## JOINT APPLICATION FORM FOR ROUTE 1 OVER THE MAMARONECK RIVER PIN 8473.14 FOR THE OFFICES OF NYSDEC, USACE, NYSDOS, NYSOGS

Prepared for

NYS Department of Transportation Region 8 Eleanor Roosevelt State Office Building 4 Burnett Boulevard Poughkeepsie, NY 12603

SCE Project No. 19137.03

By:



Telephone No.: (607) 798-8081 Fax No.: (607) 798-8186

September 2021

#### **Table of Contents**

Title F	Page	1
Table	of Contents	2
Introc	luction	4
Attac	hment A Form & Supplemental Information	5
•	Joint Application Form	6
•	Application For Permit For Section 401 State Water Quality Certification Project Narrative	10 12
Attac	hment B Site Location Map	23
Attac	nment C Wetlands and Waters Documentation	25
•	USCG Jurisdictional Letter Dated July 9, 2015	26
•	NYSDEC Jurisdiction Determination Letter Dated 7/3/2015	27
•	Adjacent Parcel Property Owner List	29
Attac	nment D Supporting Information for Jurisdictional Determination	30
Attac	nment E Wetland Impact Figures	31
Attac	hment F Photographs	45
•	Photographs: Excerpt from Design Report	46
Attac	nment G Project Design Drawings	51
Attac	nment H Mitigation and Monitoring Plans and Drawings	92
Attac	hment I Environmental Reports	93
•	FHWA/NOAA Programmatic Concurrence Dated 4/1/21	94
•	S7 Verification Form Signed 3/18/21	98
•	EFH Verification Form Signed 4/1/21	110
•	SCE Programmatic Concurrence Update Request Dated 2/1/21	127
•	EFH Mapper	131
•	S7 Mapper	135
•	IPaC Official Species Lists Dated 4/28/21	140
٠	NYSDEC Adjacent Tidal Wetland Clearance Email Dated 8/21/15	151
٠	SEQR Determination Letter Dated 9/6/19	153
•	NYSOPRHP/FHWA Clearance Letter Dated 5/30/19	156

<ul> <li>FHWA Section 106 Memorandum of Agreement Dated 5/16/19</li> </ul>	158
Harbor Island Conservancy Memorandum Dated 6/3/19	173
FHWA/NYSOPRHP Section 106 Memorandum Amendment	175
Letter to NYSDOT Dated 5/5/21	
Amended Section 106 Memorandum	177
of Agreement Dated 5/5/21	
Attachment J Coastal Consistency Forms	183

### **Figures and Tables**

Figure 1: Project Location Map	24
Figure 2: Wetland and Waters Overview Map (Historic Properties Map)	46
Table 1: Aquatic Resources Impact Summary	17
Table 2: Adjacent Parcel Owners	29

#### Introduction

#### **Project Description:**

The purpose of the project is to provide structural and operational improvements to the bridge carrying U.S. Route 1 over the Mamaroneck River to a rating of 5, meaning that the bridge would remain in fully functional non-deficient condition or greater for at least 75 years. This will include the widening of the bridge to the south over the Mamaroneck River to accommodate a new sidewalk on the southern side of Route 1. The existing stone arch bridge will be lined to provide a new structural support structure (refer to Attached Design Plans). A new fascia wall will be constructed to the south and the existing ringstone on the northern side of the bridge will be removed and replaced. The traffic signal at the intersection of Route 1 and Mamaroneck Avenue will be updated to current standards. The park space adjacent to the bridge in the south west corner will also be reconstructed.

#### **Permit Applications and Approvals**

#### United States Army Corps of Engineers (USACE):

- Clean Water Act Section 404 Nationwide Permit 3: Maintenance
- Pre Construction Notification

#### New York State Department of Environmental Conservation (NYSDEC):

- Disturbance of Tidal Wetlands
- Individual 401 Water Quality Certification
- Article 15 approval

#### New York State Department of State

Coastal Consistency Concurrence

#### New York State Office of General Services

• State Owned Lands Under Water

#### ATTACHMENT A: APPLICATION

Form & Supplemental Information





#### **JOINT APPLICATION FORM**

For Permits for activities activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

## You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.

>NYS Department of Environmental Conservation	Check here to confirm you sent this form to NYSD	EC.	
Check all permits that apply: Dams and Impound- ment Structures #401 Water Quality Certification Docks, Moorings or Platforms Freshwater Wetlands >US Army Corps of Engineers Check all permits that apply: Section 404 Clean Wa Is the project Federally funded? Yes No If yes, name of Federal Agency: Federal Highway General Permit Type(s), if known: NWP 3	<ul> <li>Tidal Wetlands</li> <li>Wild, Scenic and Recreational Rivers</li> <li>Coastal Erosion Management</li> <li>Check here to confirm you sent this form to USAC ater Act</li> <li>Section 10 Rivers and Harbors A</li> </ul>	al II of cies E.	
Preconstruction Notification:  Ves  No			
>NYS Office of General Services       ✓ Check here to confirm you sent this form to NYSOGS.         Check all permits that apply:       ✓         ✓ State Owned Lands Under Water       Utility Easement (pipelines, conduits, cables, etc.)       Docks, Moorings or Platforms         >NYS Department of State       ✓ Check here to confirm you sent this form to NYSDOS.         Check if this applies:       ✓ Coastal Consistency Concurrence			
		OS.	
		DS.	
2. Name of Applicant     NYS Department of Transportation Region 8	Taxpayer ID (if applicant is NOT an individual) [14-6013200	DS.	
2. Name of Applicant	Taxpayer ID (if applicant is NOT an individual)	OS.	
2. Name of Applicant NYS Department of Transportation Region 8	Taxpayer ID (if applicant is NOT an individual) 14-6013200	DS.	
2. Name of Applicant          NYS Department of Transportation Region 8         Mailing Address         Eleanor Roosevelt State Office Building         4 Burnett Boulevard         Telephone (845) 431-5750         Email	Taxpayer ID (if applicant is NOT an individual)         14-6013200         Post Office / City       State Zip		
2. Name of Applicant          NYS Department of Transportation Region 8         Mailing Address         Eleanor Roosevelt State Office Building         4 Burnett Boulevard	Taxpayer ID (if applicant is NOT an individual)14-6013200Post Office / CityStatePoughkeepsieNY12603	DS.	
2. Name of Applicant          NYS Department of Transportation Region 8         Mailing Address         Eleanor Roosevelt State Office Building         4 Burnett Boulevard         Telephone (845) 431-5750         Email	Taxpayer ID (if applicant is NOT an individual)         14-6013200         Post Office / City       State         Poughkeepsie         MacMillan@dot.ny.gov		
2. Name of Applicant         NYS Department of Transportation Region 8         Mailing Address         Eleanor Roosevelt State Office Building         4 Burnett Boulevard         Telephone (845) 431-5750         Email         Lance.         Applicant Must be (check all that apply):         ✓         Owner	Taxpayer ID (if applicant is NOT an individual)         14-6013200         Post Office / City       State         Poughkeepsie       NY         MacMillan@dot.ny.gov         ✓       Operator		

