

**COUNTY OF WESTCHESTER
NEW YORK**

DIVISION OF ENGINEERING

ADDENDUM NO. 9

CONTRACT NO. 20-517

**REHABILITATION OF GLEN ISLAND APPROACH BRIDGE
OVER NEW ROCHELLE HARBOR (BIN 3348880)
NEW ROCHELLE, NEW YORK**

The attention of the bidder is directed to the following changes, additions, and/or substitutions affecting the above referenced contract.

I. RE: THE PLANS

REMOVE Drawing S-87 (Sheet No. 128 of 212) and **REPLACE** with the attached Drawing E S-87 (Sheet No. 128 of 212) labelled Revision No. 2.

II. RE: THE SPECIFICATIONS

INSERT the attached:

- National Oceanic and Atmospheric Administration Section 7 of the Endangered Species Act concurrence memorandum and
- National Oceanic and Atmospheric Administration, Essential Fish Habitat Consultation, Public Notice D01-208-24 Glen Island Bridge over New Rochelle Harbor Rehabilitation Project (BIN 3348880) memorandum

At the end of the project specification book.

ALL PROVISIONS OF THE CONTRACT NOT AFFECTED BY THE FOREGOING SHALL REMAIN IN FULL FORCE AND EFFECT.

COUNTY OF WESTCHESTER
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

By: Hugh J. Greechan Jr., P.E.
Commissioner

Dated: Tuesday, May 7, 2024
WHITE PLAINS, NEW YORK

TEMPORARY STRUCTURE NOTES

GENERAL NOTES:

