Connecticut Department of
Energy & Environmental Protection
Bureau of Natural Resources
Fisheries Division

DEEP Fisheries Consultation Form

To the Applicant - Prior to the submission of your license application to the Connecticut Department of Energy & Environmental Protection (DEEP) Water Planning and Management Division (WPMD) or Land and Water Resources Division (LWRD) or Water Permitting and Enforcement Division (WPED), please complete Part I below and e-mail the following to deep.inland.fisheries@ct.gov:

1. this completed DEEP *Fisheries Consultation Form*;
2. a site location map,
3. a PDF version of the proposed project plans including a site survey of existing conditions (if available), and
4. photos of the site.

Fisheries Division staff will contact you if further details are needed. Once the Fisheries Division staff returns the completed form to you, please include the form, and any signed plans (if applicable) in your license application submittal to DEEP.

Part I: Applicant and Site Information (*to be completed by APPLICANT)*

1. Applicant/Registrant Information

Name: National Railroad Passenger Corporation (Amtrak)
Mailing Address: 400 West 31st Street,5th Floor
City/Town: New York State: NY Zip Code: 10001
Business Phone: 917-886-0495 Ext.: _____
Contact Person: Clarissa Fuller Phone: 917-886-0495 Ext: _____
E-mail Address: Clarissa.Fuller@amtrak.com

2. Engineer/Surveyor/Agent Information (list as applicable)

Name: Hardesty & Hanover
Mailing Address: 59 Elm Street, Suite 406
City/Town: New Haven State: CT Zip Code: 06510
Business Phone: 475-238-6201 Ext.: _____
Contact Person: Steven Harlacker, PE, SE Phone: 203-747-1912 Ext: _____
E-mail Address: sharlacker@hardestyhanover.com
Service Provided: Engineering, Designer of Record

3. Site Location:

Name of Site: Amtrak Connecticut River Bridge
Address of Site or Location Description: The Amtrak Connecticut River Bridge is located along Amtrak's Northeast Corridor (Milepost 106.89) between the Town of Old Saybrook in Middlesex County and the Town of Old Lyme in New London County.
City/Town: Old Saybrook and Old Lyme State: CT Zip Code: 06475 and 06371
Parcel Location/Tax Assessor's Reference: Map NA Block NA Lot NA
Name of Stream or Waterbody: Connecticut River, Lieutenant River

4. **Activity:** Check the box best describing your activity: (check all that apply):

- ☒ new public/fishing access;
- ☒ new docks and marinas on the Connecticut River;
- ☒ coastal/tidal dredging projects;
- ☐ activities in inland/non-tidal waterbodies and watercourses;
- ☐ maintenance dredging
- ☐ beach nourishment
- ☒ cofferdam installation
- ☐ conducting construction activity within a 100-foot buffer of a Cold Water Stream Habitat
- ☐ withdrawal of water from a non-tidal/inland river, stream, pond or lake;
- ☐ withdrawal of water from a wetland, marsh, swamp, or bog hydrologically connected to a non-tidal/inland river, stream, pond or lake;
- ☐ withdrawal of groundwater from stratified drift deposits hydrologically connected to a non-tidal/inland river, stream, pond or lake.

Note: Fisheries consultation is **not required** for docks and marinas on Long Island Sound.

Part I: Applicant and Site Information (*to be completed by APPLICANT) (continued)*

5. **DEEP Pre-application Contact:** Indicate name of permit analyst or engineer, if applicable.
   Bruce Williams

6. **Project Description:** Provide or attach a brief, but thorough, description of the project including any measures to protect, enhance or restore fish populations:

   Please see the attached final report and appendices.

Part II: Fisheries Determination *(To be completed by DEEP Fisheries Staff only)*

To Fisheries Staff - This completed consultation form is required to be submitted as part of an application to DEEP. The application has not yet been submitted to DEEP. Please review the enclosed materials and determine whether the project will significantly impact any fisheries or fisheries habitat. You may provide comments or recommendations regarding the proposal. Send this completed form to the applicant and copy the DEEP analyst, if known, or the applicable WPMD/LWRD/WPED Supervisor. If the proposed work **WILL** significantly impact any fisheries and/or habitat or if you have any comments or concerns regarding the regulatory review for this project, contact the DEEP analyst, if known, or the applicable WPMD/LWRD/WPED Supervisor.

DEEP FISHERIES DIVISION DETERMINATION

Date Consultation Form received: 12/22/22

Please check applicable boxes and return the completed Consultation Form to the applicant:

- ☐ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat;
- ☒ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat **if the below Recommendations are followed**; and/or,
- ☐ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat **if the design features shown on the attached plans are incorporated**. Fisheries staff to sign and date plans and return to the applicant with the completed Consultation Form.

COMMENTS/RECOMMENDATIONS (or check here if these are attached following this page: ☒):

See attached sheet.

"By entering my name below, I agree that I am providing my legal signature, and am legally bound by the determination above."

Bruce H Williams	01/26/23
Signature of Fisheries Division Staff	Date
Bruce H Williams	Senior Fisheries Biologist
Print Name of Fisheries Division Staff	Title

Final CT DEEP Fisheries Pre-Submission Consultation Report
Amtrak Connecticut River Bridge (MP 106.89) Replacement Project
Old Saybrook – Old Lyme, CT
December 22, 2022

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Final CT DEEP Fisheries Pre-Submission Consultation Report
Amtrak Connecticut River Bridge (MP 106.89) Replacement Project
Old Saybrook – Old Lyme, CT
December 22, 2022

Introduction

The National Railroad Passenger Corporation (Amtrak) proposes to replace the Connecticut River Bridge, which became operational in 1907 and is nearing the end of its useful life. The existing Connecticut River Bridge is located along Amtrak's Northeast Corridor (MP 106.89) between the Town of Old Saybrook in Middlesex County and the Town of Old Lyme in New London County.

Amtrak will replace the existing Connecticut River Bridge with a bascule bridge to be located 52 feet south of the existing structure, as measured from centerline to centerline. The new structure will provide for a channel that will slightly increase the width of the existing 148-foot channel to 150 feet and will slightly shift the channel 14.5 feet west towards the center of the river. The new bridge will contain a two track, electrified railroad movable bridge, approach spans, and at-grade approaches that tie into the existing railroad. The new bridge will require a new substructure and foundations. The fill for the new embankment will be supported with berms and retaining walls to minimize impacts on the tidal wetlands. The existing Connecticut River Bridge will be decommissioned upon completion of the new bridge.

A Structures, Dredging, & Fill and 401 Water Quality Certification permit application is being prepared for submittal to the Connecticut Department of Energy & Environmental Protection (CTDEEP) Land and Water Resources Division (LWRD) for impacts to coastal waters.

Previous CTDEEP Fisheries Correspondence

Amtrak started the Pre-Submission Consultation with CTDEEP Fisheries Division in March 2020. Several communications were exchanged, and several meetings were held to identify the potential impacts of the new Amtrak Bridge Project construction on fisheries resources and recreational angling opportunities as well as to determine suitable mitigation for losses. Amtrak has also communicated with the CTDEEP Fisheries Division regarding the temporary trestle bridge over the Lieutenant River necessary for construction access. The impacts and restrictions associated with this temporary bridge are included in this correspondence. A record of correspondences with the Fisheries Division, including the original Pre-Submission Consultation from May 8, 2020, can be found in **Appendices A-C**.

With this final report, Amtrak is seeking to conclude the Pre-Submission Consultation with CTDEEP Fisheries Division in order to move forward with the permitting process.

Below is a summary of potential impacts that Project construction may have, restrictions to be implemented to reduce the construction-related impacts, and mitigation agreed upon for the loss of fisheries resources and recreational angling opportunities.