For Agency Use Only Agency Application Number:

4. Name of Contact / Agent			
James Cummings			
Mailing Address	Post Office / City	State Zip	
143 Court Street	Binghamton	NY 13901	
Telephone (607) 798-8081 Email jcummi	ings@shumakerengineering.com		
5. Project / Facility Name Route 1 over the Mamaroneck River PIN 8473.14	Property Tax Map Section	/ Block / Lot Number:	
Project Street Address, if applicable	Post Office / City	State Zip	
Intersection of Mamaroneck Avenue and Route 1		NY	
	Mamaroneck	10543	
Provide directions and distances to roads, intersections, brid		Gen Niverlander (be	
The project is located on Route 1 between Mamaroneck Road Sour project area is 1000040.	th and Spruce Street. Bridge identifica	tion Number for the	
☐ Town ☑ Village ☐ City County	Stream/Waterbody Name		
Mamaroneck Westchester	Mamaroneck River		
Project Location Coordinates: Enter Latitude and Longitude			
Latitude: 40 ° 56 ' 55.987 "	Longitude: -73 ° 43	' 57.6 "	
6. <b>Project Description:</b> Provide the following information al		esponse and provide	
any additional information on other pages. Attach plans on	separate pages.		
a. Purpose of the proposed project:			
Please see attached.			
b. Description of current site conditions:			
Please see attached.			
c. Proposed site changes:			
Please see attached.			
d. Type of structures and fill materials to be installed, and q	mantity of materials to be used (e.c	square feet of	
coverage, cubic yards of fill material, structures below or			
Please see attached.			
e. Area of excavation or dredging, volume of material to be	removed, location of dredged mate	erial placement:	
Please see attached.			
f. Is tree cutting or clearing proposed?	es, explain below. 🗌 No		
Timing of the proposed cutting or clearing (month/year):			
	age of trees to be cleared:		

g. Work methods and type of equipment to be used:
g. Work methods and type of equipment to be used: Please see attached.
h. Describe the planned sequence of activities:
Please see attached.
. Dellution control mothodo and other actions proposed to mitigate environmental impactor
<ul> <li>Pollution control methods and other actions proposed to mitigate environmental impacts:</li> </ul>
. Erasian and ailt control methods that will be used to provent water quality imprests.
j. Erosion and silt control methods that will be used to prevent water quality impacts: Please see attached.
<ul> <li>Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:</li> </ul>
Please see attached.
I. Proposed use: Private V Public V Commercial
m. Proposed Start Date: Octboer 2021 Estimated Completion Date: December 2022
n. Has work begun on project? Let Yes If Yes, explain below. Let No
Will project occupy Federal State or Municipal Land? Yes If Yes explain below
o. Will project occupy Federal, State, or Municipal Land? Let Yes If Yes, explain below. No The bridge is owned and operated by the New York State Department of Transportation
The bluge is owned and operated by the New York State Department of Transportation
p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:
q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?
Yes If Yes, list below.

#### 7. Signatures.

Applicant and Owner (If different) must sign the application.

Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant	Date
Luce Mr. Millan	7/20/21
Applicant Must be (check all that apply): Owner 🖌 Ope	erator Lessee
Printed Name	Title
Lance MacMillan	Regional Director
Signature of Owner (if different than Applicant)	Date
Printed Name	Title
Signature of Contact / Agent	Date
	07/13/2021
Printed Name	07/13/2021
James Cummings, P.E.	
	Title Managing Engineer 1 / Partner
For Agency Use Only       DETERMINATION OF NO PERM         Agency Application National Statements	Title Managing Engineer 1 / Partner IIT REQUIRED Imber
For Agency Use Only       DETERMINATION OF NO PERM         Agency Application National Statements	Title Managing Engineer 1 / Partner IT REQUIRED Imber Cy Name) has determined that No Permit is
For Agency Use Only       DETERMINATION OF NO PERM         Agency Application Nu       (Agency Application Nu	Title Managing Engineer 1 / Partner IT REQUIRED Imber Cy Name) has determined that No Permit is

**APPLICATION FOR PERMIT** FOR SECTION 401 STATE WATER QUALITY CERTIFICATION

Department of Environmental Conservation

NEW YORK

STATE OF OPPORTUNITY

*i* \_

#### Supplement WQC-1

DEC ID (if known):

Applicant Information:			
Name of Applicant (from Joint Application Form): Lance MacMillan, Regional Director NYSDOT Region 8			
Email: Lance.MacMillan@dot.ny.gov		Phone: (845)	431-5750
Mailing Address: Street: 4 Burnett Boulevard	City: Poughkeepsie	State: NY	Zip: 12603
Project Location (from Joint Application Form): Route 1 over the Mamaroneck River PIN 8473.14			
Town (where property taxes paid): Mamaroneck		County: Wes	tchester
Street Address:	City: Mamaroneck	State: NY	Zip: 10543

To comply with federal requirements at 40 CFR §121.5(b) for New York State Section 401 Water Quality Certification, all items below must be completed and the applicant must sign page 2 of this form.