- ALL DEMOLITION OF EXISTING SUPERSTRUCTURES SHALL BE INCLUDED UNDER ITEMS 202.2202, 202.2302, 589.010001, AND 589.520001. DEMOLITION OF EXISTING SUBSTRUCTURE SHALL BE INCLUDED UNDER ITEM 202.19. FOR DEMOLITION LIMITS DURING EACH STAGE SEE SHEET S-02.
- ALL WORK FOR THE TEMPORARY STRUCTURES AND BRIDGES SHOWN, INCLUDING BUT NOT LIMITED TO ALL SUPERSTRUCTURE AND SUBSTRUCTURE ELEMENTS, MACHINERY, ELECTRICAL, CONTROL SYSTEMS, OPERATION AND MAINTENANCE SHALL BE INCLUDED UNDER ITEM 619.0501 ON A LUMP SUM BASIS.
- ALL WORK FOR TEMPORARY STRUCTURES SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS FOR CONSTRUCTION STAGING AND WZTC FOR THE PROJECT.
- THE TEMPORARY STRUCTURES SHALL BE DESIGNED IN ACCORDANCE WITH THE THE STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES (17TH EDITION) FOR A DESIGN LOAD OF HS-20, IN COMBINATION WITH AASHTO STANDARD SPECIFICATIONS FOR MOVABLE HIGHWAY BRIDGES (1988). ALTERNATELY, THE TEMPORARY STRUCTURE MAY BE DESIGNED IN CONFORMANCE WITH THE CURRENT NYSDOT LOAD AND RESISTANCE FACTOR DESIGN (LRFD) BRIDGE DESIGN SPECIFICATIONS FOR A DESIGN LIVE LOAD OF HL-93. THE CONTRACTOR SHALL ALSO DESIGN FOR ANY ANTICIPATED CONSTRUCTION LOADINGS.
- FABRICATION OF THE TEMPORARY BRIDGE, INCLUDING ANY FRACTURE CRITICAL MEMBERS, SHALL BE IN ACCORDANCE WITH THE NYSDOT STEEL CONSTRUCTION MANUAL (4TH EDITION, 2018).
- THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING THE PERMANENT BRIDGE DURING CONSTRUCTION AND DEMOLITION OF TEMPORARY STRUCTURES. ANY DAMAGE TO THE PERMANENT STRUCTURES IS TO BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE COUNTY.
- ALL TEMPORARY STRUCTURES AND BRIDGES SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW YORK RETAINED BY THE CONTRACTOR AND THE DESIGN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL. THE COST OF THE DESIGN SHALL BE PAID FOR UNDER ITEM 619.0501.
- TEMPORARY FENDERS SHALL BE INSTALLED TO PROTECT THE TEMPORARY BRIDGE FROM VESSEL IMPACT. THE FENDERS SHALL BE INDEPENDENT OF THE PIVOT AND REST PIERS. THE FENDERS SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW YORK AND SHALL BE PAID FOR UNDER ITEM 619.0501.
- FENDERS AND NAVIGATION LIGHTS FOR THE TEMPORARY BRIDGE SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE USCG.
- ALL BARRIERS AND RAILINGS USED ON THE TEMPORARY STRUCTURES SHALL HAVE A MINIMUM SERVICE LEVEL OF TL-2.
- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES AND ABANDONED FOUNDATIONS IN OR NEAR THE NEW ROCHELLE HARBOR THAT MAY INTERFERE WITH THE LOCATION OF TEMPORARY FOUNDATIONS PRIOR TO COMMENCING WORK AND CONSTRUCTION OPERATIONS. SPECIAL CARE SHALL BE TAKEN TO AVOID ANY DAMAGE TO EXISTING UTILITIES. REMOVAL OF ANY EXISTING STRUCTURE FOUNDATIONS OR UTILITY RELOCATION REQUIRED TO ACCOMMODATE THE CONTRACTOR'S PROPOSED TEMPORARY STRUCTURES SHALL BE SUBJECT TO APPROVAL BY THE ENGINEER AND SHALL BE INCLUDED IN THE COST OF THE CORRESPONDING TEMPORARY STRUCTURE ITEMS.
- THE CONTRACTOR SHALL MONITOR ALL TEMPORARY STRUCTURES AND FOUNDATIONS FOR SETTLEMENT TO ENSURE THE TEMPORARY STRUCTURE'S STABILITY UNDER SERVICE CONDITIONS. PROVISIONS SHALL BE MADE TO ALLOW FOR ADJUSTMENT OF THE TEMPORARY ROADWAY ELEVATION.
- THE TEMPORARY FILL TYPE RETAINING WALLS USED ALONG THE TEMPORARY EMBANKMENT STRUCTURES SHALL BE DESIGNED SO THAT THE LATERAL LOAD IS NOT TRANSFERRED TO THE TEMPORARY ABUTMENT WALL DURING THE SERVICE PERIOD OF THE TEMPORARY STRUCTURE UNDER THE SERVICE LIMIT STATE. FOR THIS PURPOSE, WIRE MESH MECHANICALLY STABILIZED EARTH SYSTEMS ARE RECOMMENDED.
- THE MAXIMUM LONGITUDINAL GRADE FOR ALL TEMPORARY PEDESTRIAN SIDEWALKS SHALL NOT EXCEED 7% AND THE CROSS SLOPE SHALL NOT EXCEED 1.5%. THE SIDEWALK SURFACES SHALL BE IN ACCORDANCE WITH CHAPTER 18 OF THE NYSDOT HIGHWAY DESIGN MANUAL.
- CONTRACTOR SHALL SUBMIT DETAILS OF THE TEMPORARY SUBSTRUCTURES TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR REVIEW.
- THE FLOATING DOCKS ADJACENT TO THE PROJECT SITE ARE OWNED BY HUGUENOT YACHT CLUB AND ANY MOVEMENT/RELOCATION SHALL BE COORDINATED WITH THE HUGUENOT COMMODORE. ANY COSTS ASSOCIATED WITH CONFLICTS BETWEEN THE TEMPORARY BRIDGE OR CONTRACTOR CONSTRUCTION OPERATIONS AND THE FLOATING DOCKS SHALL BE PAID FOR UNDER ITEM 619.0501.
- CONTRACTOR SHALL COORDINATE WITH WESTCHESTER COUNTY PARKS DEPARTMENT AND THE USCG (SEE TEMPORARY BRIDGE OPERATION NOTES #2) BEFORE ANY WORK IS PERFORMED THAT WILL AFFECT MARINE TRAFFIC OR ACCESS TO GLEN ISLAND.

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TEMPORARY BRIDGE NOTES (DWGS. S-88 THRU S-91):

THE NOTES BELOW ARE IN ADDITION TO THE TEMPORARY STRUCTURE GENERAL NOTES AND APPLY TO TEMPORARY BRIDGES IN-SERVICE DURING CONSTRUCTION.