Construction of the New Amtrak Bridge over the Connecticut River in Old Saybrook and Old Lyme

Impacts

CTDEEP Fisheries determined that construction of the new Amtrak Connecticut River Bridge may have a potential impact on the following:

1. **Species:** The following species of diadromous (migratory) fish use the Connecticut River for spawning runs: Alewife, Blueback Herring (listed as State Special Concern), American Eel, American Shad, Atlantic Salmon, Atlantic Sturgeon (Federal and State Endangered), Shortnose sturgeon (Federal and State Endangered), Striped Bass, White Perch, Gizzard Shad, Hickory Shad, and Sea Lamprey.

2. **Commercial Shad Fishing**: Commercial shad fishing is open on the Connecticut River from April 1 through June 15. Fishing occurs only at night and is prohibited from sundown on Friday night to sundown on Sunday night. Shad fishermen drift gill nets between the I-95 Baldwin Bridge and the railroad bridge, and between the railroad bridge and Saybrook Point. The nets are often set or retrieved quite close to the railroad bridge. Barges used in the construction or demolition may interfere with the ability of fishermen to utilize these areas, and loud construction noises at night may scare fish or interrupt their migration.

3. **Ferry Landing State Pier:** Amtrak proposes to close and remove a portion of the boardwalk under the bridge to facilitate the construction of the new railroad bridge. The boardwalk is a popular recreational resource used by the public for fishing access.

4. **Ferry Landing State Park / CTDEEP Marine Headquarters:** Amtrak is seeking to use some of the Park property for construction access, parking, and storage. The Park is a popular destination for people who want to enjoy the lower Connecticut River estuary and its wildlife. People come to picnic, walk, fish, and view wildlife and activities on the river. The CTDEEP Fisheries Division designates the Park as an Enhanced Opportunity Shore Fishing Site.

Restrictions

To reduce the construction-related impacts on fisheries resources, CTDEEP Fisheries Division recommended, and Amtrak has agreed to implement, the following restrictions:

1. To reduce the noise impacts from driving sheet pile and shaft casings, only vibratory hammers will be used during the diadromous fish migratory period from April 1 to June 30, inclusive. The use of impact hammers is acceptable outside of this timeframe.

2. To minimize construction-related turbidity, full-depth turbidity curtains will be deployed prior to driving any sheet pile or shaft casings. Due to strong tides and currents, the fabric for the curtains will be selected to be composed of a heavy woven pervious material to create a flow-through medium. This will reduce the pressure on the curtains and keep them in the same relative shape and location at all tides and river flows.

3. Diadromous fish may utilize the entire width of the Connecticut River during their migration, but primarily migrate up the navigation channel in the middle of the river. To ensure the middle of the river is relatively undisturbed during the spring migration, construction or demolition of piers will be limited to either the western-most three (piers# 1, 2, and 3) or easternmost three (piers# 7, 8, and 9) during the spring migration period from April 1 to June 30. At no time during this period will in-water construction or demolition occur in the middle of the river or simultaneously at more than three piers.

4. Many species of diadromous fish migrate at night, and bright artificial lights may interfere with their migration. During the spring migration period from April to June 30, artificial lighting over

the water will be limited to navigation lights and any lighting typically required for the operation of the railroad bridge.

5. The pulling or cutting of timber piles will be prohibited from April 1 to June 30, inclusive.

6. All timber piles and stone piers will be removed to at least two feet below the mud line.

7. All dredging will be prohibited from April 1 to June 30, inclusive.

8. Due to noise concerns, the use of hoe rams will be prohibited from April 1 to June 30, inclusive.

9. To prevent damage to benthic aquatic organisms, any work done from barges should only occur when there is sufficient tide to prevent vessels from grounding.

To reduce impacts to the Commercial American Shad Fishery, CTDEEP Fisheries Division recommended, and Amtrak has agreed to implement, the following restrictions:

1. All loud construction-related activities, including drilling piles and driving sheet piles or shaft casings (even by vibratory means), will be prohibited from sunset to sunrise during the commercial shad fishing season from April 1 to June 15, inclusive.

2. Given the scope of the bridge Project, some interference with shad fishing might be unavoidable, but Amtrak will minimize interference to the greatest extent practical. Amtrak will plan when and where work barges will be placed and when large vessel traffic occurs to minimize interference. To facilitate this, Amtrak will establish a plan of communication with the fishermen in order to coordinate activities as best as possible. During construction, the fishermen will be notified of impending bridge construction activities that might affect them. The CTDEEP Fisheries Division will provide a list of the fishermen actively fishing in the area and contact information after securing their approval to provide that information.

Mitigation

CTDEEP Fisheries Division requested mitigation for the loss of recreational and angling opportunities at Ferry Landing State Park and its associated boardwalk during Project construction. As requested by the CTDEEP Fisheries Division, Amtrak will implement the following mitigation:

1. The entire Ferry Landing Fishing Pier/Boardwalk will be replaced and improved, including relocating it westward into deeper water to improve anglers' experience. The new fishing pier/boardwalk will include a new observation deck and stairway. The pier/boardwalk will extend approximately 1,040 feet in length and be widened to 12 feet to fully comply with ADA requirements for access. For more information, see the *Ferry Landing State Park Fishing Pier Proposed Pier Layout and Design Criteria Plan* in **Appendix D**.

    a. The majority of the existing fishing pier/boardwalk will be removed at the beginning of Project construction, leaving a small portion, about 100+/- feet, of the pier/boardwalk accessible to anglers. At the end of the Project, the remaining portion of the old fishing pier/boardwalk will be removed, and the new fishing pier/ boardwalk will be constructed in a new location.
    b. The new Ferry Landing Fishing Pier/Boardwalk design, permitting, and construction will be funded by Amtrak and will be included as a part of the overall Project.

c. The Amtrak design team will coordinate the final Ferry Landing Fishing Pier/Boardwalk design with CTDEEP Fisheries and Engineering and Field Support Services Divisions.

2. As supplemental mitigation for loss of angling opportunities and economic activity during the Project, Amtrak agreed to replace-in-kind the Eagle Landing State Pier on the Connecticut River in Haddam. More information regarding the layout and design of the new structure is provided in **Appendix D**.

    a. The new Eagle Landing Fishing Pier design, permitting, and construction will also be funded by Amtrak and will be performed simultaneously with the overall Project.
    b. The Amtrak design team will coordinate the final Eagle Landing Fishing Pier design with CTDEEP Fisheries and Engineering and Field Support Services Divisions.
    c. CTDEEP Fisheries Division agreed that Amtrak must develop a preliminary design but is not required to complete the design and permitting for Eagle Landing State Pier before submission of permits for the overall Project.

3. CTDEEP Fisheries Division suggested contacting the New York State Department of Environmental Conservation (NYSDEC) Artificial Reef Program to explore donating granite blocks from the existing railroad bridge demolition. An option for the contractor has been added to construction documents to consider donating the granite blocks to the NYSDEC Artificial Reef Program, along with steps to accomplish this donation.

Temporary Trestle Bridge for Amtrak's Construction Access over the Lieutenant River in Old Lyme

Impacts

Construction of the Project will require access over the Lieutenant River in Old Lyme in the form of a temporary trestle bridge. CTDEEP Fisheries Division determined that the temporary trestle bridge may have a potential impact on the Lieutenant River, which supports a diverse fish community, including spawning runs of diadromous Alewife and Blueback Herring (a Connecticut state-listed species of special concern). The Fisheries Division monitors the passage of these fish on the Lieutenant River at three different fishways in Old Lyme, the first located at Lower Millpond, the second at Upper Millpond, and the third at Rogers Lake.

Restrictions

To reduce construction-related impacts on fisheries resources and recreational fishing, CTDEEP Fisheries Division recommended, and Amtrak has agreed to implement, the following restrictions:

1. To protect the spawning migrations of Alewife and Blueback Herring, all in-water work, including the installation and removal of the temporary trestle bridge over the Lieutenant River, will be prohibited from March 1 to June 1, inclusive. These dates correspond to the period in which diadromous fish are observed migrating upstream at the Lower Millpond fishway.

