



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

June 5, 2024

Regulatory Division  
File No. NAE-2020-01064

Mr. Jason Hoover  
National Railroad Passenger Corporation (Amtrak)  
360 West 33<sup>rd</sup> Street  
New York, NY 10001  
(via email: [jason.hoover@amtrak.com](mailto:jason.hoover@amtrak.com))

Dear Mr. Hoover:

Enclosed is the signed Department of the Army permit, file number NAE-2020-01064, which authorizes activities within waters of the U.S., including wetlands, associated with Amtrak's Connecticut River Bridge Replacement Project. This permit is a limited authorization containing a specific set of conditions. Please read the permit thoroughly to familiarize yourself with those conditions, including any conditions contained on the enclosed state water quality certification. If a contractor does the work for you, both you and the contractor are responsible for ensuring that the work is done in compliance with the permit's terms and conditions, as any violations could result in civil or criminal penalties.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins. Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

If you have any questions regarding this correspondence, please contact Roberta Budnik at [roberta.k.budnik@usace.army.mil](mailto:roberta.k.budnik@usace.army.mil) or (978) 318-8766.

Sincerely,

*Kevin R Kotelly*

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

Enclosures

cc:

Ryan Apanovitch, AECOM

Genevieve Nuttall, AECOM

Nathan Margason, EPA

Stephanie Lopez, USCG

Micheal Grzywinski, CTDEEP

Amy Richardson, CTDEEP

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DEPARTMENT OF THE ARMY PERMIT

Permittee National Railroad Passenger Corporation (Amtrak); Mr. Jason Hoover

Permit No. NAE-2020-01064

Issuing Office New England District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** Permanently discharge up to 57,840 cubic yards (CY) into 1.59 acres of tidal wetlands and 1.738 acres below the High Tide Line (HTL) of the Connecticut River. Temporarily discharge up to 350 CY of fill material into 1.37 acres of tidal wetlands and below the HTLs of the Connecticut and Lieutenant Rivers. The discharges are necessary to (1) construct a new bascule railroad bridge over the Connecticut River between Old Saybrook and Old Lyme; (2) construct a temporary access trestle bridge over the Lieutenant River; and (3) remove and rebuild the State of Connecticut Department of Energy and Environmental Protection (CTDEEP) Ferry Landing State Park boardwalk within the Connecticut River.

- (1) **New Bridge Construction:** Discharges authorized for new bridge construction will permanently impact 1.59 acres of tidal wetlands and 1.696 acres below the HTL (3.286 acres total) and result in 57,250 CY of permanent fill for the following specific activities:
- a. 17,250 CY will be permanently discharged into 1.726 acres of tidal wetlands and below the HTL of the Connecticut River for the construction of new embankments and associated riprap on the east and west approaches. Embankments will be constructed using various fill materials, including foreign borrow, free draining material, granular fill, and lightweight aggregates, with sloped riprap for scour protection.
  - b. 16,690 CY will be permanently discharged into 0.786-acre of tidal wetlands and below the HTL of the Connecticut River for the construction of bridge abutments, cast-in-place concrete retaining walls, and associated riprap for scour protection.
  - c. 20,010 CY will be permanently discharged into 0.448-acre below the HTL of the Connecticut River for the construction of the cast-in-place drilled shaft substructure and fender system.
  - d. 3,300 CY will be permanently discharged into 0.317-acre below the HTL of the Connecticut River for the placement of riverbed material to bury the submarine cables.
  - e. Up to 180 CY will be temporarily discharged into 0.028-acre below the HTL of the Connecticut River at STA 106+1700 to build up substrate for a temporary track crossing.
  - f. Construction mats will be temporarily placed within 1.06 acres of tidal wetlands and 0.25-acre below the HTL of the Connecticut River to facilitate temporary access for the construction of the new bridge approaches and embankments. The mats will be in place for the duration of construction (72 months).
- (2) **Temporary Lieutenant River Trestle Bridge:** As part of the temporary access roads Amtrak will create to facilitate construction of the new bridge, a temporary trestle bridge will be installed across the Lieutenant River. The following discharge for the temporary trestle bridge is authorized:
- a. Up to 170 CY of fill material will be temporarily discharged into 0.001-acre of tidal wetlands and 0.031-acre below the HTL of the Lieutenant River to build up substrate for temporary abutments and/or temporary piers associated with the temporary trestle bridge. Upon project completion, the temporary trestle bridge and associated fill will be fully removed.
- (3) **Remove and Rebuild the CTDEEP Ferry Landing State Park Boardwalk:** The entire existing pedestrian boardwalk at the Ferry Landing State Park will be removed and rebuilt in a new location. All structures of the existing boardwalk will be removed from waters to a point of at least two feet below the mudline. Removal will commence at the beginning of construction activities. 139 existing support piles will be removed using mechanical methods to a point of at least two feet below the mudline. The new boardwalk will be constructed westward of the existing structure, in deeper water on a different alignment. The new boardwalk will be 1,040 feet long by 12 feet wide. Up to 585 CY of native material will be

removed and 590 CY of fill material will be permanently discharged into a 0.042-acre area below HTL of the Connecticut River to install 21, four-foot diameter steel drilled shafts with cast-in-place concrete fill. Drilled shafts will be installed behind a temporary turbidity curtain.

In addition to the activities described above, CTDEEP has required Amtrak to compensate for impacts to the aquatic resource through the restoration of tidal marsh and associated intertidal habitat at 17 Shore Road and a 3.25-acre site in Old Lyme along the Lieutenant River. To accomplish this, the following discharges are authorized:

- a. Up to 120 CY of fill will be permanently discharged into 0.009-acre of tidal wetlands of the Lieutenant River for processed aggregate, grading, and native streambed material associated with a new tide-conveying culvert at 17 Shore Road.
- b. Up to 1,491 CY of fill will be temporarily discharged into 0.185-acre of tidal wetlands and an area below the HTL of the Lieutenant River for materials needed to build access routes at 17 Shore Road.
- c. Additional temporary impacts from construction mats and work boat access will occur in 4.67 acres of tidal wetlands and 0.24-acre below the HTL of the Lieutenant River.
- d. Restoration Quantities: Up to 5,000 CY of fill will be permanently discharged to restore 9.55 acres of tidal wetlands and 0.71-acre below the HTL of the Lieutenant River at the mitigation sites. Fill will consist of substrate material for grading, plugging of mosquito ditches, and planting of native tidal vegetation; and flowable concrete to abandon-in-place an existing culvert.

The work is shown on the enclosed plans titled, "Environmental and Permit Plans," totaling 159 sheets.