- THE TEMPORARY BRIDGES SHALL PROVIDE FOR SAFE ACCOMMODATION OF THE NUMBER OF TRAFFIC LANES SHOWN ON THE PLANS BY USE OF A CONTINUOUS ROADWAY. LANE STRIPING IS INCLUDED UNDER ITEM 619.0501.
- THE BARRIERS OR RAILING ON THE TEMPORARY BRIDGES SHALL BE CONTINUOUS FOR THE FULL LENGTH OF THE TEMPORARY BRIDGE AND SHALL BE PINNED OR ANCHORED TO THE TEMPORARY STRUCTURE.
- THE TEMPORARY BRIDGE VERTICAL CLEARANCE OVER THE NAVIGATION CHANNEL, NEW ROCHELLE HARBOR, SHALL MEET THE MINIMUM SHOWN IN THE PLANS.
- SEE THE USCG PERMIT FOR ADDITIONAL NAVIGATION REQUIREMENTS.
- THE PIER LOCATIONS AND STRUCTURE TYPES FOR THE TEMPORARY BRIDGES SHALL MEET THE PROJECT LOAD CARRYING CRITERIA, GEOMETRIC REQUIREMENTS AND ACCOMMODATE THE CONTRACTOR'S CONSTRUCTION MEANS AND METHOD.
- SEE SHEET E-03 FOR ADDITIONAL TEMPORARY MOVABLE BRIDGE ELECTRICAL REQUIREMENTS.

TEMPORARY BRIDGE OPERATION NOTES:

- TEMPORARY BRIDGE SHALL BE MANNED BY A QUALIFIED OPERATOR EMPLOYED BY THE CONTRACTOR FOR THE DURATION THAT THE TEMPORARY BRIDGE IS IN SERVICE. OPENINGS SHALL BE AS PRESCRIBED BY THE USCG. SEE USCG PERMIT FOR MORE INFORMATION. THE COST OF OPERATION SHALL BE INCLUDED IN ITEM 619.0501.
- FOR ANY TEMPORARY CHANGE TO THE OPERATING SCHEDULE OF A DRAWBRIDGE, LASTING LESS THAN OR EQUAL TO 180 DAYS, THE REQUEST SHOULD BE SUBMITTED TO THE USCG DISTRICT 1 BRIDGE DEPARTMENT AS EARLY AS POSSIBLE, PREFERABLY 90 DAYS BEFORE THE START DATE OF THE ACTION. THE REQUEST SHOULD INCLUDE SCOPE OF WORK, MAP SHOWING LOCATION OF THE BRIDGE, SCHEDULE, DRAWINGS SHOWING ANY EQUIPMENT IN THE WATERWAY, AND LIST OF MARINERS THAT HAVE BEEN NOTIFIED OF THIS DEVIATION.
- THE CONTRACTOR SHALL SUBMIT AN OPERATION & MAINTENANCE MANUAL FOR THE TEMPORARY BRIDGE. THE MANUAL SHALL ADDRESS THE ITEMS LISTED BELOW:

OPERATION:

 - OPERATING TIME - PROVIDE SCHEDULE AND STAFFING PLAN THAT CLEARLY ILLUSTRATES THAT THE BRIDGE OPENING OPERATION WILL ADHERE TO THE 'GREEN TO GREEN' REQUIREMENTS NOTED ON SHEET E-03.
 - PROVISIONS FOR BRIDGE POWER
 - COMPLETE STEP BY STEP PROTOCOL TO BE FOLLOWED FOR EACH OPENING. (IF THERE ARE SCENARIOS WHERE THE EXISTING BRIDGE NEEDS TO BE OPENED, THAT SHOULD BE DESCRIBED AS WELL)
 - NAVIGATION LIGHT PROTOCOL FOR EACH STAGE CONSIDERING EXISTING BRIDGE AND TEMPORARY BRIDGE SIMULTANEOUS OPERATION AND COORDINATION BETWEEN EXISTING BRIDGE AND TEMPORARY BRIDGE NAVIGATION LIGHTS.
 - PERSONNEL REQUIREMENTS FOR OPENING
 - COMMUNICATIONS - AIR HORN AND MARINE RADIO FOR COMMUNICATION WITH MARINE VESSELS ARE REQUIRED AT A MINIMUM
 - OPERATIONAL LIMITS - NOTE ANY OPERATIONAL LIMITS DUE TO EXTREME TEMPERATURES OR PRESENCE OF ICE ANYWHERE IN THE SYSTEM (HYDRAULIC FLUID FLOW, MOVEMENT RESTRICTION, ETC)
 - ALTERNATE METHOD OF OPERATION - IN THE EVENT OF PRIMARY DRIVE SYSTEM FAILURE
 - KEY PERSONNEL CONTACT LIST - NOTE WHO WILL CONTACT USCG AND CONTROL CENTER FOR EACH MARINE OPENING