2. The Lieutenant River is a navigable waterway with residential boat docks located upriver of the proposed temporary trestle bridge. The design of the trestle will allow for the passage of boats. Amtrak will establish a website and maintain daily updates to inform the public and boaters about bridge construction activities. If the river is to be closed for navigation, Amtrak will inform the DEEP Boating Division and the public in advance of the closure period.

Mitigation

Requirements for the mitigation of impacts associated with the temporary trestle bridge over the Lieutenant River were not identified during the consultation process with CTDEEP Fisheries Division.

Conclusion

Amtrak requests CTDEEP Fisheries to review this final report and provide concurrence with the summary of impacts, restrictions, and mitigation for both the overall Project and the temporary bridge over the Lieutenant River. With CTDEEP Fisheries concurrence, Amtrak seeks to conclude the Fisheries Pre-Submission Consultation.

Appendices

Appendix A: CTDEEP Fisheries Consultation Form and CTDEEP Fisheries Division Memorandum (May 8, 2020)

Appendix B: CTDEEP Fisheries Division Memorandum (March 21, 2022)

Appendix C: CTDEEP Fisheries Division Memorandum (May 10, 2022)

Appendix D: Ferry Landing State Park Fishing Pier Proposed Pier Layout and Design Criteria Plan
Eagle Landing State Park Fishing Pier Proposed Pier Layout and Design Criteria Plan

Appendix E: CTDEEP Fisheries Division correspondence and NYSDEC Artificial Reef Program Project Steps letter

Appendix A

CTDEEP Fisheries Consultation Form and CTDEEP Fisheries Division Memorandum (May 8, 2020)

Connecticut Department of
Energy & Environmental Protection
Bureau of Natural Resources
Fisheries Division

DEEP Fisheries Consultation Form

To the Applicant - Prior to the submission of your license application to the Connecticut Department of Energy & Environmental Protection (DEEP) Water Planning and Management Division (WPMD) or Land and Water Resources Division (LWRD), please complete Part I below and e-mail the following to deep.inland.fisheries@ct.gov:

1. this completed DEEP *Fisheries Consultation Form*;
2. a site location map,
3. a PDF version of the proposed project plans including a site survey of existing conditions (if available), and
4. photos of the site.

Fisheries Division staff will contact you if further details are needed. Once the Fisheries Division staff returns the completed form to you, please include the form, and any signed plans (if applicable) in your license application submittal to DEEP.

Part I: Applicant and Site Information (*to be completed by APPLICANT)*

1. Applicant/Registrant Information

Name: National Railroad Passenger Corporation (Amtrak)
Mailing Address: 30th Street Station
City/Town: Philadelphia State: PA Zip Code: 19104
Business Phone: 215-349-3070 Ext.: _____
Contact Person: John Brun, P.E., Phone: 215-349-3070 Ext: _____
E-mail Address: BrunJ@amtrak.com

2. Engineer/Surveyor/Agent Information (list as applicable)

Name: Martinez Couch & Associates, LLC
Mailing Address: 1084 Cromwell Avenue
City/Town: Rocky Hill State: CT. Zip Code: 06067
Business Phone: 860-436-4364 Ext.: _____
Contact Person: Rima Laukaitis, P.E. Phone: 860-436-4364 Ext: 628
E-mail Address: rlauk@martinezcouch.com
Service Provided: Permitting services

3. Site Location:

Name of Site: Amtrak Connecticut River Bridge Replacement
Address of Site or Location Description: The Connecticut River Bridge
City/Town: Old Saybrook & Old Lyme State: CT Zip Code: _____
Parcel Location/Tax Assessor's Reference: Map _____ Block _____ Lot _____
Name of Stream or Waterbody: Connecticut River

4. Activity: Check the box best describing your activity: (check all that apply):

- ☐ new public/fishing access;
- ☐ new docks and marinas on the Connecticut River;
- ☒ coastal/tidal dredging projects;
- ☐ activities in inland/non-tidal waterbodies and watercourses;
- ☐ withdrawal of water from a non-tidal/inland river, stream, pond or lake;
- ☐ withdrawal of water from a wetland, marsh, swamp, or bog hydrologically connected to a non-tidal/inland river, stream, pond or lake;
- ☐ withdrawal of groundwater from stratified drift deposits hydrologically connected to a non-tidal/inland river, stream, pond or lake.

Note: Fisheries consultation is **not required** for docks and marinas on Long Island Sound.

Part I: Applicant and Site Information *(to be completed by APPLICANT) (continued)*

5. **DEEP Pre-application Contact:** Indicate name of permit analyst or engineer, if applicable.
   Michael Grzywinski
6. **Project Description:** Provide or attach a brief, but thorough, description of the project including any measures to protect, enhance or restore fish populations:

   See the Project Discription attached.

Part II: Fisheries Determination *(To be completed by DEEP Fisheries Staff only)*

To Fisheries Staff - This completed consultation form is required to be submitted as part of an application to DEEP. The application has not yet been submitted to DEEP. Please review the enclosed materials and determine whether the project will significantly impact any fisheries or fisheries habitat. You may provide comments or recommendations regarding the proposal. Send this completed form to the applicant and copy the DEEP analyst, if known, or the applicable WPMD/LWRD Supervisor. If the proposed work **WILL** significantly impact any fisheries and/or habitat or if you have any comments or concerns regarding the regulatory review for this project, contact the DEEP analyst, if known, or the applicable WPMD/LWRD Supervisor.

DEEP FISHERIES DIVISION DETERMINATION

Date Consultation Form received: 4/9/20

Please check applicable boxes and return the completed Consultation Form to the applicant:

- ☐ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat;
- ☑ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat **if the below Recommendations are followed**; and/or,
- ☐ I have determined that the work described in Part I of this form and attachments **WILL NOT** significantly impact any fisheries and/or habitat **if the design features shown on the attached plans are incorporated**. Fisheries staff to sign and date plans and return to the applicant with the completed Consultation Form.

COMMENTS/RECOMMENDATIONS (or check here if these are attached following this page: ☑):

See attached memo.

"By entering my name below, I agree that I am providing my legal signature, and am legally bound by the determination above."

Signature of Fisheries Division Staff — Date: 5/8/20

Bruce Williams — Print Name of Fisheries Division Staff

EP Fisheries Biologist — Title

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Marine District Headquarters

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep affirmative Action/Equal Opportunity Employer

MEMORANDUM

May 8, 2020

To: Rima Laukatis, P.E. Project Manager
Martinez Cough & Associates, LLC

From: Bruce Williams, Fisheries Biologist
Fisheries Division, Diadromous Fish and Habitat Conservation and Enhancement (HCE) programs, DEEP Marine Headquarters, Old Lyme

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Subject: Fisheries Consultation for the Proposed Amtrak Connecticut River Bridge Replacement, Old Saybrook – Old Lyme, CT

Scope of Project:

The National Railroad Passenger Corporation (Amtrak) is proposing to replace the Connecticut River Railroad Bridge in its entirety with a new bascule bridge and then demolish the existing structure. The new bridge will be constructed approximately 52' south of the existing bridge. The new structure will increase the channel width by 2' and move the channel location approximately 14.5' west toward the center of the river. It will have a vertical clearance of 24' in the closed position (an increase of 6'compared to the existing bridge). In the open position the vertical clearance will be unlimited for a 90' wide portion of the channel with a minimum of 74' of clearance for the entire channel. The new bridge will be comprised of a two-track electrified movable railroad bridge and approach spans at grade that tie into the existing railroad. The existing bridge will remain operational during new bridge construction.

The approaches will be realigned to the new bridge, requiring an expansion of the embankments and new abutments within the Amtrak right-of-way resulting in a permanent impact below the tidal wetlands boundary of approximately 4.92 acres, with 2.54 acres occurring below MHW.