1.	By signing this form, the applicant affirms that the project proponent(s) and a point of contact were
1.	
	accurately identified in the Joint Application for Permit provided with this supplement.
2.	By signing this form, the applicant affirms that the proposed project is accurately and completely
	identified in the Joint Application for Permit provided with this supplement, and in any supporting plans,
	photos, reports or other project information.
3.	Identify here the applicable federal license or permit for this request:
	Section 404 Nationwide Permit
	If this request relates to a Section 404 Nationwide Permit administered by the US Army Corps of
	Engineers, please identify the appropriate Nationwide Permit number(s): NWP 3: Maintenance
4.	Please identify the location and nature of any potential discharge that may result from the proposed
	project and the location of receiving waters (attached additional information as needed):
	The work proposed to the bridge over the Mamaroneck River will incur permanent impact below the OHWM due to the necessary widening of the bridge, placement of drilled shafts & pile caps (to support the bridge liner)and wall panels to close the gap between the shafts within the tidal wetland bed and river.
	See JPA package for additional information.
5.	Please provide a description of any methods and means proposed to monitor the discharge and the
	equipment or measures planned to treat, control, or manage the discharge (attach additional
	information as needed):
	Erosion and sediment control methods will be employed to prevent water quality impacts. The project will utilize cofferdams around drilled shaft locations and along the southern fascia wall wall to ensure minimal impacts to the Mamaroneck River and tidal wetland. Upon completion of project activities, all areas of temporary impact will be restored to their original condition. The proposed locations of these best management practices can be found in the appendices. See JPA package for additional information.

6.	Please provide a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations
	required for the proposed project, including all approvals or denials already received:
	NYSDEC Article 25 Disturbance of Tidal Wetlands, Individual Water Quality Certification, Article 15 Protection of Waters (SB Stream) NYSDOS Coastal Consistency Concurrence FHWA/NOAA concurrence - revised Section 106 Consultation - Complete. NYS OGS Permit for Lands Now or Formerly Underwater-for Bridge Widening
7.	Please indicate the date a Section 401 Water Quality Certification pre-filing meeting request was submitted to DEC and attach a copy of the request to this form. The pre-filing meeting request must have been made at least 30 days prior to submitting application for Section 401 Water Quality Certification. NYSDEC pre-filing completed via NYSDEC meeting dated 6/28/19.
8.	By signing below the applicant is providing the following statement: "The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief"
9.	By signing below the applicant is providing the following statement: "The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time."

#### Certification:

In addition to the Joint Application Form provided with this supplement, I hereby submit this form and the attachments indicated to request a Section 401 Water Quality Certification from DEC. The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Project Applicant/Proponent Signature

7/20/21

Date

#### Item #6 – Project Description (continued):

<u>Project Contact:</u> New York State Department of Transportation Region 8 Office Eleanor Roosevelt State Office Building 4 Burnett Boulevard Poughkeepsie, NY 12603

#### 6a. Purpose of the proposed project:

The purpose of the project is to provide structural and operational improvements to the bridge carrying U.S. Route 1 over the Mamaroneck River to a rating of 5, meaning that the bridge would remain in fully functional non-deficient condition or greater for at least 75 years. This will include the widening of the bridge to the south over the Mamaroneck River to accommodate a new sidewalk on the southern side of Route 1. The existing stone arch bridge will be lined to provide a new structural support structure (refer to Attached Design Plans). A new stone faced fascia wall will be constructed to the south and the existing ringstone on the northern side of the bridge will be removed and replaced with new stone to cover the liner. The traffic signal at the intersection of Route 1 and Mamaroneck Avenue will be updated to current standards. The park space adjacent to the bridge in the south west corner will also be reconstructed. The park space in the northeast corner will have minor alterations to it where it meets the bridge.

#### **6b. Description of current site conditions:**

#### General Description

The project site is located within the Village of Mamaroneck, spanning 400 feet of U.S. Route 1, in Westchester County, New York. The project location is identified as occurring on U.S. Route 1 between Mamaroneck Road South and Spruce Street. The Road is maintained by the New York State Department of Transportation. This project is being pursued through the New York State Department of Transportation (NYSDOT) and is federally funded by the Federal Highway Administration (FHWA).

The portion of U.S. Route 1 to be repaired consists of a 400-foot section that includes one (1) bridge, identified by Bridge Identification number (BIN) 1000040. Commercial areas, roadways, park land, and a marina are present within the project locations adjacent areas. Reference the Project Location Map (refer to Attached Site Location Map).

#### Description of Onsite Ecology

One (1) stream (Mamaroneck River) flows beneath the bridge onsite and is classified as a New York State Department of Environmental Conservation (NYSDEC) Class (SC), Standard (SC) waterbody from approximately 62 feet north, under, and 44 feet south of the Mamaroneck bridge. The river is a Class (SB) Standard (SB) waterbody approximately 44 feet south of the bridge and remains so until its termination within the Long Island Sound. In addition, the stream is regulated as a NYSDEC and United States

Army Corps of Engineers (USACE) Regulated Tidal Wetland from the north face of the bridge southward (refer to figure 2).