MAINTENANCE:

 - LUBRICATION SCHEDULE FOR KEY COMPONENTS
 - INSPECTION SCHEDULE FOR KEY COMPONENTS
 - TROUBLESHOOTING GUIDE
 - SPILL PREVENTION AND CONTAINMENT PLAN

GEOTECHNICAL NOTES:

- CONTRACTOR PRIOR TO INSTALLATION OF ANY DEEP FOUNDATION ELEMENT, SHALL PERFORM 1 GEOTECHNICAL BORING PER PROPOSED SUBSTRUCTURE TO ILLUSTRATE SUBSURFACE CONDITIONS AND CONFIRM THEIR DESIGN ASSUMPTIONS. IN LINE WITH NYSDOT GDM STANDARDS, EACH BORING SHALL BE TERMINATED UPON THE CONTRACTOR RETRIEVING 20FT OF NX ROCK CORES WITH A RECOVERY IN EXCESS OF 85%. OVERBURDEN DRILLING SHALL BE PAID UNDER ITEM NO. 648.06 AND ROCK CORE DRILLING PAID UNDER 648.15. MOBILIZATION FOR BORINGS ON LAND SHALL BE PAID UNDER ITEM NO. 648.17, AND MOBILIZATION FOR WATER BORINGS UNDER ITEM NO. 648.19.
- ALL TEMPORARY FOUNDATIONS SHALL BE REMOVED TO A MINIMUM 2 (TWO) FEET BELOW FINISHED GRADE/MUDLINE OR DEEPER AS STIPULATED IN THE PROJECT PERMITS.

GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING:

THE CONTRACTOR SHALL DEVELOP, IMPLEMENT, AND MAINTAIN A GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING PLAN TO MONITOR VIBRATIONS, ACCELERATIONS, VERTICAL SETTLEMENT, AND LATERAL MOVEMENT OF TEMPORARY SUPPORT STRUCTURES AND ADJACENT GROUND, AND EXISTING STRUCTURES AND INFRASTRUCTURE DURING CONSTRUCTION, INCLUDING ANCILLARY STRUCTURES AND INFRASTRUCTURE WITHIN THE ZONE OF INFLUENCE OF CONSTRUCTION.

THE GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING PLAN SHALL ALSO INCLUDE, WHEN NECESSARY, DETAILS OF DESIGN VERIFICATION GEOTECHNICAL INSTRUMENTATION SUCH AS SETTLEMENT MONITORING FOR EMBANKMENT CONSTRUCTION, GROUNDWATER MONITORING FOR DEWATERING OPERATIONS, AND MONITORING OF OTHER GEOTECHNICAL OPERATIONS PROPOSED BY THE CONTRACTOR.

WHEREVER VIBRATION-PRODUCING ACTIVITIES ARE LOCATED WITHIN 100 FEET OF A STRUCTURE, BUILDING, OR UTILITY, THE CONTRACTOR SHALL PERFORM VIBRATION MONITORING IN ACCORDANCE WITH NYSDOT SPECIAL SPECIFICATION 634.99020017 TO ADDRESS THE POTENTIAL IMPACTS TO NEARBY RECEPTORS DUE TO CONSTRUCTION OR DEMOLITION ACTIVITIES ASSOCIATED WITH THIS PROJECT. THE TERM " RECEPTOR" INCLUDES BUILDINGS, UTILITIES, NEWLY CONSTRUCTED ELEMENTS, AND EXISTING STRUCTURES, FOR WHICH CONSTRUCTION IMPACTS OR WORK ABOVE RECOMMENDED LIMITS MAY BE DETRIMENTAL.