Nine new piers will be constructed to support the bridge. The easternmost pier, plus possibly one of the bascule piers will be cast in place behind sheet pile cofferdams. All other piers will be comprised of drilled shaft piles with concrete caps. Cofferdams will not be required to construct these piers, but a steel casing will be driven with vibratory hammers prior to drilling.

After the new bridge is completed, the existing stone piers will be demolished behind cofferdams using an expansion agent to break apart the piers and the pieces will be removed by crane. The existing timber piles comprising the pier foundations and the fender system will be either pulled or cut off two feet below the mudline. All bridge components and debris will be removed by barge. Temporary construction platforms may be staged over wetlands and open water. Some

dredging may be required to align the new bridge channel with the existing navigation channel. Permission may also be sought to use some of the parking and storage areas of the DEEP Marine Headquarters and Ferry Landing State Park. The boardwalk under the bridge will need to be closed and partially dismantled for construction access for an undefined period.

The work is scheduled to begin in 2022 and finished in 2025.

Potential Construction Impacts:

1. The Connecticut River supports important spawning runs of the following species of diadromous (migratory) fish: Alewife, Blueback Herring (listed as State Special Concern), American Eel, American Shad, Atlantic Salmon, Atlantic Sturgeon (Federal and State Endangered), Shortnose sturgeon (Federal and State Endangered), Striped Bass, White Perch, Gizzard Shad, Hickory Shad, and Sea Lamprey. These species migrate between fresh and saltwater and projects that involve dredging, pile driving, blasting and hoe ramming are routinely reviewed to determine if these activities should be restricted during the migration period for these fish. These projects are also reviewed to access their impact on other fish species and aquatic organisms in the area.

2. The commercial shad fishery is open on the Connecticut River from April 1 through June 15. Fishing occurs only at night, and is prohibited from sundown on Friday night to sundown on Sunday night. Shad fishermen drift gill nets between the I-95 Baldwin Bridge and the Railroad Bridge and between the Railroad Bridge and Saybrook Point. Very often the nets are either set or retrieved quite close to the Railroad Bridge. Barges used in the construction or demolition may interfere with the ability of fishermen to these areas and loud construction noises at night may scare fish or interrupt their migration.

3. Amtrak proposes to close and remove a portion of the boardwalk under the bridge that is part of Ferry Landing State Park and possibly use some of the parking and storage areas at the park and DEEP Marine Headquarters for construction access. The park is a popular destination for people who want to enjoy the lower Connecticut River estuary and its wildlife. People come to picnic, walk, fish, and view wildlife and activities on the river. The park is particularly well known as a good place to fish, especially from the 1,000 foot long boardwalk that extends from the park south under the railroad bridge to the mouth of the Lieutenant River.

   The park is designated by the Fisheries Division as an Enhanced Opportunity Shore Fishing Site, meaning that length limits are reduced for certain species caught from the park waterfront and fishing pier. Shore-based anglers typically do not encounter as many legal size fish as do boat-based anglers, and so this affords shore-based anglers more opportunity to keep fish for consumption. The Enhanced Opportunity Shore Fishing Program is an important element of the DEEP Bureau of Natural Resources strategy of increasing participation in recreational fishing, and Ferry Landing State Park is one of the most popular shoreline fishing destinations in Connecticut. The most commonly caught species at Ferry Landing State Park are Striped Bass, Bluefish, Hickory Shad, White Perch, White Catfish, and blue crabs. Fishing generally occurs from late April into

October. The number of people fishing in the month of April tends to be low, but increases rapidly through May. From mid-June through the first few weeks in October, the parking lots are usually full and use of the boardwalk is typically heavy, especially in years when blue crabs are abundant.

Recommendations to Reduce Construction Related Impacts on Fisheries Resources:

1. To reduce the noise impacts from driving sheet pile and shaft casings, only vibratory hammers should be used during the diadromous fish migratory period from April 1 to June 30, inclusive. The use of impact hammers is acceptable outside of this timeframe.

2. To minimize construction related turbidity, full depth turbidity curtains should be deployed prior to driving any sheet pile or shaft casings. Due to strong tides and currents the fabric for the curtains should be composed of a heavy woven pervious material to create a flow-through medium, which will reduce the pressure on the curtains and keep them in the same relative shape and location at all tides and river flows.

3. Diadromous fish may utilize the entire width of the Connecticut River during their migration, but primarily migrate up the navigation channel in the middle of the river. To ensure the middle of the river is relatively undisturbed during the spring migration, construction or demolition of piers should be limited to either the western-most three (piers# 1, 2, and 3) or easternmost three (piers# 7, 8, and 9) during the spring migration period from April 1 to June 30. At no time during this period should in-water construction or demolition occur in the middle of the river or simultaneously at more than three piers.

4. Many species of diadromous fish migrate at night and bright artificial lights may interfere with their migration. During the spring migration period from April to June 30, artificial lighting over the water should be limited to navigation lights and any lighting typically required for the operation of the railroad bridge.

5. The pulling or cutting of timber piles should be prohibited from April 1 to June 30, inclusive.

6. All timber piles and stone piers should be removed to at least two feet below the mud line.

7. All dredging should be prohibited from April 1 to June 30, inclusive.

8. Due to noise concerns, the use of hoe rams should be prohibited from April 1 to June 30, inclusive.

9. To prevent damage to benthic aquatic organisms, any work done from barges should only occur when there is sufficient tide to prevent vessels from grounding.

Recommendations to Reduce Impacts to the Commercial American Shad Fishery:

1. All loud construction related activities including drilling piles and driving sheet pile or shaft casings (even by vibratory means), should be prohibited from sunset to sunrise during the commercial shad fishing season from April 1 to June 15, inclusive.

2. Given the scope of the bridge project, some interference with shad fishing might be unavoidable, but Amtrak should try to minimize interference to the greatest extent practical. It may be possible to plan when and where work barges will be placed and when large vessel traffic occurs so that interference is minimized. To facilitate this, Amtrak should establish a plan of communications with the fishermen in order to coordinate activities as best as possible. During construction, the fishermen could be notified of impending bridge construction activities that might affect them. The Fisheries Division can provide a list of the fishermen actively fishing the area and contact information after securing their approval to provide that information.

Recommendations for Mitigation for the Loss of Recreational Opportunities:

The Fisheries Division will seek mitigation for the loss of recreational opportunities at Ferry Landing State Park during construction. It is understood that sections of the existing fishing pier may need to be removed to facilitate construction. The simple reconstruction of what was already there must be part of the bridge replacement project and in no way constitutes 'mitigation'. Mitigation should include work that is an expansion of existing recreational features and should be commensurate with the magnitude of public access impacts at the park, and would most likely take the form of improved public access. Potential options include renovating or improving the boardwalk, including portions that are not directly affected by the construction. These options may include the retention and repurposing of the easternmost pier (pier #9) of the existing railroad bridge as part of an expanded fishing pier, construction of a new fishing access platform in lieu of the use of a bridge pier, or other options that Amtrak may wish to propose.

Repurposing of the easternmost pier for fishing access would involve constructing an elevated section of walkway from the existing boardwalk to the pier with sufficient clearance under the walkway to accommodate the passage of floating debris, ice and small boats. A fishing platform could either be constructed atop the pier or suspended from it. The deeper water available at the piers provides a different fishing experience and different target species as compared to fishing from the existing boardwalk or the shore.

The Fisheries Division is aware of a number of examples of old highway and railroad bridges around the country being put to reuse as fishing piers. While most of the existing Amtrak bridge would not lend itself to such reuse for a number of access, safety and design reasons, perhaps a small portion of the bridge, namely one of its piers, could be reused in this way.

