



Commander (dpb)
First Coast Guard District
1 South Street
Battery Park Building
New York, NY 10004-1466

July 20, 2020

PUBLIC NOTICE (1-179)

Subject: PROPOSED REPLACEMENT OF THE CONRAIL POINT-NO-POINT BRIDGE BETWEEN THE CITY OF NEWARK AND TOWN OF KEARNEY, NEW JERSEY

All interested parties are notified that the Commander, First Coast Guard District, has received an application from the Consolidated Rail Corporation (CONRAIL) for approval of the location and plans for the replacement of a movable railroad bridge over a navigable waterway of the United States.

WATERWAY AND LOCATION: - Passaic River, 2.6 miles above the mouth of the waterway.

CHARACTER OF WORK: CONRAIL proposes to reconstruct the existing swing-span leaf bridge, with a single-leaf bascule span bridge in the north channel and a fixed bridge in the south channel, in a new alignment west and adjacent to the existing bridge, new bridge approaches, and maintenance roads at each approach. The reconstructed bridge will have two railroad tracks.

MINIMUM NAVIGATIONAL CLEARANCES:

	<u>Existing</u>	<u>Proposed</u>
Horizontal:	103 feet (South Channel)	103 feet (South Channel (SC))
(normal to axis of the channel)	104 feet (North Channel)	103 feet (North Channel (NC))
Vertical (above MHW)	20 feet (closed)	20 feet (closed) SC
(NAVD88)	Unlimited (open)	Unlimited (open)
		20 feet (fixed) NC

ENVIRONMENTAL CONSIDERATION:

The Coast Guard (USCG), as the lead Federal agency for the proposed project, has reviewed the environmental report prepared by the applicant. The USCG has tentatively determined that the proposed action will not have a significant impact on the environment for purposes of the National Environmental Policy Act (NEPA) under the criteria given in the USCG's NEPA implementation

instruction. As a result, a USCG categorical exclusion determination (CED) will be prepared as the final environmental document unless significant impacts are revealed by this public notification that warrant the preparation of an environmental impact statement. An Environmental Assessment has been prepared and can be reviewed at USCG District One, Bridge Branch, Room 311, One South Street, New York, NY between 7 am to 3 pm, Monday through Friday.

The project is not considered an encroachment on the 100-year floodplain. The 100-year flood elevation is + 11 feet (NAVD88). The low steel of the navigational span of the proposed bridge is 19.20 feet from the east abutment to pier 2 at MHW and 20.53 feet from pier 2 through the west abutment.

The New Jersey Department of Environmental Protection (NJDEP) authorized the permanent disturbance of 8, 526 SF (0.196 of an acre) of freshwater wetlands and 49,244 SF (1.13 acres) of freshwater wetland transition areas under a Freshwater Permit for the reconstruction of CONRAIL Point-No-Point Bridge over the Passaic River by permit dated November 20, 2018. Conrail purchased 0.20 wetland mitigation, to off-set the disturbance, "Conrail Wetland Credits" by agreement with Evergreen Environmental LLC dated January 18, 2018.

Application has been made for U.S. Army Corps of Engineers (USACE) permit under section 404 of the Clean Air Act and Section 10 of the Rivers and Harbor Act of 1988. By letter dated July 12, 2020 the USACE concurred with CONRAIL to leave piers one and eight in place, those piers are abutment walls at river edge; and concurred with CONRAIL on the removal depth for pier two removed to five feet NAVD88 (2 feet MLLW); pier three removed to eleven feet NAVD88 (8 feet MLLW) and pier 7 removed to 10 feet NAVD88 (7 feet MLLW). USACE proposed swallow depths for piers 4, 5 and 6 removed to 28 feet NAVD88 (25 feet MLLW) respectively, agreed to by CONRAIL. USACE permit is pending.