THE CONTRACTOR SHALL PROVIDE WEEKLY CONSTRUCTION INSTRUMENTATION MONITORING REPORTS TO THE EOR. MONITORING REPORTS SHALL BE INTERPRETIVE IN NATURE, AND SHALL ENUMERATE ANY CORRECTIONS APPLIED TO THE DATA INCLUDING, BUT NOT LIMITED TO ANY NOTIFICATION MEASURES TAKEN REGARDING DATA. THE WEEKLY REPORTS SHALL INCLUDE CLEAR AND EXPLICIT STATEMENTS OF READINGS EXCEEDING ANY PRE-DETERMINED THRESHOLD VALUES. THE CONTRACTOR SHALL MAINTAIN THE INSTRUMENTATION AND MONITOR THE MEASUREMENTS DURING AND AFTER CONSTRUCTION UP TO FINAL ACCEPTANCE.

GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING (CONTINUED):

THE GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING PLAN SHALL BE SIGNED AND STAMPED BY THE LEAD GEOTECHNICAL ENGINEER, AND AS A MINIMUM SHALL INCLUDE:

- IDENTIFICATION OF RECEPTORS, INCLUDING STRUCTURES AND/OR UTILITIES LOCATED WITHIN 100 FEET OF VIBRATION-PRODUCING ACTIVITIES THAT REQUIRE VIBRATION MONITORING;
- THE TYPES AND QUANTITIES OF INSTRUMENTS TO BE USED FOR MONITORING, AND THE PROPOSED LOCATION OF THE INSTRUMENTS;
- ALERT AND ACTION LEVEL VIBRATION LIMITS FOR MONITORED STRUCTURES AND/OR UTILITIES, AND NOTIFICATION PROTOCOL FOR INSTANCES WHERE THE LIMITS ARE EXCEEDED;
- THE FREQUENCY AND DURATION OF INSTRUMENT READINGS; AND
- WHEN NECESSARY, GEOTECHNICAL INSTRUMENTATION FOR DESIGN VERIFICATION INCLUDING THE TYPES, QUANTITIES, LOCATIONS, AND FREQUENCY OF READINGS FOR PROPOSED INSTRUMENTATION.

THE CONTRACTOR SHALL INSTALL AND TAKE READINGS ON VIBRATION MONITORING INSTRUMENTS AT LEAST TWO WEEKS PRIOR TO CONSTRUCTION ACTIVITIES WITHIN THE 100-FOOT ZONE OF INFLUENCE TO ESTABLISH BASELINE READINGS.

THE GEOTECHNICAL INSTRUMENTATION SHALL BE USED TO DEMONSTRATE AT PROJECT ACCEPTANCE THAT MEASURED GEOTECHNICAL PERFORMANCE IS IN LINE WITH PREDICTED PERFORMANCE.

THE GEOTECHNICAL INSTRUMENTATION AND CONSTRUCTION MONITORING PLAN SHALL BE SUBMITTED TO THE EOR NO LATER THAN 30 DAYS BEFORE THE START OF CONSTRUCTION THAT INITIATES THE NEED FOR MONITORING.



CONSULTANT SEAL
STATE OF NEW YORK
DAVID DELUCA
NO. 04881
REGISTERED PROFESSIONAL ENGINEER

CONSULTANT INFORMATION



1501 BROADWAY, SUITE 601
NEW YORK, NY 10036
(212) 944-1150

IN CHARGE OF D. DELUCA, PE
 CHECKED BY J. WARNCKE, PE
 MADE BY N. HYSON, PE

1	4/30/24	NH	DD	FLOATING DOCK NOTE ADDED
2	5/7/24	NH	DD	FLOATING DOCK NOTE REVISED
REVISION NUMBER	DATE	MADE BY	APP'D BY	REVISION

RECORD DRAWING CERTIFICATION

AS BUILT - CHANGES AS NOTED
 AS BUILT - NO CHANGES

CONTRACTOR		PROJECT COORDINATOR	
NAME _____	NAME _____	NAME _____	NAME _____
SIGNATURE _____	SIGNATURE _____	SIGNATURE _____	SIGNATURE _____
TITLE _____	TITLE _____	TITLE _____	TITLE _____
DATE _____	DATE _____	DATE _____	DATE _____

WESTCHESTER COUNTY, NEW YORK DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION DIVISION OF ENGINEERING		CONTRACT NUMBER 20-517	SHEET NUMBER S-87
Rehabilitation of Glen Island Approach Bridge over New Rochelle Harbor, City of New Rochelle		SHEET NO. 128 OF 212	
STRUCTURAL		SCALE: AS SHOWN DATE: 03/08/2024	
TEMPORARY BRIDGE NOTES		DPW FILE NO. 5-04-S-563-0	REV. NO. 2