**Project Location:** Latitude 41.310908° N., Longitude 72.349328° W., Amtrak's Northeast Corridor, Milepost 106.89, between Old Saybrook and Old Lyme, New London County, Connecticut

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on June 30, 2034. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. Prior to commencing the authorized work in waters of the United States, including wetlands, the permittee shall provide verification to the U.S. Army Corps of Engineers, New England District, Regulatory Division (cena-e-r-ct@usace.army.mil), that compensatory mitigation for 1.59 wetland credits have been purchased from the Connecticut In-Lieu Fee Program. The

required verification shall reference this project's permit number (NAE-2020-01064). If you are unable to complete this transaction, you are required to obtain a permit modification prior to commencing the work authorized by this permit for approval of an alternate mitigation method.

2. We have sent a copy of this authorization to the National Ocean Service (NOS). You must notify NOS and this office in writing, at least two weeks before you begin work to bury the authorized submarine cables and within 60 days of completion of the burial. Your notification of completion must include certified (professional engineer or land surveyor registered in the state the work is being performed) as-built drawings, to scale, with control (i.e., latitude/longitude, state plane coordinates), depicting the alignment of the submarine cables within the Connecticut River.

All submittals to the U.S. Army Corps of Engineers, New England District, Regulatory Division (USACE) and NOS shall be marked with the words "Permit No. NAE-2020-01064." Send NOS submittals to: National Ocean Service, Office of Coast Survey, N/CS261, 1315 East West Highway, Silver Spring, Maryland 20910-328; or email: [ocs.ndb@noaa.gov](mailto:ocs.ndb@noaa.gov). Send USACE submittals to: Connecticut and Rhode Island Section, Regulatory Division, Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751; or [cenae-r-ct@usace.army.mil](mailto:cenae-r-ct@usace.army.mil). Documents which are not marked and addressed in this manner may not reach their intended destination and do not comply with the requirements of this permit. The USACE may note the location on future survey drawings and NOAA may use the information for charting purposes.

3. Appropriate soil erosion and turbidity controls shall be used and maintained in effective operating condition during construction. Activities capable of producing greater than minimal turbidity or sedimentation should be done in periods of low-flow or no-flow, when the stream or tide is waterward of the work, or when controls are used to obtain dry work conditions. Work that produces greater than minimal turbidity or sedimentation shall not be done from February 1 to June 30 to protect sensitive life stages of winter flounder and migrating diadromous species. Work that will not produce greater than minimal turbidity or sedimentation can be completed during this time frame with appropriate turbidity controls in place.

4. Prior to being onsite, the contractor shall thoroughly inspect and remove seeds, plant material, soil, mud, insects, and other invertebrates on all equipment, including construction mats, to be used on the project site to prohibit introduction of invasive organisms. At a minimal, the following shall be inspected and cleaned on terrestrial vehicles where applicable:

**Rubber Tired Vehicles** - Crevices in upper surface and panels, tires, rims, and fender wells, spare tire mounting area, bumpers, front and rear quarter panels, around and behind grills, bottom of radiator vent openings, brake mechanisms, transmission, stabilizer bar, shock absorbers, front and rear axles, beds, suspension units, exhaust systems, light casings, and mirrors.

**Tracked Land Vehicles** - Crevices in upper surface and panels, top of axles and tensioners, support rollers, between rubber or gridded areas, beneath fenders, hatches, under casings, and grills.

**Interiors of All Vehicles** - Beneath seats, beneath floor mats, upholstery, beneath foot pedals, inside folds of gear shift cover.

5. Authorized discharges of temporary fill shall adhere to the following:

a. All temporary fill material shall be stabilized to prevent its eroding into portions of waters of the U.S., including wetlands, where it is not authorized.

b. Unconfined temporary fill authorized for discharge into waters of the U.S., including wetlands, shall consist of material that minimizes impacts to water quality (e.g., sandbags, clean gravel, stone, aggregate, etc.).

c. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other material (e.g., straw) laid on the pre-construction wetland grade where practicable to minimize impacts.

d. Temporary fill shall be removed as soon as it is no longer needed, disposed of at an upland site, and suitably contained to prevent subsequent erosion into waters of the U.S., including wetlands.

e. Waters of the U.S., including wetlands, where temporary fill was discharged shall be restored.

- f. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must be placed in a manner that will not be eroded by expected high flows.
6. Temporary construction mats shall be removed upon project completion and the temporarily impacted area shall be fully restored.
7. The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete blocks with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.
8. Equipment shall be inspected daily for leaks. If leaks are found, the equipment shall not be used and pulled from service until repairs are completed.
9. For the construction of the Ferry Landing State Park boardwalk, the following apply. Part (c) of this condition is applicable to the legal owner of the boardwalk should removal, relocation, or other alteration become necessary.
- a. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
- b. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Steven Pothier, U.S. Coast Guard, Waterways Management Branch, First Coast Guard District (dpw), 408 Atlantic Avenue, Boston, Massachusetts 02110; (617) 823-3947; or [steven.r.pothier@uscg.mil](mailto:steven.r.pothier@uscg.mil).
- c. The permittee understands and agrees that, if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.
10. The permittee shall ensure that a copy of this permit is at the work site (and the project office) authorized by this permit whenever work is being performed, and that all personnel with operational control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this permit. This shall be achieved by including the entire permit in the specifications for work. The term "entire permit" means this permit (including its drawings, plans, appendices and other attachments) and also includes permit modifications.
- If the permit is issued after the construction specifications, but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. If the permit is issued after receipt of bids or quotes, the entire permit shall be included in the contract or sub-contract. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.
11. The permittee shall complete and return the enclosed Compliance Certification Form to this office at least within one month following the completion of the authorized work.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
  - Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from Natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

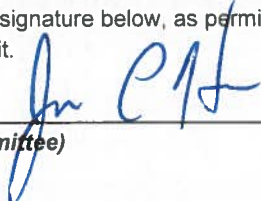
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interested decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
(Permittee)

6/5/24  
\_\_\_\_\_  
(Date)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

For *Kevin R Kotelly*

5 June 2024

\_\_\_\_\_  
**(District Engineer)**

\_\_\_\_\_  
**(Date)**

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
**(Transferee)**

\_\_\_\_\_  
**(Date)**





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

SUBJECT: License #202304021-WQC FCC  
Connecticut River Amtrak Bridge (MP 106.89), Old Lyme & Old Saybrook

Dear Mr. Hoover:

Please find attached a copy of your subject license and relevant enclosures which are being issued pursuant to your application of May 8, 2023. Your attention is directed to the conditions of the license. All work must conform to that which is specifically authorized.