The applicant performed a Phase IA Archeological and Intensive Level Historic Architectural Survey for the proposed bridge project during the environmental review process. USCG has determined that the bridge replacement constitutes an undertaking under Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306101 *et seq*) (NHPA), as amended and re-codified. The USCG, in consultation with the New Jersey State Historic Preservation Officer (NJ SHPO), has defined the undertaking's area of potential effects (APE) for archeology and historic architecture bounded approximately by the NJ TRANSIT Morristown Line to the north, the NJ Route 1 & 9 Pulaski Skyway to the south, Jacobus Avenue to the East, and the New Jersey Turnpike to the west and through consultation, the USCG has determined that the undertaking, if constructed, will have an adverse effect on the following three NRHP-eligible historic properties and their contributing elements:

1. Point-No-Point Bridge (Conrail U.G. Bridge No. 4.22)
2. Pennsylvania Railroad New York Bay Branch Historic District
3. Pennsylvania Railroad New York to Philadelphia Historic District (Newark to Jersey City Segment);

and the USCG has consulted with Conrail regarding the effects of the undertaking on historic properties and Conrail has agreed to sign a memorandum of agreement (MOA) as an invited signatory with responsibilities under the MOA; and the USCG has consulted with Indian Nations including the Delaware Nation regarding the effects of the undertaking on historic

properties which may have religious and cultural significance and in accordance with 36 CFR § 800.6(a)(1), the USCG has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP, by letter dated March 10, 2020, has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and USCG, the NJ SHPO, and Conrail (each a signatory and together signatories) agree the undertaking shall be implemented in accordance with stipulations in an MOA in order to take into account the effect of the undertaking on historic properties.

The air conformity applicability study would be performed under the General Conformity rule established in 40 CFR 93.153: by demonstrating that project-related emissions would not exceed allowable *de minimis* criteria in the year during which emissions from the Project is expected to be greatest on an annual basis, the proposed Project may be presumed to conform to the SIP as it would not have the potential to either delay timely attainment or create new violations of the NAAQS.

NJDEP issued a water quality certificate (WQC) per Section 401 of the Clean Water Act dated November 20, 2018. The project is located in the counties of Essex and Hudson, which is within a coastal zone. The NJDEP, Coastal Management Program, concurred with the applicant's certification of consistency as required by Section 307 of the Coastal Zone Management Act (CZMA) on November 20, 2018.

The Coast Guard has made the determination that the proposed project will not pose a risk to Federally-listed threatened and endangered species under the authority of the Fish and Wildlife Coordination Act, the Endangered Species Act and the Migratory Bird Treaty Act of 1918, as amended, respectively. The Coast Guard coordinated with the U.S. Fish and Wildlife Service, which concurred by letter on April 23, 2019 that "this project is not likely to adversely affected federally listed or endangered species or their critical habitat under the Endangered Species Act, as amended, ..." provided that the applicant restricts tree removal during the period between April 1 and August 31 for the protection of nesting migratory birds. As to State wildlife coordination, the NJDEP provided a permit dated November 20, 2018, containing recommendations for species protection that should be implemented into the design and construction time restrictions.

The applicant, as the Coast Guard's designated Federal representative, has coordinated with the Marine Fisheries Service (NMFS), Habitat Conservation Division. Our final determination relative to project impacts and the need for mitigation measures is pending subject to review and coordination with the National Marine Fisheries Service.

Based upon environmental documentation submitted for this project, it appears that the proposed bridge project will have no adverse environmental justice impacts upon minority and low-income populations. Factual information and data contrary to this no adverse impact position should be submitted in response to this notice.

SOLICITATION OF COMMENTS:

Mariners are requested to comment on navigation safety issues. Interested parties are requested to express their views, in writing, on the proposed bridge project possible environmental impacts, giving sufficient detail to establish a clear understanding of their reasons for support of or opposition to this proposal.