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

May 2, 2024

Stephanie E. Lopez
Bridge Management Specialist
U.S. Department of Homeland Security
United States Coast Guard
First Coast Guard District
1 South Street
Battery Building

Re: Glen Island Bridge over New Rochelle Harbor Rehabilitation Project (BIN 3348880)

Dear Ms. Lopez:

We have completed our consultation under section 7 of the Endangered Species Act (ESA) in response to your emails received on April 4, 2024, April 9, 2024, April 17, 2024, and April 18, 2024, regarding the above-referenced proposed project. We reviewed your consultation request document and related materials. Based on our knowledge, expertise, and your materials, we concur with your conclusion that the proposed action is not likely to adversely affect any National Marine Fisheries Service ESA-listed species or designated critical habitat. Therefore, no further consultation pursuant to section 7 of the ESA is required.

We would like to offer the following clarifications to complement your incoming request for consultation. The turbidity curtain that will be used at the project site will prevent sturgeon and sea turtles from entering the area where pile driving and excavating will occur, and thus, will prevent ESA-listed species from being exposed to the effects of turbidity or entrapment. Therefore, we agree with your determination that the effects of turbidity will be too small to be meaningfully measured or detected and are insignificant. We also agree with your determination that the effects of entrapment are extremely unlikely.

On July 5, 2022, the U.S. District Court for the Northern District of California issued an order vacating the 2019 regulations that were revised or added to 50 CFR part 402 in 2019 ("2019 Regulations," see 84 FR 44976, August 27, 2019) without making a finding on the merits. On September 21, 2022, the U.S. Court of Appeals for the Ninth Circuit granted a temporary stay of the district court's July 5 order. On November 14, 2022, the Northern District of California issued an order granting the government's request for voluntary remand without vacating the 2019 regulations. The District Court issued a slightly amended order two days later on November 16, 2022. As a result, the 2019 regulations remain in effect, and we are applying the 2019 regulations here. For purposes of this consultation and in an abundance of caution, we considered whether the substantive analysis and conclusions articulated in the letter of concurrence would be any different under the pre-2019 regulations. We have determined that our analysis and conclusions would not be any different.



Reinitiation of consultation is required and shall be requested by the lead federal agency or by us, where discretionary federal involvement or control over the action has been retained or is authorized by law and: (a) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; or, (c) If a new species is listed or critical habitat designated that may be affected by the identified action. No take is anticipated or exempted. If there is any incidental take of a listed species, reinitiation would be required. Should you have any questions about this correspondence please contact Edith Carson-Supino at (978) 282-8490 or by email (Edith.Carson-Supino@noaa.gov). For questions related to Essential Fish Habitat, please contact Jessie Murray with our Habitat and Ecosystems Services Division at (732) 872-3116 or Jessie.Murray@noaa.gov.

Sincerely,



Jennifer Anderson
Assistant Regional Administrator
for Protected Resources

cc: Murray, NMFS/HESD; Darcy, HVEA Engineers

ECO: GARFO-2024-00860

File Code: H:\Section 7 Team\Section 7\Non-Fisheries\USCG\Informal\2024\USCG Glen Island Bridge Rehab New Rochelle Harbor



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

May 2, 2024

Stephanie E. Lopez
Bridge Management Specialist
U.S. Coast Guard
First Coast Guard District
One South Street
Battery Building
E-Mail: SMB-D1Boston-Bridges-PublicNotices@uscg.mil

RE: Essential Fish Habitat Consultation, Public Notice D01-208-24 Glen Island Bridge over New Rochelle Harbor Rehabilitation Project (BIN 3348880)

Dear Ms. Lopez:

We have reviewed the essential fish habitat assessment (EFH) and accompanying information provided on April 4, 2024, for the Glen Island Bridge over New Rochelle Harbor Rehabilitation project in New Rochelle, New York. The U.S. Coast Guard (USCG), the lead federal agency for this project, has authorized Hardesty & Hanover to act as their non-federal representative for consultations with us under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act (FWCA).