The ecological communities encountered throughout the project area include, based on Edinger et. al. (2014): Marine Riprap/Artificial Shore, Mowed Roadside/Pathway, Paved Road/Path, Urban Structure Exterior, and Flower/Herb Garden. Descriptions, as identified by Edinger et. al. (2014) are as follows:

The community identified as Marine Riprap/Artificial Shore characterizes the Mamaroneck River. Typical species here include attached algae, mussels, and barnacles. Species diversity and overall cover are lower than is typically found within the marine rocky intertidal community.

The community identified as Mowed Roadside/Path characterizes regularly mowed herbaceous areas adjacent to the roadway. Typical dominant species here are clipped grasses and forbs including bluegrass species (*Poa* spp.), fescue (*Festuca* spp.), English Plantain (*Plantago lanceolata*), clovers (*Trifolium* spp.), and Yellow Foxtail (*Setaria pumila*).

The community identified as Paved Road/Path characterizes areas paved with asphalt, concrete, brick, stone, etc. The Paved Road/Path identified in the project area includes U.S. Route 1 adjoining roadways. Reference the Site Location Map within the provided attachments.

The community identified as Urban Structure Exterior characterizes exterior surfaces of metal, wood, or concrete structures, or any structural surface composed of inorganic materials (glass, plastics, etc.) in an urban or densely populated suburban area. The Urban Structure Exteriors located on the project site includes commercial buildings located in the western and eastern portions of the project area. Reference the Site Location Map within the provided attachments.

The community identified as Flower/Herb Garden characterizes residential, commercial, or horticultural land cultivated for the production of ornamental herbs and shrubs. This community includes gardens cultivated for the production of culinary herbs. Characteristic birds with varying abundance include American Robin (*Turdus migratorius*), Mourning Dove (*Zenaida macroura*), and House Finch (*Haemorhous mexicanus*). Reference the Site Location Map within the provided attachments.

#### Description of Surface Waters

The NYSDEC Environmental Resource Mapper (ERM) maps one (1) jurisdictional wetland (tidal wetland) within the vicinity of the project site. The 1974 Tidal Wetland Inventory map (Map Number 606-532) identifies the wetland as a Littoral Zone (LZ). This zone extends from the northern bridge fascia southward. The ERM depicts one (1) NYSDEC regulated Class (SC) Standard (SC) stream in the project area, identified as the Mamaroneck River. To the north, the river is Class C(C) and to the south the river is

designated Class C(SB). Refer to figure 2 for locations of the specific wetland and stream sections. The National Wetlands Inventory (NWI) maps were reviewed to determine the likelihood of wetlands in the project area. The NWI depicted one estuarine and deep water system, identified as the Mamaroneck River and the East Basin of the Mamaroneck Harbor. Four (4) soil map units were identified on the project area: Udorthents, smoothed (Ub), Udorthents, wet substratum (Uc) Urban land (Uf), and Water (W). Correspondence with USACE and NYSDEC confirmed the presence of jurisdictional wetlands within the project area for both offices. Reference the attached Design Report excerpt for additional information.

There are two (2) areas onsite that are considered parkland. Within the southwest quadrant of the bridge is one landscaped area that contains a sign for nearby Harbor Island Park, flags, a walkway, plaques, and plantings. The other is located within the northeast section of the project area and contains a second park area, with benches, plantings, and a walkway ("Meighan Park"). The small pocket park at the entrance to Harbor Island Park (in the south west quadrant) will be reconstructed under this project. Additionally, trees will be planted along the northern end of the walk into Harbor Island Park just south of the northern parking area. The sidewalk and plantings on the very west end of the Meighan Park will be replaced.

#### 6c. Proposed site changes:

The overall project involves restoring and updating one (1) bridge (BIN # 1000040), as well as the replacement of one (1) traffic signal and park spaces to meet the project objectives. Lane closures on Route 1 over Mamaroneck bridge will occur to facilitate the completion of this project. One tree will be removed and replaced within Meighan park, northwest of the bridge and two trees will be removed in the south east corner of the bridge..

# 6d/e. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary/mean high water, etc.); area of excavation or dredging, volume of material to be removed, location of dredged material placement:

Any instream work northward of the bridge to the project limits will incur impact to the following jurisdictional resources: NYSDEC Class SC stream, USACE Section 404 water, Office of General Services holdings, and Coastal Zone waters. Any instream work beneath the bridge to 44 feet south of it will incur impact to the following jurisdictional resources; NYSDEC Class SC stream, NYSDEC tidal wetland, USACE Section 404 water, Office of General Services holdings, and Coastal Zone waters. There are no anticipated impacts within the SB mapped portion of the stream.

#### Permanent Impacts:

The work proposed to the bridge over the Mamaroneck River will incur permanent impact below the OHWM due to the necessary widening of the bridge, placement of drilled shafts, pile caps and wall panels to close the gap between the shafts within the

tidal wetland bed and river, and the new southern fascia wall, 0.02 acres (986 SF) of impact below OHWM are anticipated (refer to Attachment E, Figure 1)

#### Temporary Impacts:

The work proposed to the bridge over the Mamaroneck River consists of the existing stone arch bridge being lined to form a new bridge structure. The bridge is also being widened to the south to accommodate a new sidewalk on the southern side of Route 1. The bridge rehabilitation will incur impact below the OHWM within the protected stream, tidal wetland of the Mamaroneck River, OGS holding, and Coastal Zone. The areas of total temporary disturbance will total approximately 1862.47 SF below the OHWM (refer to Attachment E, Figure 1).