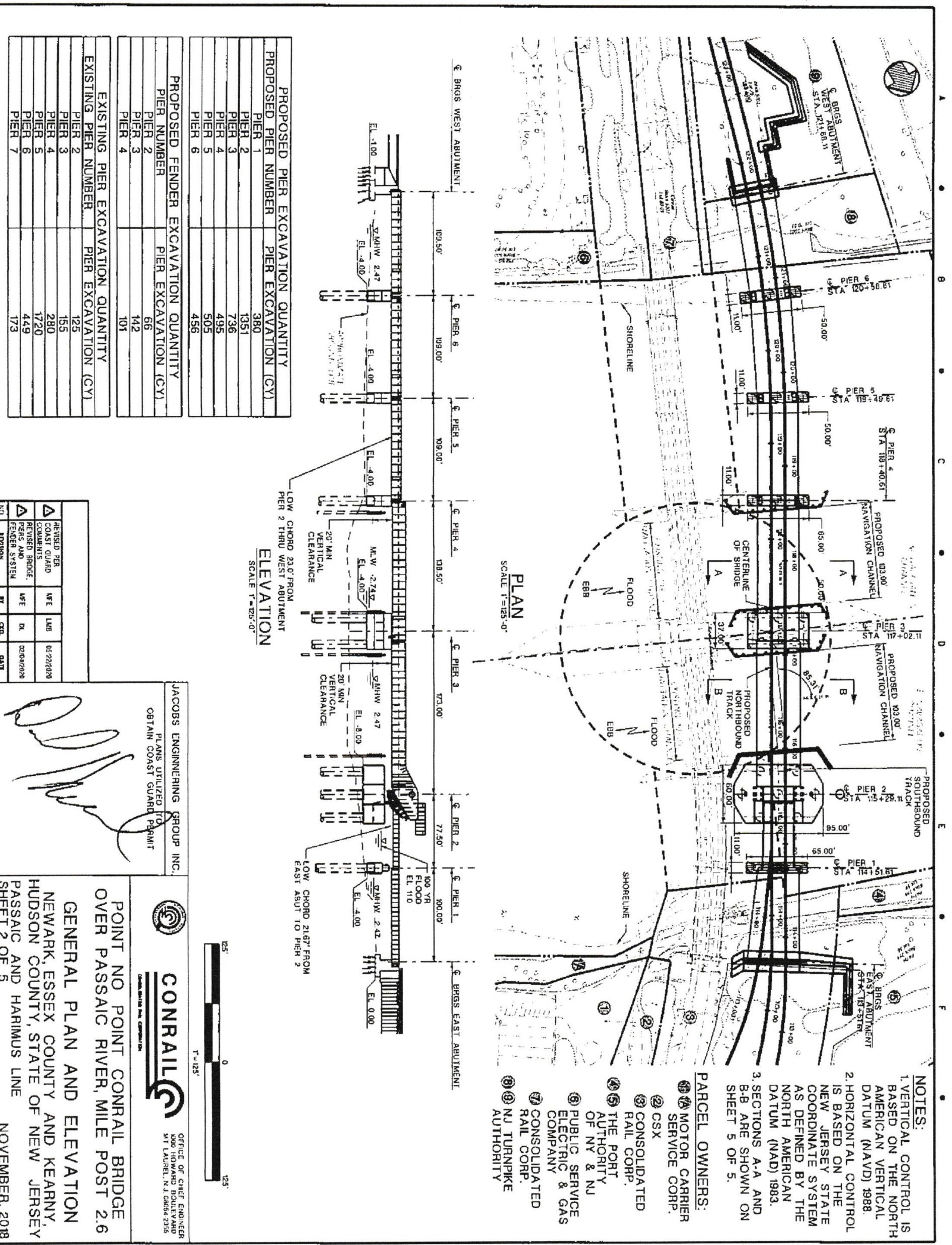
Comments will be received at the office of the Commander (dpb), First Coast Guard District, Battery Park Building, 1 South Street, New York, NY 10004-1466 through August 21, 2020 or by email to donna.d.leoce@uscg.mil.

It is requested that this information be brought to the attention of any person having an interest in this who may not have received a copy of this public notice.

Plans of the proposed project are included in this public notice.