The project consists of the rehabilitation of the existing bridge structure, installation of a submarine cable for electrical connection, rehabilitation of an existing control house, and the construction of a temporary bridge. Specifically, the project includes the installation of six support pier caissons (supporting concrete or steel pier caps) for the temporary bridge; pile driving 64 H-piles and 20 drilled shafts; and trenching via barge mounted excavator with an environmental bucket, side-casting sediment, placing the submarine cable in the trench and covering with concrete mattresses and previously side cast sediments. Project activities are anticipated the disturbance of approximately 4,800 square feet (sf) of habitat due to turbidity, noise, and physical activity to the substrate and water column from the installation of the piles associated with the temporary bridge (4,000 sf) and trenching for the cable (800 sf). Construction is expected to last 27-30 months.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act (FWCA) require federal agencies to consult with one another on projects such as this that may adversely affect EFH and other aquatic resources. In turn, we must provide recommendations to conserve EFH. These recommendations may include measures to avoid, minimize, mitigate, or otherwise offset adverse effects on EFH resulting from actions or proposed actions authorized, funded, or undertaken by that agency. This process is guided by the requirements of our EFH regulation at 50 CFR 600.905, which mandates the preparation of EFH



assessments and generally outlines each agency's obligations in this consultation procedure. While our regulations also allow a federal agency such as USCG to designate a non-federal representative such as Hardesty & Hanover to conduct the EFH consultation, it is important to note that the USCG remains ultimately responsible for compliance with sections 305(b)(2) and 305(b)(4)(B) of the MSA.

New Rochelle Harbor in the vicinity of the project area has been designated as EFH for a number of federally managed species including bluefish (*Pomatomus saltatrix*), winter flounder (*Pseudopleuronectes americanus*), summer flounder (*Paralichthys dentatus*), windowpane flounder (*Scophthalmus aquosus*), Atlantic herring (*Clupea harengus*), Atlantic butterfish (*Peprilus triacanthus*), clearnose skate (*Raja eglanteria*), little skate (*Leucoraja erinacea*), red hake (*Urophycis chuss*), winter skate (*Leucoraja ocellata*), and longfin inshore squid (*Doryteuthis pealeii*), and others.

We have reviewed the EFH assessment provided and agree with your conclusion that the adverse effects of this project on EFH will not be substantial. As discussed in the EFH assessment, project activities have been designed to avoid and minimize impacts to the extent practicable, which includes

- working outside of in-water protective windows (winter flounder early life stage EFH (January 15 through May 31) and anadromous species (March 1 through June 30);
- the use of full length turbidity curtains and protective shields to prevent debris from falling into the water; and
- use of a vibratory hammer with a soft start and cushion block for impact hammer, if needed.

While a limited in-water protective window for migrating anadromous fish was also incorporated into the schedule, a time of year restriction (between March 1 and June 30) is not necessary due to the location of the project, which is not along a pathway for anadromous fish migrations.

Based upon all of the information provided, we do not have any objections to the proposed project and additional EFH conservation recommendations are not warranted. Please note that further EFH consultation must be reinitiated pursuant to 50 CFR 600.920(j) if new information becomes available, or if the project is revised in such a manner that affects the basis for the above determination.

Endangered Species Act

Federally listed species may be present in the project area and consultation, pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, may be necessary. We understand that you are currently working with our Protected Resources Division on the submission of a request for ESA consultation. Should you have any questions about the Section 7 consultation process, please contact Edith Carson-Supino at 978-282-8490 or by e-mail (Edith.Carson-Supino@noaa.gov).

Conclusion

As always, we are available to coordinate with your staff so that this project can move forward efficiently and expeditiously as possible while still meeting our joint responsibilities to protect

and conserve aquatic resources. If you have any questions or need additional information, please contact Jessie Murray in our Highlands, NJ field office at 732-872-3116 or by e-mail (Jessie.Murray@noaa.gov).

Sincerely,

Karen M. Greene
Mid-Atlantic Branch Chief
Habitat and Ecosystem Services Division

cc:

GARFO PRD – E. Carson-Supino
Hardesty & Hanover – D. DeLuca
New York District ACOE – S. Ryba
NYSDEC – J. Socrates, C. Bauer
FWS – S. Sinkevich
EPA Region II – M. Finocchiaro
NEFMC – C. O’Keefe
MAFMC – C. Moore
ASMFC – R. Beal