#### Technical Approach

The rehabilitation work will require use of construction equipment below the OHWM and will be completed via the utilization of a series of cofferdams within the tidal wetland and river (SC stream) and temporary scaffolding within the river north (SC Stream) and south of the bridge (tidal wetland and SC stream). The existing bridge will be rehabilitated by sliding a liner under the existing arch. The area between the liner and the existing arch will be filled with grout. The liner will set on a new pile cap which will be formed on top of the 30" drilled shafts. The shafts will all be drilled vertically through the arch from the road (refer to Attachment E, Figure 1).

The north side of the bridge will also incur impact due to installation of the northern end of the liner; this will require the removal of the existing ring stone. The existing ring stone is in poor condition, therefore the ring stone will be replaced with new stone that is similar in size, shape and color to the existing stone. The installation of the liner north of the bridge and replacement of the ring stone will be completed by installing approximately 10' of temporary scaffolding across the north side of the bridge which requires the placement of the scaffolding poles onto the riverbed (SC stream). The scaffolding poles will be spaced approximately 8' apart (refer to Attachment E, Figure 1).

Cofferdams will be set up around each drilled shaft area while drilling the shafts and pouring the concrete within the shaft liner. The cofferdam material will be steel plates of various sizes that are lowered and "pushed" into to the silt/mud layers and braced against the existing substructure. The restrictions in the RFP restrict us from vibrating anything into the ground, so the plates will be pushed down to refusal. Additionally steel casings will be utilized for the drilled shafts as an additional protection measure. The casing along with the drill flush system that is being used on the drill rig greatly reduces the possibility of creating turbidity during drilling as the spoils are brought to the surface. All the drilling is being performed from the roadway surface.

A metal tee or angle will be attached to the shaft liner before the cofferdam is removed. Precast concrete panels will be slid into place on the front of the shafts using the tee or angles to hold them in place. These panels will be used as a cofferdam for the remainder

of the work. The area between the panels and the existing structure will be filled with clean crushed stone. Waterproof formwork will be utilized, when pouring the pile cap to reduce the potential for leachate from the concrete from exiting the formwork. The arch liner will be slid in from the outside of the bridge on the pile caps. Approximately 20' of temporary scaffolding (from the south bridge facia) will be set in the tidal wetland (and riverbed) to allow the sections to be staged and lined up onto the pile cap. The scaffolding will span the entire width of the arch opening and will incur impact to the riverbed (tidal wetland and SC Stream) due to the placement of the scaffolding support poles. The scaffolding poles will be spaced approximately 8' apart (refer to Attachment E, Figure 1).

Materials will be brought in under the arch using a low bottom profile boat and access to the boat will be via the park area on the west side of the bridge, after it (the park) has been removed (it will be rebuilt after the arch work is complete). The drilled shafts will be drilled from the roadway (no equipment will be in the river/wetland) and all concrete and grout will be pumped from the roadway.

The existing historical stone wall along the south west edge of the tidal wetland will remain. A new retaining wall will be built directly behind the existing wall. The new wall will have a stone façade similar to the existing stone wall in front of it. The new concrete wall will be founded on micropiles, which will be drilled behind the existing wall and outside of the OHW boundaries. The micropiles will all be drilled from the roadway or the parking lot south of the pocket park and all concrete will be pumped from the roadway or the parking lot.

The southern bridge facia wall will be constructed behind cofferdams. The cofferdam material will be steel plates of various sizes that are lowered and "pushed" into to the silt/mud layers and braced against the existing substructure. The restrictions in the RFP restrict us from vibrating anything into the ground, so the plates will be pushed down to refusal. The new southern fascia wall will be founded on spread footings founded on rock which will be poured while the cofferdams are in place. The facia wall will also be constructed behind the cofferdam. The area between the existing bridge fascia and the new southern fascia will be backfilled while the cofferdam is in place and after the walls between the shafts have installed. Stone will be added to the southern face of the wall provide a rock face look that will resemble the look of the existing bridge. New ring stone that is similar in size, shape and color to the existing ring stone will be placed on the new facia wall.

All areas of temporary impact will be returned to their pre-construction condition after work is complete. Review above-mentioned permanent impacts and Table 1 below for exact calculations of impacts. Representative photographs of the resources located within the project site are included within the provided attachments.

		Proposed Impact			
Resource	Activity	Permanent Resource Impact	Temp. Resource Impact	Volume Fill Permanent	
Mamaroneck River (SC stream)	Bridge replacement, (BIN #1000040) (Impact North and South of Bridge)*	85 LF 986.87 SF (0.02 ac)	18 LF 2064.47 SF (0.05 ac)	423.01 CY	
Mamaroneck River (SC Stream and tidal wetland)	Bridge replacement, (BIN #1000040) (Impact Beneath and South of Bridge)*	986.87 SF (0.02 ac)	8 LF 1509.33 SF (0.03 ac)	423.01 CY	
Mamaroneck River (SB Stream)	Bridge replacement, (BIN #1000040) (Impact 44 feet South of Bridge)*	N/A	N/A	N/A	

Table 1 – Aq	uatic Resources	Impact Summary
--------------	-----------------	----------------

\*Refer to Impacts section (6d/e for jurisdiction of onsite resources

Representative photographs of the resources located on the project site are included in Attachment C.

#### 6g. Work methods and type of equipment to be used:

The proposed work shall be completed with standard heavy construction equipment including, but not limited to, excavators, graders, backhoes, drill rig, scaffolding, and cofferdams.

Dewatering will occur behind the cofferdams around the drilled shafts, and southern fascia wall. The pump would be located behind the cofferdam and the water would be pumped to a sediment bag surrounded by hay bales/erosion protection. Turbidity curtain would be installed around the entire site and at point of discharge. Refer to plans in Appendix E for dewatering plan schematic plans.