FOR THE DISTRICT COMMANDER:

J. L. Rousseau
Supervisory Bridge Management Specialist
First Coast Guard District
By direction



PROPOSED PIER NUMBER	PIER EXCAVATION (CY)
PIER 1	380
PIER 2	1351
PIER 3	736
PIER 4	495
PIER 5	505
PIER 6	456

PROPOSED FENDER EXCAVATION QUANTITY	PIER EXCAVATION (CY)
PIER 2	66
PIER 3	142
PIER 4	101

EXISTING PIER EXCAVATION QUANTITY	PIER EXCAVATION (CY)
PIER 2	125
PIER 3	155
PIER 4	280
PIER 5	1720
PIER 6	449
PIER 7	173

NO.	REVISION	DATE
1	REVISED PER COMMENTS	02/24/2018
2	REVISED BRIDGE PERS AND FENDER SYSTEM	02/24/2018

JACOBS ENGINEERING GROUP INC.
 PLANS UTILIZED TO OBTAIN COAST GUARD PERMIT

CONRAIL
 OFFICE OF CHIEF ENGINEER
 500 HOWARD BOULEVARD
 MT LAUREL, N.J. 08054-2335

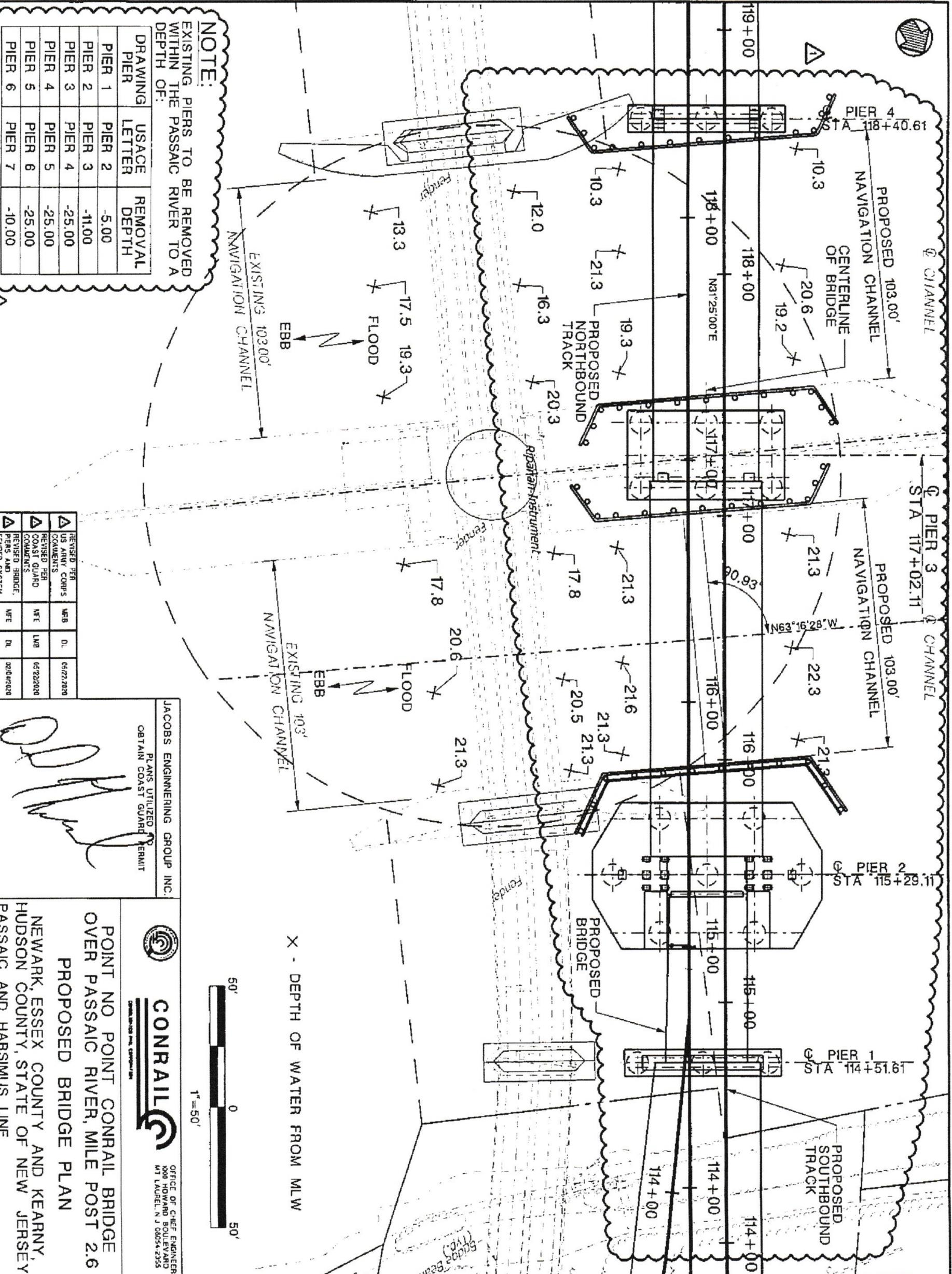
POINT NO POINT CONRAIL BRIDGE
 OVER PASSAIC RIVER, MILE POST 2.6

GENERAL PLAN AND ELEVATION
 NEWARK, ESSEX COUNTY AND KEARNY,
 HUDSON COUNTY, STATE OF NEW JERSEY
 PASSAIC AND HARIMUS LINE

NOVEMBER, 2018