Any work in regulated areas of the State which has not been authorized by a valid license is a violation of state law and subject to enforcement action by the Department of Energy & Environmental Protection and the Office of the Attorney General.

Your initiation of authorized activities will be relied upon as your agreement to comply with the terms and conditions of the license.

If you have not already done so, you should contact your local Planning and Zoning Office and the U. S. Army Corps of Engineers to determine local and federal permit requirements on your project, if any. Write the Corps' New England District, Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751; <http://www.nae.usace.army.mil/> or call 1-800-343-4789.

If you should have any questions or concerns, please contact me at 860-424-3674 or [micheal.grzywinski@ct.gov](mailto:micheal.grzywinski@ct.gov).

Sincerely,

Micheal P. Grzywinski, Environmental Analyst III  
Land & Water Resources Division  
Bureau of Water Protection & Land Reuse

Enclosure – License

Email to:

Jason Hoover, Amtrak, [Jason.hoover@amtrak.com](mailto:Jason.hoover@amtrak.com)  
Chris Vonderweidt, Stantec, [Christopher.vonderweidt@stantec.com](mailto:Christopher.vonderweidt@stantec.com)  
Ryan Appanovich, AECOM, [ryan.appanovich@aecom.com](mailto:ryan.appanovich@aecom.com)  
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Scott Mitchell, Old Saybrook Harbormaster, [ncdockmaster@hotmail.com](mailto:ncdockmaster@hotmail.com)  
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Peter Francis, CT DEEP Boating Division, [peter.francis@ct.gov](mailto:peter.francis@ct.gov)  
Karen Michaels, DEEP LWRD, [karen.michaels@ct.gov](mailto:karen.michaels@ct.gov)



## Connecticut Department of Energy and Environmental Protection License\*

### Section 401 Water Quality Certification Federal Coastal Consistency Concurrence

**Licensee(s):** National Railroad Passenger Corporation (Amtrak), c/o Jason Hoover

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**Licensee Address(s):** 360 West 33<sup>rd</sup> Street  
New York, NY 10001

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**License Number(s):** 202304021-WQC FCC

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**Municipality:** Town of Old Lyme and Town of Old Saybrook

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**Project Description:** Construction of a new railroad bridge and the removal of the existing Amtrak Connecticut River Bridge.

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**Project Address/Location:** Connecticut River Bridge No. MB 106.89

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**Waters:** Connecticut River and Lieutenant River

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**Authorizing CT Statute(s) and/or Federal Law:** CGS Section 22a-359 to 363g; CGS Section 22a-28 to 35; CGS Section 22a-90 to 112; Section 401 CWA (33 USC 1341); CZMA 307(c)(1), 15 CFR 930

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**Applicable Regulations of CT State Agencies:** 22a-30-1 to 17, 22a-426-1 to 9

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**Agency Contact:** Land & Water Resources Division,  
Bureau of Water Protection & Land Reuse, 860-424-3019

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**License Expiration:** Ten (10) years from the date of issuance of this license.

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\*Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."

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**Project Site Plan Set:** Three sets of plans prepared by Hardesty & Hanover, LLC and collectively totaling one hundred fifty-eight (158) sheets including: a plan set entitled “ENVIRONMENTAL AND PERMIT PLANS” dated May 2, 2023; a plan set entitled “Replacement of Amtrak Connecticut River Bridge (MP 106.89) Tidal Marsh Mitigation Design 3.25-Acre Site” dated April 7, 2023; and a plan set entitled “Replacement of Amtrak Connecticut River Bridge (MP 106.89) Tidal Marsh Mitigation Design 17 Shore Road Site” dated April 7, 2023.

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**License Enclosures:** LWRD Dredging and General Conditions; LWRD Dredging Report; LWRD Work Commencement Form; LWRD Compliance Certification Form; Site Plan Set

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### **Authorized Activities:**

The Licensee is hereby authorized to conduct the following work as described in application # 202304021-WQC FCC and as depicted on any site plan sheets / sets cited herein:

Construct a new bascule railroad bridge over the Connecticut River between Old Saybrook and Old Lyme, 52 feet south of the existing bridge location, with a two-track, electrified railroad movable bridge, approach spans, and at-grade approaches on either side of the river that tie into the existing railroad. Remove the existing Amtrak Connecticut River bridge between Old Saybrook and Old Lyme, including the superstructure, substructure elements, submarine cables, overhead contact systems, and all decommissioned track and rail systems. Remove and rebuild the CTDEEP Ferry Landing State Park boardwalk within the Connecticut River. Conduct compensatory wetland restoration and invasive species control.

### **Construction Mobilization and Access Activities [Phase I A/B]**

1. Mobilize, clear and grub site, begin setting up temporary environmental controls, and install security safeguards within areas identified on the plans;
2. Relocate 480V-60HZ power to north side of tracks on embankment in upland areas at Block Point (BP) 107.6;
3. Initiate temporary access from existing access points in Old Saybrook and Old Lyme consisting of the following elements:
  - a. Old Saybrook (west) temporary access includes:
    - i. Improve existing upland access from Route 1 (Boston Post Road) through 60 Boston Post Road (N/F Gladeview LLC) and 70 Mulcahy Road/80 Mulcahy Road (N/F Lab Realty LLC) to Amtrak right-of-way (“ROW”);
    - ii. Widen the existing upland access road to 14’ wide by 3000’ long along the north side of embankment within the Amtrak ROW to the temporary west abutment trestle work platform;
    - iii. Using water-based equipment, perform dredging for a 50’ wide by 200’ long barge access and mooring adjacent to temporary trestle work platform located on the west side of the Connecticut River and dredge to the design depth of -10.11’ MLLW (-12.00’ NAVD88) with an

