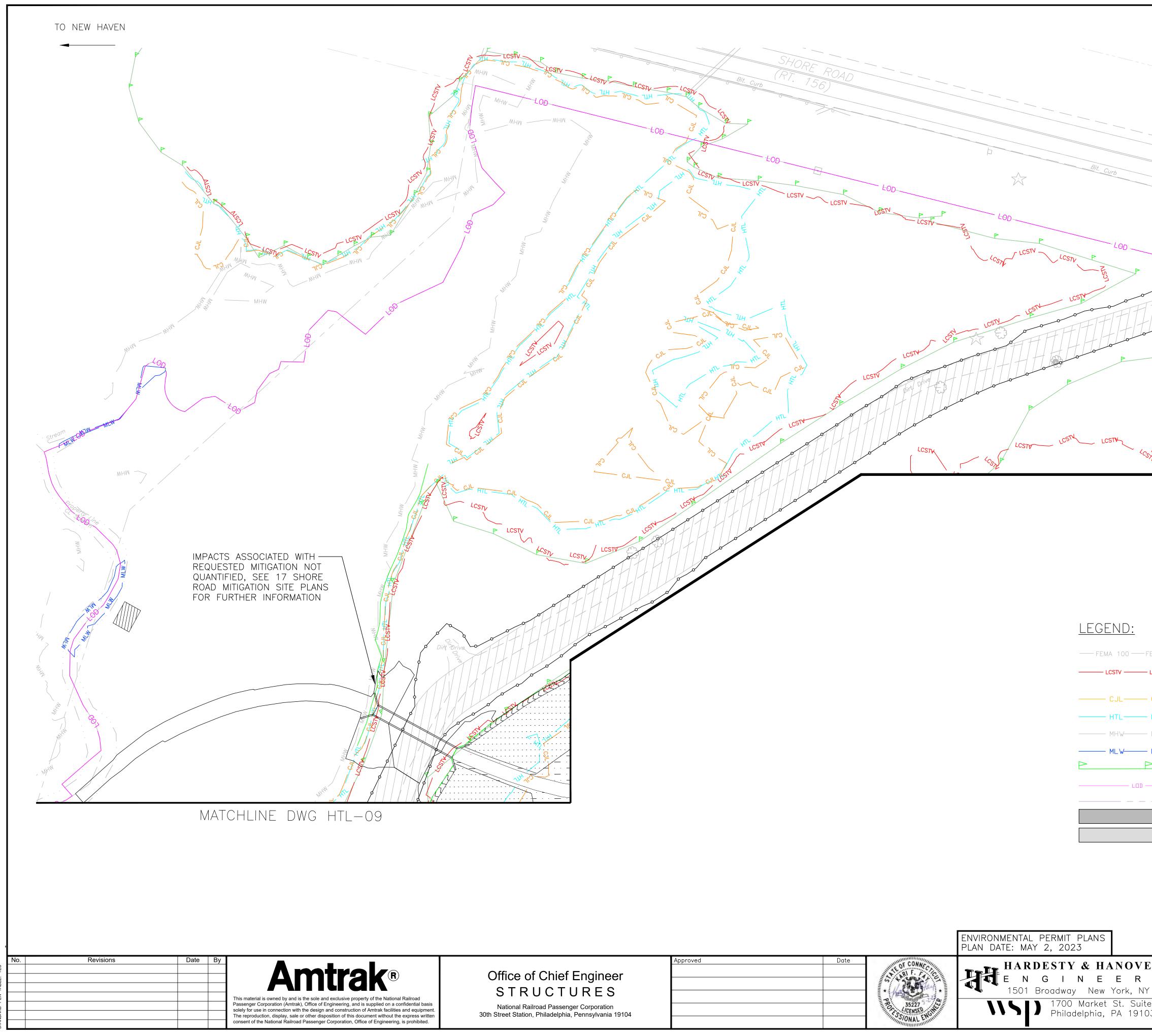
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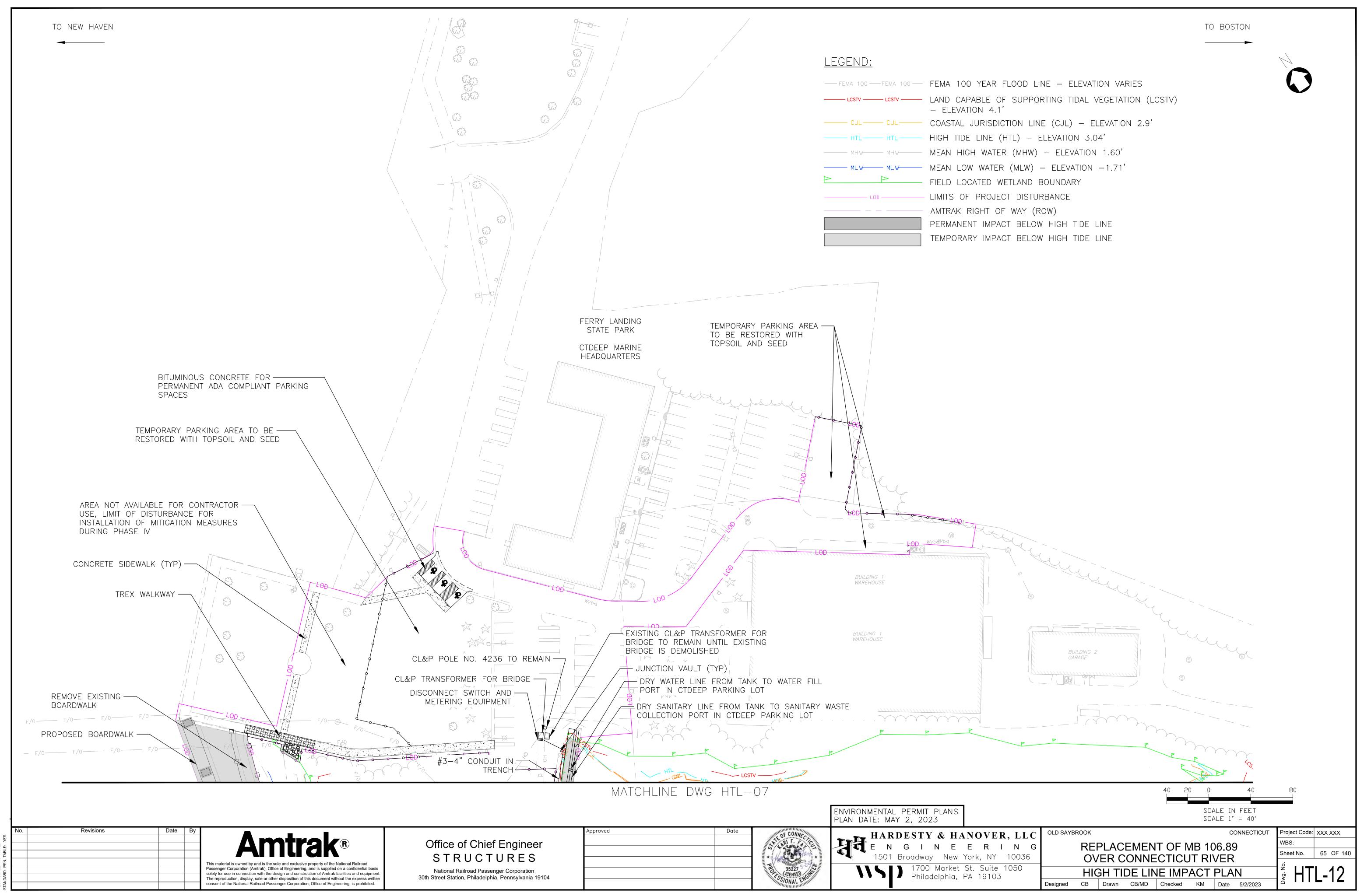
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Railroad Passenger Corporation on, Philadelphia, Pennsylvania 19104	