The Fisheries Division in no way wishes to limit ideas for access enhancements at Ferry Landing and would welcome creative ideas from Amtrak. We encourage the appropriate project team representatives to contact DEEP as soon as project design efforts have advanced to a point where

impacts at Ferry Landing have been determined so that a more detailed exchange of ideas for mitigation can occur

cc:
Steve Gephard, Supervising Fisheries Biologist, Fisheries Division
Peter Aarrestad, Director, Fisheries Division
Michael Grzywinski, Environmental Analyst 3, Land & Water Resources Division
Douglass Patterson, Maintenance Supervisor II

Appendix B

CTDEEP Fisheries Division Memorandum (March 21, 2022)

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Marine District Headquarters

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep affirmative Action/Equal Opportunity Employer

MEMORANDUM

March 21,2022

To: Clarissa N. Fuller, Principal Project Manager
Major Capital Delivery
400 West 31st Street, 5th Floor, New York, NY 10001

From: Bruce Williams, Fisheries Biologist
Fisheries Division, Diadromous Fish and Habitat Conservation and Enhancement (HCE) programs, DEEP Marine Headquarters, Old Lyme

---

Subject: Fisheries Consultation for the Proposed Amtrak Lieutenant River Construction Access – Old Lyme, CT

Scope of Project:

The National Railroad Passenger Corporation (Amtrak) is proposing to develop a temporary construction access along the north side of the existing rail line in Old Lyme. This access includes a temporary trestle over the Lieutenant River.

Potential Impacts:

The Lieutenant River supports a diverse fish community, including spawning runs of diadromous Alewife and Blueback Herring (a Connecticut state-listed species of special concern). The Fisheries Division monitors the passage of these fish on the Lieutenant River at three different fishways in Old Lyme, the first located at Lower Millpond, the second at Upper Millpond, and the third at Rogers Lake. The annual combined count of Alewife and Blueback Herring at the Lower Millpond fishway has exceeded 37,000 fish in recent years, with Alewife comprising the majority.

Recommendations to Reduce Impacts on Fisheries Resources and Recreational Fishing:

1. To protect the spawning migrations of Alewife and Blueback Herring the Fisheries Division recommends that all in-water work, including the installation and removal of the temporary trestle bridge over the Lieutenant River, be prohibited from March 1 to June 1, inclusive. These dates correspond to the period in which diadromous fish are observed migrating upstream at the Lower Millpond fishway.
2. The Lieutenant River is a navigable waterway with residential boat docks located upriver of the proposed temporary trestle bridge. The design of the trestle should allow for the

passage of boats and if at any time the river is closed to navigation, AMTRAK will need to consult with the DEEP Boating Division on the closure period.

cc:
Matthew Goclowski, Supervising Fisheries Biologist, Fisheries Division
Peter Aarrestad, Director, Fisheries Division
Michael Grzywinski, Environmental Analyst 3, Land & Water Resources Division

Appendix C

CTDEEP Fisheries Division Memorandum (May 10, 2022)

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Marine District Headquarters

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep affirmative Action/Equal Opportunity Employer

MEMORANDUM

May 10, 2022

To: Clarissa Fuller, Principal Project Manager
Major Capital Delivery

From: Bruce Williams, Fisheries Biologist
Fisheries Division, Diadromous Fish and Habitat Conservation and Enhancement (HCE) programs, DEEP Marine Headquarters, Old Lyme

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Subject: Compensatory Mitigation for the Loss of Recreational Angling Opportunities Related to the Proposed Amtrak Connecticut River Bridge Replacement, Old Saybrook – Old Lyme, CT

Potential Construction Impacts to Recreational Angling:

Ferry Landing State Park is the most visited location for shore-based coastal angling in Connecticut (CTDEEP, Fisheries Marine Angler Survey). The Park is designated by CTDEEP as an Enhanced Opportunity Shore Fishing Site, meaning that length limits are reduced for certain species caught from the park waterfront and fishing pier. This program is an important element of the DEEP Bureau of Natural Resources strategy of increasing quality of access and participation in recreational angling. Surveys conducted by the National Oceanic and Atmospheric Administration (NOAA), Marine Recreational Information Program (MRIP), a cooperative federal/state partnership, estimates that approximately 13,345 angling trips are taken at the park each year (MRIP 2016-21). The 2015 NOAA & National Marine Fisheries Service Economic Survey places the value of each of these angling trips at $65, which means that the estimated annual value of angling at Ferry Landing State Park exceeds $876,000. The CTDEEP MRIP coordinator estimates that approximately 70% of the anglers at the park fish from the 1000-foot-long fishing pier that extends under the railroad bridge to the mouth of the Lieutenant River (CTDEEP angler counts). Under the current project proposal most of the pier except for the far northern end will be closed to the public for the entire construction period, with a large section removed for construction access. This will result in a significant decrease in angling opportunities and economic activity. The Park and pier are also used extensively by other recreational users including walkers, sightseers, and wildlife watchers.

Recommendations for Compensatory Mitigation for the Loss of Recreational Angling Opportunities:

The Fisheries Division is seeking mitigation for the loss of recreational angling opportunities at Ferry Landing State Park during construction. The AMTRAK Connecticut River Bridge project plans to remove a section of the existing pier for construction access. A simple reconstruction of the existing pier does not constitute 'compensatory mitigation'. Mitigation should include work that expands existing recreational features and should be commensurate with the magnitude of public access impacts at the park and would most likely take the form of improved public fishing access. Therefore, the Fisheries Division makes the following recommendations:

1. The entire fishing pier should be replaced and improved including relocating it westward into deeper water, possibly repurposing the easternmost pier (pier #9) of the existing railroad bridge into a fishing platform (see conceptual layout below). The water depth at the current location is too low for fishing at many tides. Since it was built in the early 1990s, the area around the pier has filled-in leaving many sections dewatered at certain tides. Moving the pier further out into the river will also allow anglers to access fish found in the river channel near the bridge abutments.

   The existing Ferry Landing Pier is currently the narrowest public fishing pier in coastal Connecticut at only 8' wide which is too narrow to safely accommodate foot traffic, handicapped users in wheelchairs, and anglers fishing at the railings. This has created unsafe conditions and has led to conflicts with the various user groups. Other more recently constructed fishing piers including the Nathan Hale Fishing Pier in New Haven (12 -16' wide) and the Fort Trumbull Fishing Pier in New London (24' wide) conform to the department's recommendations for public fishing piers and are sufficiently wide enough to reduce the occurrence of user conflicts. The Fisheries Division recommends that the width of any new pier at Ferry Landing State Park should exceed 12' to reduce user conflicts and hazardous conditions. The new pier should also be fully ADA compliant, and the CTDEEP Fisheries Division and Engineering and Field Support Services Division will need to be consulted on the details of the final design.