- allowable 1' over-dredge depth to an elevation of -11.11' MLLW (-13.0' NAVD88). Remove approximately 1820 cubic yards of dredged material (excluding an approximately 310 cubic yards of allowable over-dredge);
- iv. Construction of a temporary trestle work platform with a minimum deck elevation of +5.3' NAVD88 at the western abutment;
  - v. Construction of a temporary access road south of the existing embankment; including temporary impacts of approximately 7,199 square feet through a temporary easement at N/F State of Connecticut Ragged Rock Creek Wildlife Management Area ("WMA");
- b. Old Lyme (east) temporary access includes:
- i. Improve existing upland access road from Route 156 (Shore Road) through 17 Shore Road to Amtrak ROW;
  - ii. Construct a new temporary 14' wide by 7,400' long upland access road along the north side of embankment within the Amtrak ROW from 17 Shore Rd to east abutment temporary trestle work platform;
  - iii. Construct a temporary trestle bridge with a minimum low chord elevation of +12.5' NAVD88 over the Lieutenant River;
  - iv. Close and demolish the Ferry Landing State Park Boardwalk;
  - v. Using water-based equipment, perform dredging for a 50' wide by 200' long barge access and mooring adjacent to temporary trestle work platform located on the east side of the Connecticut River and dredge to the design depth of -10.11' MLLW (-12.00' NAVD88) with an allowable 1' over-dredge depth to an elevation of -11.11' MLLW (-13.0' NAVD88). Remove approximately 4,980 cubic yards of dredged material (excluding an approximately 940 cubic yards of allowable over-dredge);
  - vi. Temporarily impact approximately 5,312 square feet of wetlands for construction of a temporary trestle work platform (with a minimum deck elevation of +5.3' NAVD88) at east abutment and construction of temporary access road on south side of embankment accessed through a temporary easement at N/F State of Connecticut Ferry Landing State Park;
  - vii. Construct an upland temporary parking area as mitigation for planned use of existing parking areas during construction at CTDEEP Marine Headquarters at N/F State of Connecticut Ferry Landing State Park;
  - viii. Construct an upland temporary staging area at N/F State of Connecticut Ferry Landing State Park;
4. Begin implementation of mitigation measures defined under other phases which shall include, but not be limited to, the construction of exclusion barriers, excavation and transportation of state-listed plant species to an identified 3.25-acre mitigation site, the installation of fencing to protect sensitive areas, construction of measures to mitigate the loss of recreational fishing, treatment of *Phragmites australis*, and initial wetland mitigation activities to permit construction access;

#### **Prepare Temporary Facilities Needed During Construction [Phase I B]**

1. Install temporary facilities for the existing bridge and rail necessary to accommodate construction of the new bridge and rail on the south side of the existing bridge. This includes, but is not limited to:
  - a. Install temporary movable bridge power and control systems;
  - b. Install temporary bridge electrification and communications and signals (“C&S”) cable rerouting via aerial cables;
  - c. Install temporary aerial cable towers supported on existing bridge piers 5, 6 and 7;
  - d. Install temporary case C on platform between existing pier 6 and 7;
  - e. Install temporary C&S ESIC case on existing pier 5;
  - f. Install additional temporary C&S equipment located on the existing bridge;
  - g. Install temporary cable, trough, duct banks, vaults, and pull boxes on the existing bridge;
  - h. Move and/or protect southside high voltage line that is mounted on the south fascia of the existing bridge approach spans;
  - i. Install a temporary operator’s shanty and access platforms between existing bridge piers 6 and 7;

**Major Construction Phase (Navigation Channel Width Reduced) [Phase I C/D/E, Phase II, Phase III]**

1. Initiate construction on the eastern approach embankment and western approach embankment including embankment scour protection, including:
  - a. Install temporary erosion and sedimentation controls and temporary support of excavation;
  - b. Excavate for riprap embankment scour protection key-in and for unsuitable material under embankment;
  - c. Install free-draining material and construct embankment with embankment scour protection;
  - d. Install surcharge material in sequencing as specified on plans on the western approach;
2. Construct cast-in-place concrete west abutment;
  - a. Install turbidity curtain;
  - b. Install a cofferdam and construct a 6’ diameter drilled shaft foundation;
  - c. Construct a 50’ wide by 30’ long cast-in-place concrete footing;
  - d. Construct cast-in-place concrete abutment stem and wingwalls;
3. Construct cast-in-place concrete east abutment;
  - a. Install turbidity curtain;
  - b. Install cofferdam;
  - c. Construct a 50’ wide by 30’ long cast-in-place concrete spread footing;
  - d. Construct cast-in-place concrete abutment stem and wingwalls;
4. Construct Bridge Piers 1-5;
  - a. Install turbidity curtains;
  - b. Erect 14’ wide by 54’ long integral precast concrete cofferdams at Piers 1-5;
  - c. Install 6’ diameter drilled shafts for Piers 1-4 and an 8’ diameter drilled shaft for Pier 5;
  - d. Construct cast-in-place concrete pile caps, pier stems and pier caps;
5. Construct Pier 6;

- a. Install turbidity curtains;
  - b. Erect a 30' wide by 64' long trapezoidal integral precast concrete cofferdam;
  - c. Install 8' diameter drilled shafts;
  - d. Construct cast-in-place concrete pile caps, pier stems and pier caps;
6. Construct Pier 8 and control house pier;
- a. Install turbidity curtains;
  - b. Erect a 14' wide by 54' long integral precast concrete cofferdam at Pier 8;
  - c. Erect a 25' wide by 32' long integral precast concrete cofferdam at the Control House pier ;
  - d. Install 8' diameter drilled shafts for Pier 8 and 4' diameter drilled shafts for control house pier;
  - e. Construct cast-in-place concrete pile caps, pier stems and pier caps;
7. Construct Pier 9;
- a. Install turbidity curtain;
  - b. Install cofferdam;
  - c. Install rock anchors;
  - d. Construct a 14' wide by 54' long cast-in-place concrete spread footing;
  - e. Construct cast-in-place concrete pier stems and pier caps.
8. Construct West Approach Retaining Wall.
- a. Install turbidity curtain;
  - b. Install cofferdam;
  - c. Install five hundred forty-six (546) 14" wide steel H-piles over an approximately 14,000 square foot area;
  - d. Construct a 36' wide by 391' long cast-in-place concrete footing;
  - e. Construct cast-in-place concrete retaining wall stem;
  - f. Excavate for riprap wall scour protection key-in at west abutment and retaining wall;
  - g. Install riprap wall scour protection at west abutment and retaining wall;
9. Construct East Approach Retaining Wall
- a. Install turbidity curtain;
  - b. Install cofferdam;
  - c. Construct a 31' wide by 433' long cast-in-place concrete spread footing;
  - d. Construct cast-in-place concrete retaining wall stem;
  - e. Excavate for riprap wall scour protection key-in at east abutment and retaining wall;
  - f. Install riprap wall scour protection at east abutment and retaining wall;
10. Reduce the width of the existing navigation channel at the bridge from approximately 139' wide to 129' wide;
11. Demolish a portion of the existing west side and east side timber fender systems behind turbidity curtain and fully remove the timber piles;
12. Construct portion of west side and east side concrete filled drilled shaft fender systems;
- a. Install turbidity curtain;
  - b. Install approximately sixty-two (62) 3' diameter drilled shafts;
  - c. Construct a steel and composite lumber fender fencing;
13. Construct foundation and substructure of bascule Pier 7;
- a. Install turbidity curtain
  - b. Erect a 48' wide by 59' long octagon-shaped precast concrete cofferdam;