NOTES:
 1. VERTICAL CONTROL IS BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.
 2. HORIZONTAL CONTROL IS BASED ON THE NEW JERSEY STATE COORDINATE SYSTEM AS DEFINED BY THE NORTH AMERICAN DATUM (NAD) 1983.
 3. SECTIONS A-A AND B-B ARE SHOWN ON SHEET 5 OF 5.

PARCEL OWNERS:
 1. MOTOR CARRIER SERVICE CORP.
 2. CSX
 3. CONSOLIDATED RAIL CORP.
 4. THE PORT AUTHORITY OF NY & NJ
 5. PUBLIC SERVICE ELECTRIC & GAS COMPANY
 6. CONSOLIDATED RAIL CORP.
 7. NJ TURNPIKE AUTHORITY



NOTE:
EXISTING PIERS TO BE REMOVED WITHIN THE PASSAIC RIVER TO A DEPTH OF:

DRAWING PIER	USACE LETTER	REMOVAL DEPTH
PIER 1	PIER 2	-5.00
PIER 2	PIER 3	-11.00
PIER 3	PIER 4	-25.00
PIER 4	PIER 5	-25.00
PIER 5	PIER 6	-25.00
PIER 6	PIER 7	-10.00

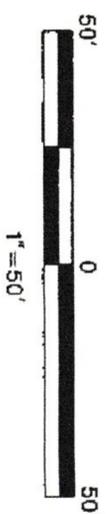
NO.	REVISION	BY	CD.	DATE
1	REVISION PER US ARMY CORPS COMMENTS	MPB	DL	06/22/2018
2	REVISION PER COAST GUARD COMMENTS	MFE	LMB	05/22/2018
3	REVISION BRIDGE PIERS AND FENDER SYSTEM	MFE	DL	02/08/2018