2. During the construction period anglers will need an alternative fishing location, therefore the Fisheries Division recommends that the failing 100’ long fishing pier at Eagle Landing State Park on the Connecticut River in Haddam be replaced in-kind (see picture below). Consultations with the Fisheries Division and Engineering and Field Support Services will be required on railing design and other enhancements (see attached Design Guidelines for Recreational Fishing Facilities). To provide an alternative site to the pier at Old Lyme, this project should be started as soon as possible and can be permitted by DEEP under a Certificate of Permission, which can be issued within 30 days of application.

cc:
Matthew Goclowski, Supervising Fisheries Biologist, Fisheries Division
Peter Aarrestad, Director, Fisheries Division
Justin Davis, Assistant Division Director, Fisheries Division
Michael Grzywinski, Environmental Analyst 3, Land & Water Resources Division

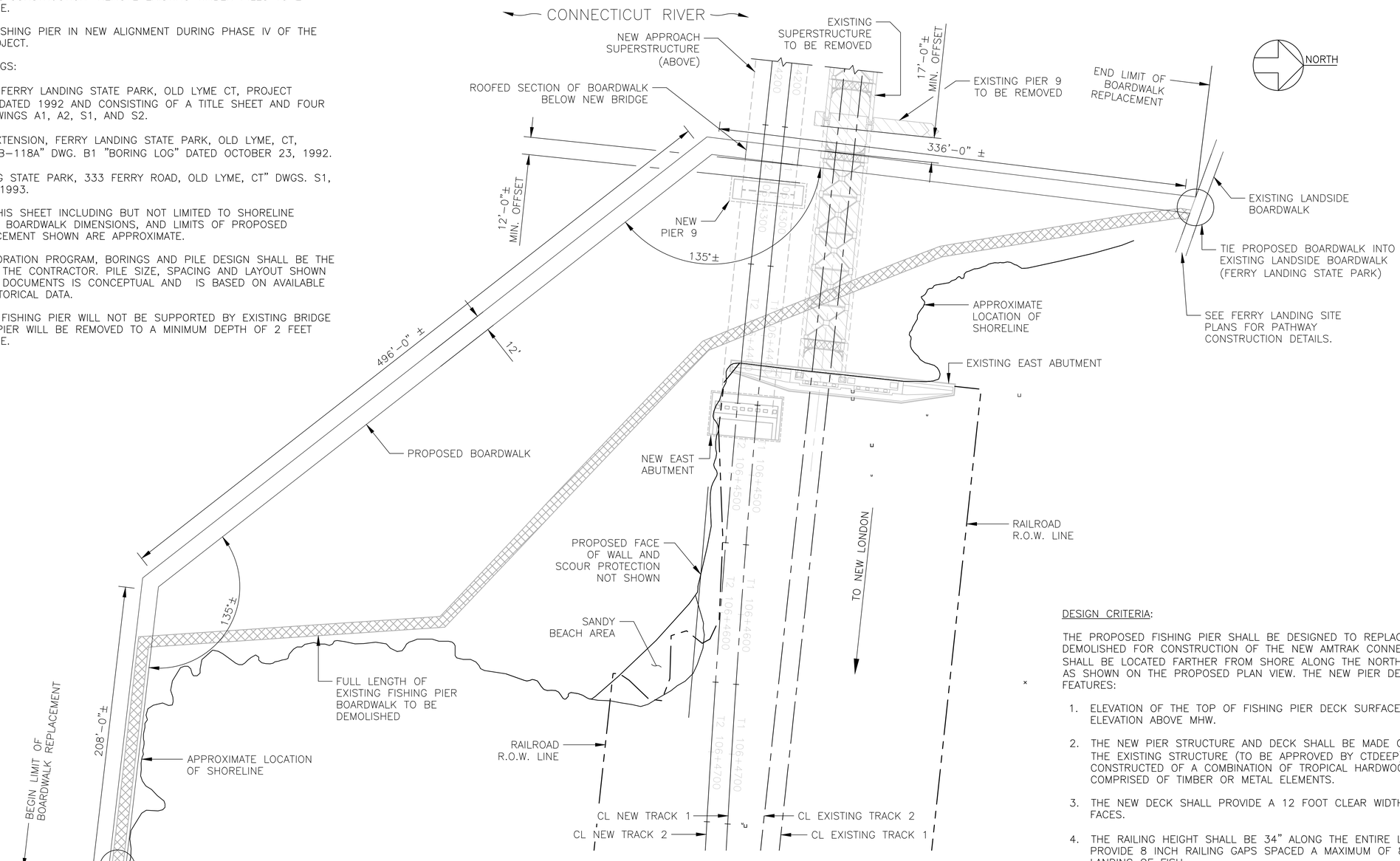
Appendix D

Ferry Landing State Park Fishing Pier Proposed Pier Layout and Design Criteria Plan

Eagle Landing State Park Fishing Pier Proposed Pier Layout and Design Criteria Plan

NOTES:

1. DEMOLISH THE EXISTING FERRY LANDING PARK FISHING PIER BOARDWALK DURING PHASE I OF BRIDGE CONSTRUCTION. REMOVE EXISTING TIMBER PILES TO 2' BELOW THE MUDLINE.
2. CONSTRUCT NEW FISHING PIER IN NEW ALIGNMENT DURING PHASE IV OF THE CONSTRUCTION PROJECT.
3. REFERENCE DRAWINGS:
   - 3.a. "FISHING PIER, FERRY LANDING STATE PARK, OLD LYME CT, PROJECT B1–BB–118A" DATED 1992 AND CONSISTING OF A TITLE SHEET AND FOUR CONTRACT DRAWINGS A1, A2, S1, AND S2.
   - 3.b. "BOARDWALK EXTENSION, FERRY LANDING STATE PARK, OLD LYME, CT, PROJECT B1–BB–118A" DWG. B1 "BORING LOG" DATED OCTOBER 23, 1992.
   - 3.c. "FERRY LANDING STATE PARK, 333 FERRY ROAD, OLD LYME, CT" DWGS. S1, S2, S3 DATED 1993.
4. INFORMATION ON THIS SHEET INCLUDING BUT NOT LIMITED TO SHORELINE LOCATION, EXISTING BOARDWALK DIMENSIONS, AND LIMITS OF PROPOSED BOARDWALK REPLACEMENT SHOWN ARE APPROXIMATE.
5. SUBSURFACE EXPLORATION PROGRAM, BORINGS AND PILE DESIGN SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. PILE SIZE, SPACING AND LAYOUT SHOWN ON THE CONTRACT DOCUMENTS IS CONCEPTUAL AND IS BASED ON AVAILABLE ADJACENT AND HISTORICAL DATA.
6. THE REPLACEMENT FISHING PIER WILL NOT BE SUPPORTED BY EXISTING BRIDGE PIER NO. 9. THIS PIER WILL BE REMOVED TO A MINIMUM DEPTH OF 2 FEET BELOW THE MUDLINE.



PROPOSED BOARDWALK PLAN

0 40 80

1" = 40'

DESIGN CRITERIA:

THE PROPOSED FISHING PIER SHALL BE DESIGNED TO REPLACE THE EXISTING FISHING PIER BEING DEMOLISHED FOR CONSTRUCTION OF THE NEW AMTRAK CONNECTICUT RIVER BRIDGE. THE NEW PIER SHALL BE LOCATED FARTHER FROM SHORE ALONG THE NORTH–SOUTH SECTION (CT RIVER SECTION) AS SHOWN ON THE PROPOSED PLAN VIEW. THE NEW PIER DESIGN SHALL INCLUDE THE FOLLOWING FEATURES:

1. ELEVATION OF THE TOP OF FISHING PIER DECK SURFACE SHALL MATCH THE EXISTING ELEVATION ABOVE MHW.
2. THE NEW PIER STRUCTURE AND DECK SHALL BE MADE OF IDENTICAL OR EQUAL MATERIALS AS THE EXISTING STRUCTURE (TO BE APPROVED BY CTDEEP). THE EXISTING STRUCTURE IS CONSTRUCTED OF A COMBINATION OF TROPICAL HARDWOODS. NEW RAILINGS MAY BE COMPRISED OF TIMBER OR METAL ELEMENTS.
3. THE NEW DECK SHALL PROVIDE A 12 FOOT CLEAR WIDTH FROM INSIDE TO INSIDE OF RAILING FACES.
4. THE RAILING HEIGHT SHALL BE 34" ALONG THE ENTIRE LENGTH OF THE NEW STRUCTURE. PROVIDE 8 INCH RAILING GAPS SPACED A MAXIMUM OF 8 FOOT APART TO ALLOW FOR THE LANDING OF FISH.
5. THE NEW STRUCTURE SHALL INCLUDE A ROOFED SECTION EXTENDING BELOW THE LIMITS OF THE OVERHEAD BRIDGE SUPERSTRUCTURE IN SPAN 9.
6. THE NEW STRUCTURE SHALL INCLUDE AN OBSERVATION DECK MATCHING THE EXISTING OBSERVATION DECK LAYOUT AND STRUCTURE AT A SIMILAR LOCATION TO THE EXISTING STRUCTURE.
7. THE NEW PIER SHALL INCLUDE FISHING AMENITIES INCLUDING ROD HOLDERS, FISHING LINE RECEPTACLES, CUTTING BOARDS, AND BENCHES.