The area behind the wall panels will not be dewatered before they are backfilled with clean gravel. The retaining wall work will be constructed behind the existing wall, therefore it will not require a cofferdam or dewatering.

#### 6h. Describe the planned sequence of activities:

The general construction sequence for the project phases will be as follows:

- Staging area will have a stabilized construction entrance as per New York Standards and Specifications for Erosion and Sediment Control manual and the project documents.
- Install all temporary erosion and sediment control devices, including perimeter sediment control measures as per New York Standards and Specifications for Erosion and Sediment Control manual and the project documents. Install

turbidity curtain and individual cofferdam/dewatering pump control around each drilled shaft location. Install cofferdam for retaining wall and southern fascia wall. Before drilling activities begin the contractor shall ensure that these measures have been installed and are functioning properly.

- Install drilled shafts within the bridge area and then remove individual cofferdams.
- Install micro piles for retaining wall.
- Once individual cofferdams have been removed, install wall panels on the drilled shafts, wall panels will act as cofferdam for remaining operations. Backfill area between wall panels and existing structure with clean washed stone.
- Pour pile cap over drilled shafts.
- Install scaffolding in riverbed and install and grout into place bridge liner.
- Install turbidity curtain and cofferdam/dewatering pump control around southern fascia wall footer location.
- Construct bridge southern facia wall and retaining wall.
- Backfill between facia wall and existing bridge.
- Remove cofferdams and scaffolding.
- Construct park.
- Finish grade, stabilize the site, restore tidal wetland and Mamaroneck River bank to original condition; and
- Remove erosion and sediment controls.

#### 6i & 6j. Pollution control methods and other actions proposed to mitigate environmental impacts; erosion and silt control methods that will be used to prevent water quality impacts:

Erosion and sediment control methods will be employed to prevent water quality impacts. The project will utilize cofferdams around drilled shaft locations and along the southern facia wall to ensure minimal impacts to the Mamaroneck River and tidal wetland. Water pumped from behind the cofferdams will pass through a settlement bag or some other type of settling device before being discharged back into the river.

Upon completion of project activities, all areas of temporary impact will be restored to their original condition. The proposed locations of these best management practices can be found in the appendices.

## 6k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:

Approximately half of the permanent wetland impacts are a result of the addition of the sidewalk and the widening of the bridge. The sidewalk is being added as a pedestrian

safety improvement and one that the Village of Mamaroneck has requested. Therefore, all feasible alternatives involve tidal wetland impacts

Early in the design process several alternatives were considered:

Alt 1 – Null Alternative (No Build)

Alt 2 – Bridge Replacement Alternative

Alt 3 – Major Bridge Rehabilitation Alternative

Alternative 1 would result in the continued deterioration of Mamaroneck River bridge resulting in increased maintenance and frequent closure to traffic. This alternative will not satisfy the project objective and was removed from further consideration.

Alternative 2 was the preferred alternative at the time of design approval and would consist of removal of the historic bridge and replacing it with a new structure. This alternative included the sidewalk along the south side of the bridge and bridge widening. Thus, it would have resulted in tidal wetland impacts south of the bridge. The replacement bridge was also not fully designed during the preliminary design phase so additional tidal wetland impacts under the bridge were possible. While this alternative was the preferred alternative, at the time, because it was the only one at the time that provided the full 75-year life of the bridge, it also resulted in a major closure of the bridge with an offsite detour. This would have resulted in major disruption in traffic and people's lives that would result from that closure. This is a highly traveled area with an Average Annual Daily Traffic (AADT) of 16,916 vehicles per day in 2019, so the disruption was bound to be large. Additionally, there are adjacent structures, all National Register Eligible (NRE) historic that abut the bridge that would have been impacted by a full reconstruction of the bridge. Due to the limitations of this original alternative, an Alternative Technical Concept (ATC) was proposed by the Design Builder and accepted by the DOT as the project moved forward within the design phase of the project letting;

Alternative 3 would have resulted in the temporary closure of the bridge. This alternative would only provide a 15-20 year service life. This alternative would involve sections of the bridge footings being removed and replaced, the wingwalls would be repaired and repointed, and the parapets would be repaired and repointed. Rip rap would be installed to protect the abutments from scour. All of this work would have resulted in some permanent impact to the Tidal wetland. This alternative would not have met the project objectives for service life and would not have provided the enhanced pedestrian safety measure of the new southern sidewalk, and therefore was not a feasible alternative.

#### Slip Lining Alternative:

During the bidding phase the Design Builder proposed an ATC that would provide the 75-year life, and result in a full bridge replacement, but not require closing the bridge to traffic during construction. The ATC, which consists of lining of the existing bridge is the design being submitted for permitting. The ATC will construct a fully structured arch underneath the existing stone arch. The existing historic bridge will remain intact. This

alternative meets all the criteria of the original bridge replacement alternative but allows for most of the work to be performed from below or off the bridge. The liner option was favorable because it did not require any detours or bridge closures, and the fact that it avoided dealing with the NRE historic building adjacent to the northwest corner of the bridge. The tidal wetland impacts of this alternative are similar to alternative 2 above since they both encompass a widening of the bridge to enhance pedestrian safety in the area. This alternative still preserves the tidal wetland principal functions including fish and shellfish habitat as well as recreation. The proposed bridge surface will provide a habitat surface and cover comparable to the existing structure. Recreational opportunities are not anticipated to be impacted due to this design

In summary all the feasible alternatives would have resulted in some level of permanent tidal wetland impacts. However, the current design provides an alternative that meets the project objectives while minimizing the impacts to traffic and pedestrians. We further believe that while the current design does entail permanent tidal wetland impacts, they have been minimized as much as possible while providing for a project that is reasonable and necessary and important to and compatible with public health, welfare and safety.