- c. Install 8' diameter drilled shafts;
- d. Construct cast-in-place concrete pile caps and pier stems including approach span bridge seat and corbels for outrigger column bases;
14. Construct bridge approach spans superstructure;
  - a. Cast-in-place concrete composite deck on six (6) steel girders;
  - b. Typical out-to-out structure width of 38';
  - c. Span lengths (measured from centerline of piers);
    - i. Span 1: 156-ft;
    - ii. Spans 2,3,4 and 5: 158-ft;
    - iii. Span 6: 135-ft;
    - iv. Span 7 (bascule span): 206-ft-6-in
    - v. Span 8: 173-ft-9in;
    - vi. Span 9: 158-ft;
    - vii. Span 10: 156-ft;
15. Construct a new cast-in-place concrete control house built on stand-alone pier adjacent to bridge Pier 8;
16. Install pre-assembled and wired signal enclosures on the ROW and construct C&S facilities on approaches and bridge approach spans. Install all permanent trough, cable, conduit, or duct banks necessary between new locations. Install all temporary cable routing between the new C&S Central Instrument House ("CIH");
17. Erect two (2) steel box column trunnion towers (north and south) with seven (7) columns per tower anchored to the top surface of the concrete Pier 7;
18. Remove existing submarine cables and install permanent submarine and mounted cables. Submarine cables include two (2) bridge control cables, six (6) C&S cables, and an electric traction (ET) umbilical cable. Excavate and fill approximately 3,300 CY of material for submarine cable trench. Remove existing submarine cables and install permanent submarine and mounted cables, including two (2) bridge control cables, six (6) C&S cables, and an ET umbilical cable and excavate and fill approximately 3,300 CY of material for submarine cable trench;
19. Construct storm drainage systems at western approach including two (2) 24" reinforced concrete pipe ("RCP") stormwater outfalls;
20. Construct approximately 10,900 linear feet of trackwork and overhead catenary systems on approaches (including concrete foundations, poles, portal structures, and contact structures) and bridge approach spans in upland area;
21. Float-in forward portion of bascule span and connect bascule forward and rear portions;
22. Construct, on the new upland approach embankments, the new 2 track, electrification and associated C&S tie-ins at east and west ends of project;

#### **Demolition Phase (Phase IV)**

1. Demolish the existing movable span counterweights;
2. Deconstruct and/or remove and float-out an existing bascule span using water-based equipment;
3. Demolish the existing nine (9) bridge approach spans using a combination of water-based and trestle-based equipment;
4. Demolish existing bridge substructures and foundations designated for removal;
  - a. Install turbidity curtain;
  - b. Demolish piers within previously installed cofferdams;

- c. Granite piers to be removed below the mudline to the vertical limits shown on the plans (minimum 2 ft below the mudline);
5. Complete fender system construction with a 150' wide navigation channel;
  - a. Install turbidity curtain;
  - b. Install approximately thirty-four (34) 3' diameter drilled shafts within previously installed cofferdams;
  - c. Construct steel and composite lumber fender fencing;
6. Remove all remaining track and rail systems facilities no longer in service within the existing upland Amtrak ROW;
7. Remove an existing metal walkway and piles from the CT DEEP Ferry Landing parking lot to Amtrak ROW;
8. Install subsurface electrical, water, and sanitary utilities between the CT DEEP Ferry Landing parking lot and the Amtrak ROW;
9. Install a replacement metal walkway with piles from the CT DEEP Ferry Landing parking lot to the Amtrak ROW;
10. Install utility structures on grade and connect permanent electrical service for the new bridge consisting of the following elements:
  - a. Water tank (below grade) in the upland area;
  - b. Sanitary tank (below grade) in the upland area;
  - c. Sanitary waste and water ports in the upland area;
  - d. Stand-by generator and fuel tank (above grade) in the upland area;
  - e. Incoming service transformer, disconnect switch and meters in the upland area.
11. Construct a new publicly accessible Ferry Landing State Park boardwalk as shown on plan sheet FM-01 and consisting of the following elements:
  - a. Approximately twenty-three (23) spread footings;
  - b. An approximately 12' wide by 1026' long boardwalk structure with a top of deck elevation of approximately + 9.1' NAVD88 and railings;
12. Remove all temporary construction facilities, including but not limited to construction trailers and parking, access roads, erosion and sedimentation controls, trestle bridges, and mooring facilities;
13. Restore site in accordance with the requirements of the project environmental permit applications:
  - a. Evaluate temporary impacts to vegetated intertidal wetlands once temporary facilities have been removed based on existing condition data collected prior to beginning work;
  - b. Perform any required remedial activities including placement of additional wetland topsoil to restore any areas that do not match restoration criteria in the permit applications and installation of native tidal vegetation;
  - c. Conduct 3 years of post-construction monitoring of temporarily impacted tidal wetland impact areas and perform any remedial activities that may be required, including *Phragmites australis* treatment;

### **Barge Occupancy –**

1. Barge operations shall be limited to occupancy zones delineated in the permit plans defined as extending approximately 250-feet to the north and 350-feet to the south of the centerline of the proposed tracks;



2. On-site barges will be moored in designated dredged areas south of the east and west abutments as shown on plan sheet SC-01;
3. Off-site barges mooring locations will be determined in accordance with United States Coast Guard regulations (CFR Title 33);

## **Mitigation Activities**

### **17 Shore Road**

1. Construct an 80' long box type culvert with an 8' height and 10' width hydraulic opening under the access road located at 17 Shore Road in Old Lyme, CT;
2. Decommission and fill the existing structurally deficient Amtrak culvert located under the existing Amtrak railroad embankment;
3. Construct an approximately 15' wide temporary access road;
4. Conduct herbicide control of *Phragmites australis*;
5. Excavation of approximately 1' of material from the entirety of the limits shown on the plans for the work on southeast side;
6. Excavation and grading for two (2) tidal pools and associated network of tidal creeks to connect with the new culvert in accordance with plan sheets C-101 and C-102 of the 17 Shore Road Tidal Marsh Mitigation Plan Set;
7. Placement of wetland topsoil to establish final lines and grades shown on the plans referenced in Item 6, above, for the appropriate tidal habitat to be restored;
8. Install native intertidal brackish wetland plants 18" on center within approximately 3.94 acres of restored habitat in accordance with planting plan C-103;
9. Perform monitoring of the mitigation site for 5 years with additional *Phragmites australis* treatment as determined necessary in annual monitoring;