No.	Revisions	Date	By

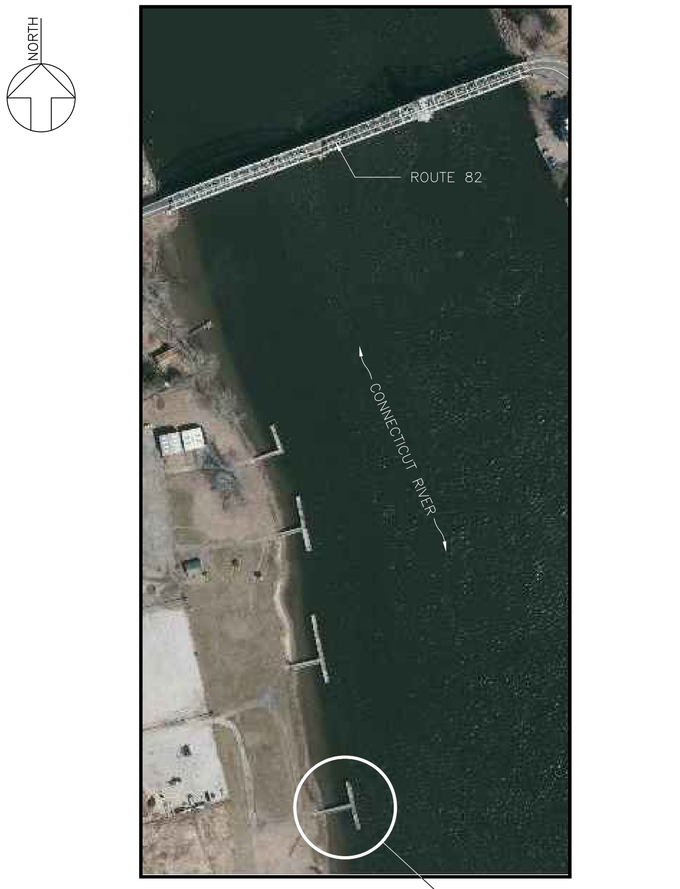
Office of Chief Engineer
STRUCTURES
National Railroad Passenger Corporation
30th Street Station, Philadelphia, Pennsylvania 19104

FERRY LANDING STATE PARK FISHING PIER
PROPOSED PIER LAYOUT AND DESIGN CRITERIA

FILE NAME: 3496_S–700_BOARDWALK.DWG
PLOT SCALE: AS NOTED
STANDARD PEN TABLE: YES

DESIGN CRITERIA:
THE PROPOSED FISHING PIER SHALL BE DESIGNED TO REPLACE THE DETERIORATED PIER IN–KIND AND MEETING THE FOLLOWING REQUIREMENTS.

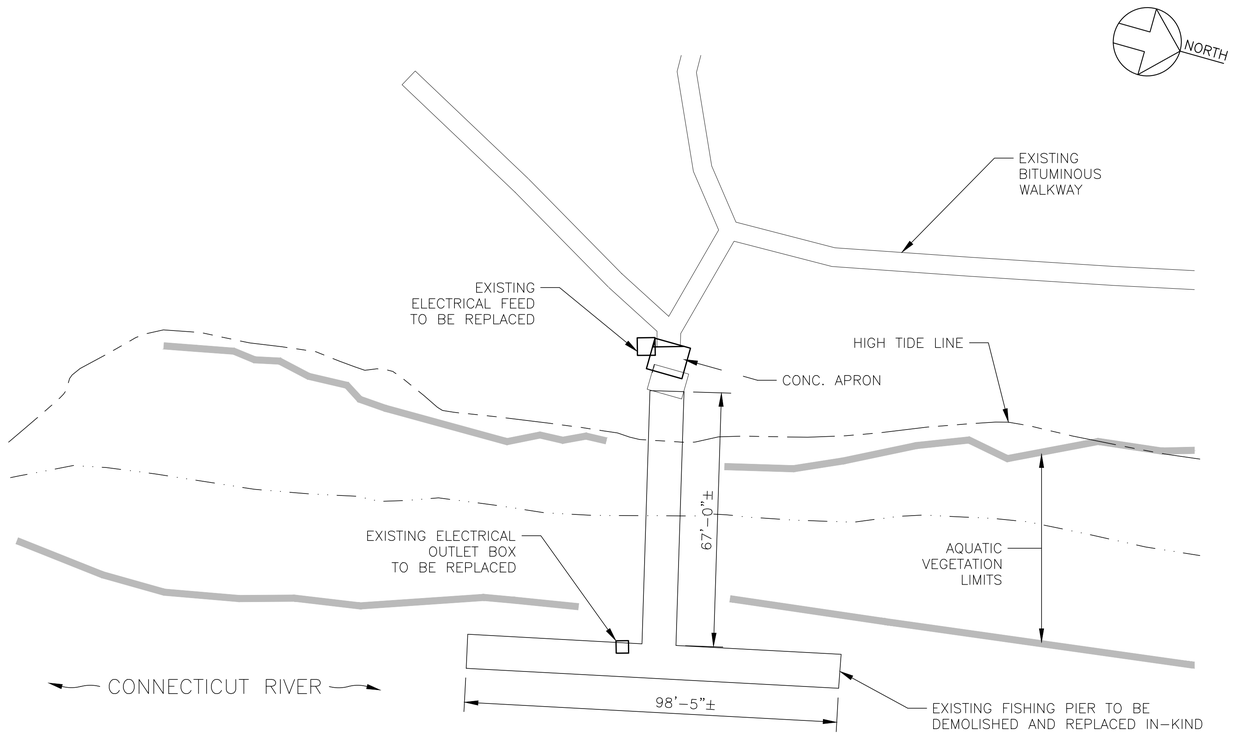
1. THE NEW PIER SHALL BE MADE OF IDENTICAL OR EQUAL MATERIALS AS THE PROPOSED STRUCTURE AT CTDEEP MARINE HQ (FERRY LANDING STATE PARK). THE PROPOSED MARINE HQ FISHING PIER WILL BE DESIGNED TO REPLICATE EXISTING PIER MATERIALS WHICH ARE A COMBINATION OF TROPICAL HARDWOODS. NEW RAILINGS MAY BE COMPRISED OF TIMBER OR METAL ELEMENTS.
2. THE PROPOSED PIER SHALL USE THE SAME FOOTPRINT AS THE EXISTING PIER.
3. THE RAILING HEIGHT SHALL BE 34 INCHES ALONG THE ENTIRE LENGTH OF THE NEW STRUCTURE. PROVIDE 8 INCH RAILING GAPS SPACED A MAXIMUM OF 8 FEET APART TO ALLOW FOR THE LANDING OF FISH. THE RAILING SHALL EXTEND AROUND THE ENTIRE PERIMETER OF THE PIER.
4. THE ENTIRE DECK SHALL BE ONE LEVEL.
5. THE EXISTING ELECTRICAL FEED, CONDUIT AND OUTLET BOXES SHALL BE REPLACED IN–KIND.
6. THE NEW PIER SHALL INCLUDE PILE CAPS.
7. THE NEW PIER SHALL INCLUDE FISHING AMENITIES INCLUDING ROD HOLDERS, FISHING LINE RECEPTACLES, CUTTING BOARDS, AND BENCHES.