#### Additional project info.

#### Wetlands and Waters Jurisdiction

Correspondence between NYS DOT and the NYS DEC confirmed the lack of tidal adjacent area within the project limits (refer to Attachment I).

#### *T&E Species and Habitat Findings:*

The United States Fish & Wildlife Service's (USFWS) official species list generated via the USFWS Online Information for Planning and Conservation (IPaC) process identified no federally-threatened species with the potential to be present in the project area. An informal S7 and Essential Fish Habitat consult was facilitated via NOAA on February 12, 2019.

Correspondence with the FHWA concurred with the NYS DOT's finding of "May Affect, but is Not Likely to Adversely Affect" the federally-listed Atlantic Sturgeon, Shortnose Sturgeon, Green Sea Turtle, Kemp's Ridley Sea Turtle, Loggerhead Sea Turtle, and Leatherback Sea Turtle.

Concurrence was sought from the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) through the Greater Atlantic Regional Fisheries Office (GARFO) Protected Resources Division (PRD) under Section 7 of the ESA. The FHWA consulted with GARFO PRD under the *FHWA Transportation Projects, Design Criteria, and Procedures for Authorization under a Programmatic Determination of Not Likely to Adversely Affect Select ESA Listed Species in the Greater Atlantic Region* and submitted the original completed verification form on March 27 2019. GARFO PRD replied on April 1, concurring with FHWAs determination that the

proposed project complies with the programmatic agreement with the justifications provided in the verification form.

FHWA also concurred that "Adverse Effects to Essential Fish Habitat (EFH) will not be Substantial" as a result of the proposed project activities and the project is consistent with the FHWA Programmatic Essential Fish Habitat Consultation For Select Transportation Actions in the NMFS Greater Atlantic Region. Winter Flounder (work avoidance from January 1<sup>st</sup> to May 31<sup>st</sup>) and River Herring (work avoidance from March 1<sup>st</sup> to June 30<sup>th</sup>) restrictions will be followed.

An updated concurrence package was provided to NOAA on February 12, 2021 to confirm changes regarding the nature of the project (project moved from full bridge removal and replacement to bridge lining). Although no increase in impact is anticipated, it was still necessary to provide updated information regarding this project. An updated concurrence letter from FHWA/NOAA was received on April 1, 2021(refer to documentation within Attachment I).

A copy of the IPaC Official Species List, FHWA letters, and NOAA reports are included in Attachment I. A SEQR "Negative Declaration" was issued for the project site on October 30, 2020, and is included in Attachment I.

All correspondence regarding threatened and endangered species onsite has been completed.

#### Coastal Zone Correspondence

The project is located within a designated coastal zone management area and the Village of Mamaroneck Local Waterfront Revitalization Program (LWRP). NYSDOT provided Federal Aid Notification to the NYS Department of State (NYSDOS) to ensure there was no objection to the use of federal funds. The LWRP municipality was also informed of the project in writing. Individual NYSDOS Coastal Zone Management Consistency is required because the project will require a Nationwide Permit with tidal wetland involvement. The consistency determination is being sought from NYSDOS and the LWRP municipality at this time. The submission of this package includes all required documentation necessary for individual coastal zone concurrence.

The project is also within 1,000 feet of the shoreline of the Long Island Sound, which is a potential Coastal Erosion Hazard Area (CEHA). NYSDEC however issued a 7/03/15 letter indicating the project is not within a NYSDEC-mapped CEHA (letter attached in Attachment C).

#### Historic and Cultural Findings:

Several Section 4(f) resources are within the project limits: historic bridge, historic district, historic buildings, and parkland. The subject bridge was determined NRE (National Register Eligible). Stone walls are located both upstream and downstream of the bridge that are contributing resources within the historic district known as the "Stone

Retaining Walls along the Mamaroneck & Sheldrake Rivers in Mamaroneck Thematic Resource" (District). Several NRE buildings were identified adjacent to the project area. And, finally, the bridge is adjacent to Village of Mamaroneck designated parkland (described in Attachment I).

Regarding proposed project impacts to the NRE bridge and adjacent parkland, a combined draft Programmatic Section 4(f) Evaluation for both historic bridges and parkland was submitted to FHWA on June 4, 2019 (refer to Attachment I). The Evaluation describes the impacts to the historic bridge and parkland and determines there will be a Section 4(f) use of these resources. Additionally, there will be no 4(f) 'use' of the adjacent NRE buildings and there will be a *de minimis* 4(f) use of the District. FHWA concurred with these findings in their June 7, 2019 letter. Mitigation measures are included in the Evaluation that must be adhered to within the Final Design and during Construction. (refer to Attachment I for documentation).

On March 6, 2019, Finding Documentation for the project was submitted to SHPO. SHPO and FHWA concurred that the project will result in an Adverse Effect due to the original plan to remove and rebuild the subject bridge, which is eligible for listing on the National Register of Historic Places (NRE). A Memorandum of Agreement (MOA) to mitigate the adverse effect has been signed by all parties. Along with this, FHWA's May 30, 2019 letter indicating that the requirements of 36 CFR Part 800 have been satisfied. The stipulations in the MOA will be adhered to in Final Design and during Construction (refer to Attachment I for documentation).

Due to changes within the design plan affecting onsite historical resources (lining the bridge instead of removal and replacement), re-concurrence has been approved for amendments to the MOA by both NYSOPRHP and the FHWA in a letter dated May 5, 2021 (refer to Attachment I for documentation).

#### Community Risk and Resiliency Act

Due to the project being let in late 2019, complying with the (Community Risk and Resiliency Act (CRRA) is not a requirement of the Design-Build contract procured by the DOT.