### **3.25-Acre Mitigation Site**

1. Utilize work boats and barges to mobilize equipment to the sites;
2. Conduct herbicide control of *Phragmites australis* and demarcate work areas;
3. Install environmental controls and establish temporary access routes and landing areas;
4. Plug three (3) existing mosquito ditches using salvaged marsh material or approved marsh substrate fill in accordance with plan sheet C-101 of the 3.25 Acre Site Tidal Marsh Mitigation Plan Set;
5. Excavate approximately 4,000 square feet of marsh edge to establish the transplant area for state-listed plant species;
6. Install state-listed plant species that were removed from bridge impact areas according to mitigation plan, with continued monitoring;
7. Restore temporarily disturbance areas to pre-construction conditions, including but not limited to remove temporary fill, stabilize disturbed areas, aerate compacted soil, and install native tidal wetland vegetation;
8. Perform monitoring of the mitigation site for 5 years with additional *Phragmites australis* treatment as determined necessary in annual monitoring; and

### **Phragmites Control at Ragged Rock Creek WMA**

1. Survey Ragged Rock Creek Wildlife Management Area ("WMA") site for state-listed plant species, demarcate exclusion and buffer areas, and conduct herbicide control of *Phragmites australis* over a 3-year duration for the approximate 200-acre area WMA.

Conduct 1 year of monitoring during Year 4 and conduct 1 year of follow-up spot treatments if needed during Year 5.

***Failure to comply with the terms and conditions of this license shall subject the Licensee and/or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.***

**This license is subject to the following Terms and Conditions:**

1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
2. The Licensee shall dispose of the dredged material authorized herein in accordance with all applicable requirements of Chapter 446k Water Pollution Control, Chapter 445 Hazardous Waste, and Chapter 446d Solid Waste of the Connecticut General Statutes.
3. Prior to the driving of piles, steel sheeting or shaft casings authorized herein, the Licensee shall install full-depth turbidity curtains.
4. The Licensee shall only use vibratory hammers from April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive of any calendar year in order to protect diadromous fish unless otherwise authorized in writing by the Commissioner. The Licensee may use impact hammers outside of this timeframe.
5. Construction or demolition of the piers shall be limited to either the western-most three (3) piers (Piers 1, 2 and 3) or the easternmost three (3) piers (Piers 7, 8 and 9) during the diadromous finfish spring migration period from April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive of any calendar year unless otherwise authorized in writing by the Commissioner. At no time during this period shall in-water construction or demolition occur in the middle of the Connecticut River or simultaneously at more than three (3) piers.
6. The Licensee shall limit the use of artificial lighting to navigation lights and railroad operation lighting from April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive of any calendar year unless otherwise authorized in writing by the Commissioner.
7. All non-vibratory pile driving and pile extraction (cutting/pulling) authorized herein is prohibited between April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive, of any calendar year unless otherwise authorized in writing by the Commissioner.
8. The Licensee shall remove all timber piles and stone piers to a minimum of 2' below the existing mud line.
9. All unconfined dredging authorized herein shall be prohibited between April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive of any calendar year to protect finfish unless otherwise authorized in writing by the Commissioner.
10. Use of a hoe ram shall be prohibited between April 1<sup>st</sup> through June 30<sup>th</sup>, inclusive of any calendar year to protect diadromous finfish unless otherwise authorized in writing by the Commissioner.
11. All work associated with the drilling of piles, driving sheet piles or shaft casing shall be prohibited from sunset to sunrise from April 1<sup>st</sup> through June 15<sup>th</sup>, inclusive of any calendar

- year to protect commercial shad fishing unless otherwise authorized in writing by the Commissioner.
12. Prior to the commencement of the work authorized herein, the Licensee shall coordinate with DEEP Fisheries Division staff to obtain a list of shad fishermen and shall provide those fishermen with a schedule of planned activities that may impact the commercial shad fishery.
  13. All construction-related activities, including, but not limited to drilling piles, driving sheet piles or shaft casing which exceed 90db (measured at the water surface) shall be prohibited from sunset to sunrise between April 1<sup>st</sup> through June 15<sup>th</sup>, inclusive of any calendar year to protect commercial shad fishing unless otherwise authorized in writing by the Commissioner.
  14. The Licensee shall rebuild the Ferry Landing State Park public access boardwalk/fishing pier with observation deck and stairway in the location as shown on the plans attached hereto prior to the expiration of this license.
  15. Installation and removal of the temporary trestle bridge over the Lieutenant River shall be prohibited between March 1<sup>st</sup> through June 1<sup>st</sup>, inclusive of any calendar year to protect diadromous fish unless otherwise authorized in writing by the Commissioner.
  16. Prior to the commencement of the work authorized herein, the Licensee shall obtain all necessary approvals from the CT DEEP Land Acquisition & Management Unit.
  17. Prior to the commencement of the work authorized herein the Licensee shall obtain all necessary approvals from the CT DEEP Stormwater Division.
  18. Prior to the expiration of this License, the Licensee shall legally acquire the property identified as 17 Shore Road and perform the wetland mitigation measures authorized herein.
  19. The Licensee shall follow the approved protocols to protect Northern diamondback terrapin (*Malaclemys t. terrapin*) during the active nesting season from April 1<sup>st</sup> through October 31<sup>st</sup>, inclusive of any calendar year in accordance with CT DOT Section 1.1 Environmental Compliance.
  20. The issuance of this License does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, State, and local law, including discharge permits for water handling.
  21. The Licensee shall ensure that no debris enters the Connecticut River during the work authorized herein and shall immediately remove any debris that enters the water.
  22. The Licensee shall install and maintain the sedimentation and erosion controls and the debris shield in optimal condition during the work authorized herein.
  23. The Licensee shall conduct the activities identified in the Mitigation Areas authorized herein. In addition, the Licensee shall for the duration of the construction project following completion of the tidal wetland planting work described in the **Authorized Activities**, above, conduct the following maintenance procedures: 1) remove any debris such as garbage, floatables or excessive decayed plant material from the mitigation areas during the duration of the construction activities; 2) replace dead or missing plants up to one-year after their planting which have not already been compensated for by a suitable volunteer

species. The Licensee shall submit to the Commissioner no later than December 15<sup>th</sup> of each year following such procedures, documentation that indicates that such work has been completed.

24. The Licensee shall post a Notice to Mariners identifying closures of the Connecticut River federal navigation channel in coordination with the United States Coast Guard.
25. The Licensee shall install temporary aids to navigation at each barge mooring location authorized herein in coordination with the United States Coast Guard.
26. At no time shall the Licensee allow the barge or equipment to rest on the substrate. Any such barge must move to deeper waters during periods of low water in the area of the proposed activity. It shall not be a defense to this provision for the Licensee to assert that it has no control over the operation of the barge.