AERIAL PHOTO OF SITE
N.T.S

NOTES:

1. DEMOLISH THE EXISTING EAGLES LANDING PIER AND REPLACE IN–KIND WITH NEW MATERIALS.
2. REFERENCE DOCUMENTS:
   - 2.a. "PROPOSED 'T' PIER PERMIT APPLICATION" HADDAM, CONNECTICUT DATED JUNE 25, 1984.
   - 2.b. "TOPOGRAPHIC SURVEY" PREPARED FOR CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, EAGLES LANDING, HADDAM, CONNECTICUT DATED DECEMBER 23, 2008.
3. INFORMATION ON THIS SHEET INCLUDING BUT NOT LIMITED TO TOP OF BANK LOCATION, EXISTING PIER DIMENSIONS, AND LIMITS OF PROPOSED PIER REPLACEMENT SHOWN ARE APPROXIMATE.



PROPOSED FISHING PIER PLAN
0 20 40
1" = 20'

No.	Revisions	Date	By

Office of Chief Engineer
STRUCTURES
National Railroad Passenger Corporation
30th Street Station, Philadelphia, Pennsylvania 19104

EAGLE LANDING STATE PARK FISHING PIER
PROPOSED PIER LAYOUT AND DESIGN CRITERIA

FILE NAME: 3498_S–XXX_EAGLELANDING.DWG
PLOT SCALE: AS NOTED
STANDARD PEN TABLE: YES

Appendix E

CTDEEP Fisheries Division Correspondence and NYSDEC Artificial Reef Program Project Steps Letter

From:	Williams, Bruce
To:	Richardson, Amy; Steven Harlacker; Bunnell, Ross; Goclowski, Matthew R; Cassone, Joe; Aarrestad, Peter
Cc:	Benjamin Hawthorne; Fuller, Clarissa N; Rima Laukaitis; Richard Couch; Fontanella, Camille; John Brun; Travaglino, Joseph A; Graham, Robert; Apanovitch, Ryan; Nuttall, Genevieve
Subject:	RE: CTDEEP WEED Comments: Amtrak Bridge
Date:	Friday, August 5, 2022 10:15:17 AM
Attachments:	image001.png image003.png DEC Reef Program Project Steps Pro22.dotx

I have been in contact with the NYSDEC Artificial Reef Program and they would be interested in accepting granite blocks from the CT River Bridge demolition. Attached is a copy of the project steps for potential donors. One very attractive aspect of this type of disposal is that the permits are already in place and very little is required of the donors. AMTRAK and their contractors should investigate all options for disposal, but Chris LaPorta the project manager believes that for most demolition projects such as this, providing there are no contaminants issues, is the cheapest option for disposal. This is especially true for projects that require the material to be loaded on to barges during demolition. While this option does not directly benefit Connecticut, it would provide an environmental benefit for Long Island Sound and the CTDEEP Fisheries Division would consider it an environmentally beneficial reuse of this material.

The CTDEEP Fisheries Division would be willing to provide any assistance required if this option is selected.

Thanks,

Bruce Williams
Fisheries Biologist
Diadromous Fish and Habitat Conservation and Enhancement Programs
Connecticut Department of Energy and Environmental Protection
Bureau of Natural Resources – Fisheries Division
Marine Headquarters - P.O. Box 719 / 333 Ferry Rd.
Old Lyme, CT 06371
P: 860.447.4317 / C: 860.876.9140 / F: 860.434.6150 / E: bruce.williams@ct.gov

www.ct.gov/deep

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Marine Resources
123 Kings Park Blvd. (Nissequogue River State Park), Kings Park, NY 11754
P: (631) 444-0430 | F: (631) 444-0434 | FW.Marine@dec.ny.gov
www.dec.ny.gov

NYSDEC Artificial Reef Program Project Steps

1. The prospective reef project contact must submit a "Donor Request Letter" to the DEC Reef Program Coordinator (contact information below) including a detailed description of the project being proposed, materials being offered or to be used (type, approximate quantity, drawings, and photos), material location, and a description of the plan for placement of materials on the reef sites.

2. The project plan and material inspection are reviewed by Reef Program Staff or their Designee. For materials, if an inspection is not possible detailed, scaled photographs and material descriptions may be acceptable.

3. All donated material proof of ownership must be provided prior to deployment.

4. The Project Donor or their Contractor will supply a Certificate of Liability Insurance to cover material preparation, transportation, and deployment of materials on the reef site target coordinates designated by Reef Program Staff.

5. Once completed and agreed upon Reef Program Staff will provide a "Letter of Permission" stating the Project Donor may use a reef site or sites for material deployment under Programmatic Guidelines.

6. The "*NYSDEC Marine Artificial Reefs Material Preparation Criteria and Special Conditions*" document and any applicable documents are provided to the Project Donor for review. These documents will be incorporated into a Project Protocol.

7. After discussion with the Project Donor, Reef Program Staff will prepare a detailed Project Protocol for the specific reef project. The Protocol will be reviewed and discussed by the Project Donor and Reef Program staff for mutual approval. The Protocol must be agreed upon and signed by the Project Donor or the Project Donor's designated Contractor before materials can be deployed on a reef site.

8. Reef Program Staff must provide a minimum of 2-week advance notification to both permitting agencies (U.S. Army Corps of Engineers and the NYSDEC Division of Environmental Permits) and the U.S. Coast Guard before any materials can be placed on designated reef sites.

9. Reef Program Staff must be notified by the Project Donor or their Contractor a minimum of 24 hours in advance of any material deployment on reef sites.

10. Reef Program Staff or their Designee will be on site to provide deployment guidance and to witness and document each material deployment.

11. The Project Protocol contains a Deployment Log that must be completed each day for all materials deployed on each designated target. This Log must be completed by Reef Program Staff or their Designee (i.e., Project Donor or their Contractor). If recorded by a Designee, the Log must be forwarded to Reef Program Staff by e-mail or FAX daily or by the end of the deployment week at the latest.

Contact Information:

Christopher J. LaPorta

New York Reef Program Coordinator

Marine Artificial Reef Program

NYSDEC Division of Marine Resources

123 Kings Park Boulevard

Kings Park, NY 11754

Phone: (631) 444-0438

Email: Christopher.laporta@dec.ny.gov

Connecticut Department of
ENERGY &
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PROTECTION

Marine District Headquarters

333 Ferry Road • Old Lyme, CT 06371 www.ct.gov/deep affirmative Action/Equal Opportunity Employer

MEMORANDUM

January 26, 2023

To: Ryan Apanovitch, Environmental Coordinator
AECOM Construction and Engineering

From: Bruce Williams, Senior Fisheries Biologist
Fisheries Division, Diadromous Fish and Habitat Conservation and Enhancement (HCE) programs, DEEP Marine Headquarters, Old Lyme

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Subject: Final Fisheries Consultation for the Proposed Amtrak Connecticut River Bridge Replacement, Old Saybrook – Old Lyme, CT

COMMENTS/RECOMMENDATIONS:

1. The Fisheries Division recommends that the section of the proposed Ferry Landing fishing pier that would extend from the existing landside boardwalk south toward the new bridge pier# 9 be oriented parallel to the flow of the river. The preliminary designs appear to show it angled slightly inward at the upriver end. This would cause debris to collect along that section of pier. Therefore, the Fisheries Division recommends that section be oriented as parallel to the flow of the river and as close to the southwest corner of the existing boardwalk as possible. This section of pier will also be the area that is most susceptible to ice and debris damage and therefore the pilings should be batter braced on both sides.
2. The Fisheries Division is now consulting with the Boating Division on the requirements for navigation and hazard warnings at the fishing piers. Depending on the outcome of that consultation some of those markers may need to be incorporated into the design of the piers and DEEP will provide additional guidance.
3. The Fisheries Division should be included in all phases of design for both the Ferry Landing and Eagle Landing fishing piers and will need to approve the final plans. Additional input on the design and placement of rod holders, fishing line receptacles, cutting boards, and benches will be provided.