However, in the CRRA the baseline sea level elevations are from 2000-2004. The Bridge/Route 1 low shoulder is at elevation 22.0'+/-, the design of the Q100 is at 14.5' +/- which is a difference of 90 inches. Even when adding the 2100 high level increase of 75" the low shoulder would still be 18" above the Q100 tidal elevation. So even if the project were to need to follow the CRRA guidelines, we believe it would meet those guidelines.

#### ATTACHMENT B: SITE LOCATION MAP



US Route 1 Over Mamaroneck Joint Permit Application

#### ATTACHMENT C: WETLANDS AND WATERS DOCUMENTATION

U.S. Department of Homeland Security

Commander First Coast Guard District

United States Coast Guard One South Street Battery Park Building New York, NY 10004-1466 Staff Symbol: dpb Phone: (212) 514-4338 Fax: (212) 514-4337

16211/NV-931

July 9, 2015

Mr. Richard A. Frusciante, P.E. Hydraulics Engineer New York State Dept of Transportation-Region 8 Eleanor Roosevelt State Office Bldg 4 Burnett Blvd Poughkeepsie, NY 12603

#### Re: Route 1 Bridge over Mamaroneck River

Dear Mr. Frusciante:

This is in response to your letter dated 30 June 2015 asking whether the Coast Guard will require a permit for the referenced bridge project. We have examined the proposed project area with regard to its status as a navigable water of the United States for purposes of Coast Guard bridge jurisdiction.

Our examination indicates that the Mamaroneck River is a non-navigable water of United States for purposes of general Coast Guard jurisdiction. Since this is the case, a Coast Guard bridge permit will not be required for the referenced bridge project.

If you have any questions, please contact Ms. Michelle Forde at (212) 514-4338 or email michelle.s.forde@uscg.mil.

Sincerely,

C.J. Bisignano Supervisor Bridge Management Specialist By direction

E-copy: 1) USACE-New York District 2) USCG Sector New York-WWM

#### NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Region 3 Main Office 21 South Putt Corners Road, New Paltz, NY 12561-1620 P: (845) 256-3000 I F: (845) 255-3042 www.dec.ny.gov

July 3, 2015

Sandra D. Jobson Regional Landscape Architecture NYS Department of Transportation 4 Burnett Boulevard Poughkeepsie, NY 12603

Re: US 1 Over Mamaroneck River (BIN 1000040) Village of Mamaroneck, Westchester County CH 5859 – Jurisdiction Determination

Dear Ms. Jobson:

I apologize for the delay in response. The New York State Department of Environmental Conservation (Department) has reviewed the information which you provided regarding the proposed bridge replacement on U.S. 1 over the Mamaroneck River. You have requested a determination whether this site is within a Coastal Erosion Hazard Area (CEHA).

This site is not within a DEC-mapped CEHA. However, the waters from the harbor up to the northwest side of the bridge are mapped as DEC-regulated tidal wetlands pursuant to Article 25 of the Environmental Conservation Law; this area is mapped as littoral zone. A tidal wetland permit is required for the replacement of an existing structure; this action is classified in the 6 NYCRR Part 661 tidal wetlands regulations as a "Generally Compatible Use".

The following is required for a complete application for tidal wetlands permit:

- 1. Plans (2 copies) which include:
  - a. All plan sheets must be at least 1"=50' scale which include 2-ft contours for all areas of proposed work; contours must be in North American Vertical Datum of 1988 (NAVD88). The location of Mean High Water is also required.
  - b. Cross-sectional views of typical sections, including the contours and Mean High Water.
  - Construction means and methods to protect water quality, these can also be provided in a separate narrative.
- 2. Joint Application for Permit and Permission to Inspect Property form (2 copies).
- 3. List of all owners of record for adjacent parcels. (2 copies)
- 4. A State Environmental Quality Review, Short Environmental Assessment form (1 copy).
- 5. The tidal wetland application fee is not required for a complete application, but is necessary for a final decision. A non-refundable check or money order is required, made out to NYSDEC. For a Generally Compatible Use, the fee will be \$200.



Re: US 1 Over Mamaroneck River (BIN 1000040) Village of Mamaroneck, Westchester County CH 5859 – Jurisdiction Determination

If there will be any work below mean high water, the project will also require an excavation/fill permit pursuant to Article 15, Title 5 of the Environmental Conservation Law, Protection of Waters, and a Water Quality Certification pursuant to Section 401 of the Clean Water Act. No additional information will be required for those authorizations. Any technical questions on the plan requirements can be directed to Heather Gierloff, NYSDEC Bureau of Habitat, at (845) 256-3086.

Please contact me at (845) 256-3014, if you have questions regarding the above information. Thank you.

Sincerely,

U

Rebecca S. Crist Division of Environmental Permits

Ecc: Heather Gierloff, NYSDEC Bureau of Habitat

Tax Account Number	Owner/Mailing Address
154.58-1-1	Village of Mamaroncck
	123 Mamaroneck Ave
	Mamaroneck, NY 10543
9-12-180	Village of Mamaroncck
	123 Mamaroneck Ave
	Mamaroneck, NY 10543
	Chabad Lubavitch of Larchmont
9-12-32	101-09 Mamaroneck Ave
	Mamaroneck, NY 10543
9-12-18.38	Zheng, Di Juan
	123 Mamaroneck Avenue, Apt. 301
	Mamaroneck, NY 10543
154.50 1.01	
154.58-1-21	Swanson Boat Trans Corp
	131 E Boston Post Road
	Mamaroneck, NY 10543

#### ATTACHMENT D: SUPPORTING DOCUMENTATION FOR JURISDICTIONAL DETERMINATION

Refer to Attachment C-Wetlands and Waters

#### ATTACHMENT E: WETLAND AND WATERS IMPACT FIGURES