Issued under the authority of the Commissioner of Energy and Environmental Protection on:

May 21, 2024  
Date



Emma Cimino  
Deputy Commissioner  
Department of Energy & Environmental Protection



### **LWRD Dredging and General Conditions**

1. **Time-of-Year Restriction.** Unless otherwise noted in the License, unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited, inclusive, in any year from June 1 through September 30 in order to protect spawning shellfish in the area unless otherwise authorized in writing by the Commissioner.
2. **Dredging Report.** Not later than two (2) weeks subsequent to the completion of any dredging activity authorized herein, the Licensee shall submit to [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) a completed Dredging Report. A separate form shall be submitted by the Licensee for each distinct dredging activity conducted pursuant to this license.
3. **Bottom Disturbance.** Dragging the bottom with a spoil barge, scow, vessel, beam or similar equipment outside of any authorized area is prohibited.
4. **Material Handling.** Sidecasting or in-water rehandling of dredged or excavated material is prohibited.
5. **Barge Control.** Spoil scows or barges shall be loaded and navigated in a manner which prevents uncontrollable motion or spillage and washout of dredged or excavated materials.
6. **Sale of Sediment.** Sediment dredged pursuant to the license shall not be sold nor shall any fee for its use be charged without the express prior written authorization of the Commissioner and payment of a \$4.00 per yard royalty to the state of Connecticut Department of Energy & Environmental Protection, pursuant to CGS section 22a-361(e).
7. **Sediment Disposal.** The Licensee shall dispose of aquatic sediments in accordance with the terms and conditions of the license.
8. **Submission of As-Dredged Plans.** On or before ninety (90) days after completion of the work authorized herein, the Licensee shall submit to [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) an “as-dredged” survey of the work area showing contours, bathymetries, tidal datums and structures, as applicable. Such survey shall be the original one and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut.

### **Open Water Disposal, if authorized in Project Description**

1. **Material Disposal.** The Licensee shall dispose of dredged or excavated material in accordance with the requirements of the United States Army Corps of Engineers-New England District, except that if the authorized disposal site is modified, the Licensee shall submit a request for modification of the location to the Commissioner and shall not dispose of the material until such location modification has been approved in writing by the Commissioner.
2. **Disposal Site / Use Modification.** The Commissioner may modify the authorized disposal site

and direct dredged sediment to an alternate site for use as cap material, provided that no modification will take effect if such modification imposes uncompensated additional costs solely attributable to such modification on the Licensee.

3. **Disposal Monitoring.** The Licensee shall not dispose of dredged or excavated material unless said disposal is supervised and witnessed by an on-board inspector or documented by an automated disposal monitoring program approved by the United States Army Corps of Engineers-New England District.
4. **Barge Navigation.** Spoil scows or barges used by the Licensee for disposal of dredged or excavated material shall travel to and from the authorized disposal site utilizing sea lanes defined by the United States Army Corps of Engineers-New England District.
5. **Point Dumping.** The Licensee shall point-dump dredged or excavated materials at a specified buoy or set of coordinates identified by United States Army Corps of Engineers-New England District within the authorized disposal site.

**LWRD General Conditions**

1. **Land Record Filing.** The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
2. **Contractor Notification.** The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
3. **Work Commencement.** Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov), on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
  - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
  - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity

commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.

4. **License Notice.** The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
5. **Unauthorized Activities.** Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means “wetland” as defined by section 22a-29 and “freshwater wetlands and watercourses” means “wetlands” and “watercourses” as defined by section 22a-38.
6. **Excavated Materials.** Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
7. **Best Management Practices.** The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, “pollution” means “pollution” as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the *Connecticut Guidelines for Soil Erosion and Sediment Control* as revised, *2004 Connecticut Stormwater Quality Manual*, Department of Transportation’s *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.
8. **In-Water Work Vessel Staging and Storage. (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only).** For any barge, vessel, skiff or floating work platform (“work vessels”) utilized in the execution of the work authorized herein, the Licensee shall ensure that such work vessels:
  - do not rest on, or come in contact with, the substrate at any time, unless specifically authorized in the license.
  - are not stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any work vessel is grounded, no dragging or prop dredging shall occur to free it.
9. **Work Site Restoration.** Upon completion of any authorized work, the Licensee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
10. **Inspection.** The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.

**11. Change of Use. (Applies only if a use is specified within the License “*Project Description*”)**

- a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
- b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.

**12. De Minimis Alteration.** The Licensee shall not deviate from the authorized activity without prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that individually and cumulatively has minimal additional environmental impact and does not substantively alter the project as authorized.

- For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.

**13. Extension Request.** The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. The Commissioner may extend the expiration date of this license for a period of up to one year, in order for the Licensee to complete the authorized activities. It shall be at the Commissioner’s sole discretion to grant or deny such request. No more than three (3) one-year extensions will be granted under this license.

**14. No Work After License Expiration.** Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.

**15. License Transfer.** The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee’s obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.

**16. Document Submission.** Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:



[DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) or

Regulatory Section  
Land & Water Resources Division  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127  
860-424-3019

- 17. Date of Document Submission.** The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word “day” as used in the license means calendar day. Any document or action which is required by the license to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- 18. Certification of Documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: “I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.”
- 19. Accuracy of Documentation.** In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee’s representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- 20. Limits of Liability.** In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee’s application. Neither the Licensee’s representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 21. Reporting of Violations.** In the event that the Licensee becomes aware that they did not or

may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the agency contact specified within the license and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the agency contact, the Licensee shall provide, for the agency's review and written approval, a report including the following information:

- a. the provision(s) of the license that has been violated;
- b. the date and time the violation(s) was first observed and by whom;
- c. the cause of the violation(s), if known;
- d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
- f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
- g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the Commissioner.

**22. Revocation/Suspension/Modification.** The license may be revoked, suspended, or modified in accordance with applicable law.

**23. Other Required Approvals.** License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.

**24. Rights.** The license is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

**25. Condition Conflicts.** In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.



## LWRD Work Commencement Form

**To:** [DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) or  
Regulatory Section  
Department of Energy and Environmental Protection  
Land & Water Resources Division  
79 Elm Street  
Hartford, CT 06106-5127

**Licensee Name:** \_\_\_\_\_

**Municipality in which the project is occurring:** \_\_\_\_\_

**DEEP License No(s):** \_\_\_\_\_

**CONTRACTOR(s):**

# 1 Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

# 2 Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

# 3 Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Date Contractor(s) received a copy  
of the license and approved plans: \_\_\_\_\_

EXPECTED DATE OF COMMENCEMENT OF WORK: \_\_\_\_\_

EXPECTED DATE OF COMPLETION OF WORK: \_\_\_\_\_

LICENSEE: \_\_\_\_\_  
(Signature) (Date)



**LWRD DREDGING REPORT**

(To be completed by Licensee)

License No(s):: \_\_\_\_\_  
Licensee Name: \_\_\_\_\_  
Address of Dredging Activity: \_\_\_\_\_  
\_\_\_\_\_

**Dredging Contractor Information:**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Business Phone: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Dates Dredged: \_\_\_\_\_  
Total Volume Dredged during this period: \_\_\_\_\_  
Disposal Volume(s) and Location(s): \_\_\_\_\_  
\_\_\_\_\_

**\*\*If any portion of the dredged materials was used in a beneficial manner, please identify the beneficial use type (i.e. beach nourishment, habitat restoration, landfill cap, construction materials...), volume of dredged material utilized and the location of beneficial usage.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Document Certification:**

“I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.”

\_\_\_\_\_  
Signature of Licensee Date \_\_\_\_\_

If you have any questions pertaining to this form, please contact the Land & Water Resources Division at 860-424-3034.

Return to:  
[DEEP.LWRDRegulatory@ct.gov](mailto:DEEP.LWRDRegulatory@ct.gov) or  
Land & Water Resources Division  
State of Connecticut Department of Energy & Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127



## Compliance Certification Form

The following certification must be signed by the licensee working in consultation with a Connecticut-licensed design professional and must be submitted to the address indicated at the end of this form within ninety (90) days of completion of the authorized work.

1. Licensee Name: _____ DEEP License Number(s): _____ Municipality in which project is occurring: _____	
2. <b>Check one:</b> (a) <input type="checkbox"/> "I certify that the final site conditions and / or structures are in general conformance with the approved site plans". Identify and describe any deviations and attach to this form. (b) <input type="checkbox"/> "The final site conditions and / or structures are not in general conformance with the approved site plans. The enclosed "as-built" plans note the modifications".	
3. "I understand that any false statement in this certification is punishable as a criminal offence under section 53a-157b of the General Statutes and under any other applicable law."	
_____ Signature of Licensee	_____ Date
_____ Name of Licensee (print or type)	
_____ Signature of CT-Licensed Design Professional	_____ Date
_____ Name of CT-Licensed Design Professional (print or type)	
_____ Professional License Number (if applicable)	Affix Stamp Here <div style="border: 1px solid black; width: 150px; height: 100px; display: inline-block; vertical-align: middle;"></div>
<ul style="list-style-type: none"> <li>As-built plans shall include: elevations or tidal datums, as applicable, and structures, including any proposed elevation views and cross sections included in the approved license plans. Such as-built plans shall be the original ones and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut.</li> <li>The Licensee will be notified by staff of the Land and Water Resources Division (LWRD) if further compliance review is necessary. Lack of response by LWRD staff does not imply compliance.</li> </ul> <p>Submit this completed form to :  <a href="mailto:DEEP.LWRDRegulatory@ct.gov">DEEP.LWRDRegulatory@ct.gov</a> or  <b>Regulatory Section</b>  <b>Department of Energy and Environmental Protection</b>  <b>Land &amp; Water Resources Division</b>  <b>79 Elm Street</b>  <b>Hartford, CT 06106-5127</b></p>	

# CONNECTICUT IN-LIEU FEE (ILF) PROJECT IMPACT WORKSHEET

1. Corps Permit No. NAE-2020-01064
2. Applicant(s): Amtrak
3. Project address: Amtrak Connecticut River Bridge (between Old Saybrook & Old Lyme)
4. Service Area: Connecticut
5. Service Area Rate per Square foot \_\_\_\_\_
6. 8-Digit Hydrologic Unit Code: 01080205
7. \* Latitude: 41.310908 Longitude: -72.349328
8. \*\*Impact area subject to compensation (in sq.ft. or lf.): 69,260.4 sq.ft. (1.59 acres)
9. Number of credits to be purchased: 1.59
10. Resources Impacted: See below
11. Corps Project Manager: Roberta Budnik
12. Date of permit issuance: June 5, 2024

## Resource(s) Impacted:

**Resource Type:** Wetlands by NWI type (PFO, PSS, PEM, M1, M2, E2, etc.), vernal pool (VP), VP critical terrestrial habitat (CTH), and/or river, stream, or brook (R).

**Wetland Functions & Services:** Groundwater recharge/discharge (GWR); floodflow alteration (FF); fish & shellfish habitat (FSH); sediment toxicant retention (STR); nutrient removal (NR); production export (PE); sediment/shoreline stabilization (SS); wildlife habitat (WH); recreation (R); education/scientific value (ESV); uniqueness/heritage (UH); and visual quality/aesthetics (VQ).

**Types of impacts:** May include filling, dredging, vegetation conversion (e.g., forested to shrub/scrub), others.

## TABLE OF RESOURCES IMPACTED

***Resource Type (list all that apply)	Type of Impact (by resource type)	Square Feet Wetland Impacted (by resource type)	Acreage Impacted (by resource type)	Linear Feet Streams Impacted	Credits Required
E2	Filling	69260.4	1.59	n/a	1.59
	<b>TOTAL IMPACTS:</b>	69260.4	1.59		

\* For linear projects, use the middle of the line in each service area.

\*\*Put the **SF of impacts that you are asking ILF payment for** in #9. However, put the actual number of impacts and type of resource from the project in the Table and explain here why, if applicable, you are not asking for ILF for the total amount of impacts.

\*\*\* Put the actual resource type impacted, but explain here if you think that it is not representative of what should be there.



**US Army Corps  
of Engineers**®  
New England District

**COMPLIANCE CERTIFICATION FORM**

(Minimum Notice: Permittee must sign and return notification within one month of the completion of work.)

**Permit Number:** NAE-2020-01064

**Project Manager:** Roberta Budnik

**Name of Permittee:** Amtrak

**Permit Issuance Date:** June 5, 2024

Please sign this certification and return it to our office upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not after the mitigation monitoring, which requires separate submittals.

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***** *
* E-MAIL TO: cenae-r-ct@usace.army.mil; or *
* *
* MAIL TO: Connecticut & Rhode Island Section (CT project) *
* Regulatory Division *
* U.S. Army Corps of Engineers, New England District *
* 696 Virginia Road *
* Concord, MA 01742-2751 *
***** *

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Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

**I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.**

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date of Work Completion

( ) \_\_\_\_\_  
Telephone Number

( ) \_\_\_\_\_  
Telephone Number