JACOBS ENGINEERING GROUP INC.
PLANS UTILIZED OBTAIN COAST GUARD PERMIT

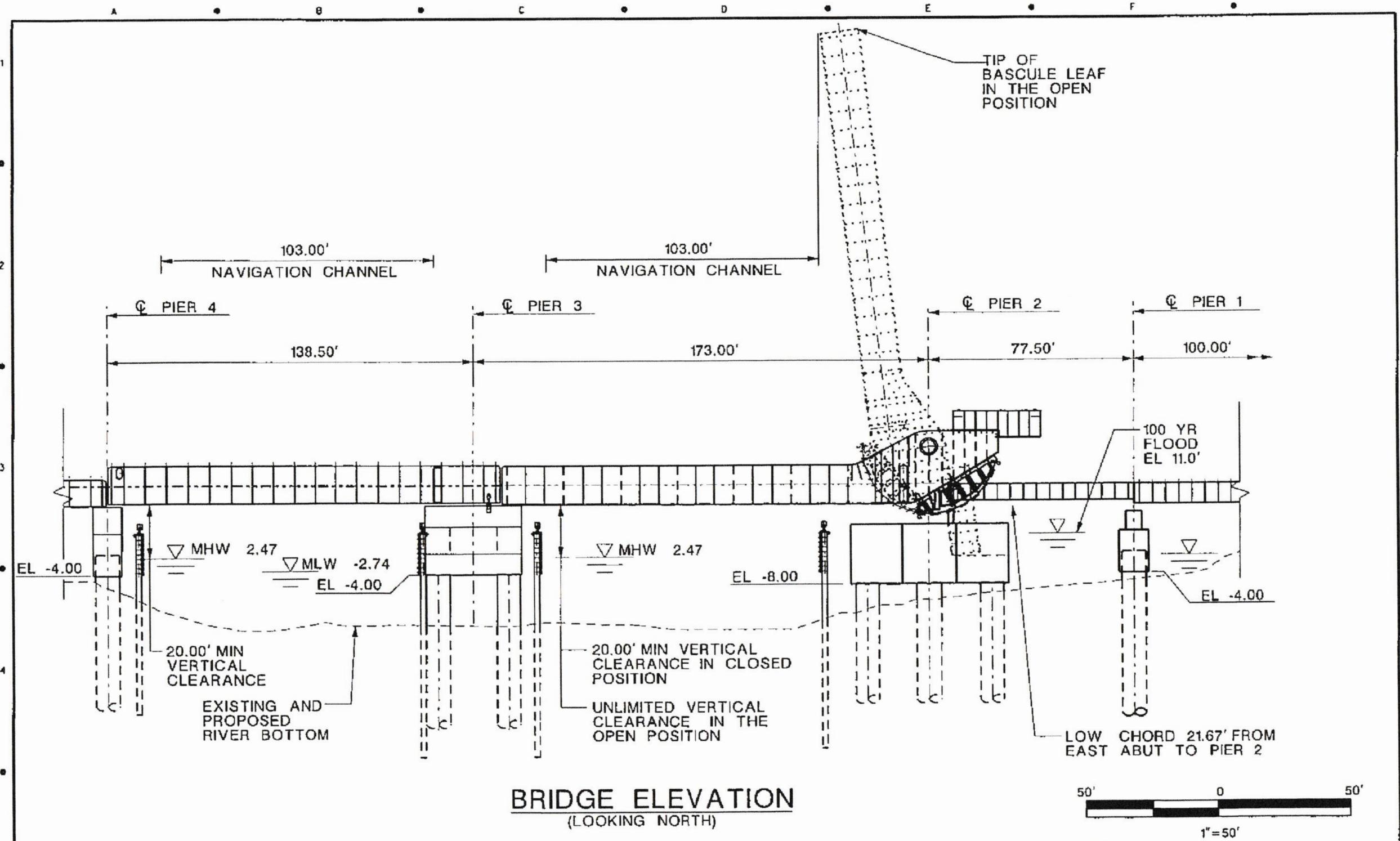
[Signature]

CONRAIL
OFFICE OF CHIEF ENGINEER
2000 HOWARD BOULEVARD
MT LAUREL, N.J. 08054-2355

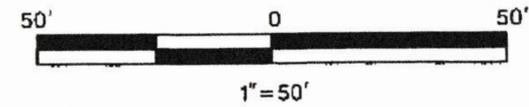
POINT NO POINT CONRAIL BRIDGE OVER PASSAIC RIVER, MILE POST 2.6
PROPOSED BRIDGE PLAN
NEWARK, ESSEX COUNTY AND KEARNY, HUDSON COUNTY, STATE OF NEW JERSEY
PASSAIC AND HARSIMUS LINE
SHEET 3 OF 5
NOVEMBER, 2018



X - DEPTH OF WATER FROM MLW



BRIDGE ELEVATION
(LOOKING NORTH)



NOTES:

1. VERTICAL CONTROL IS BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.
2. HORIZONTAL CONTROL IS BASED ON THE NEW JERSEY STATE COORDINATE SYSTEM AS DEFINED BY THE NORTH AMERICAN DATUM (NAD) 1983.

JACOBS ENGINEERING GROUP INC.
PLANS UTILIZED TO
OBTAIN COAST GUARD PERMIT



CONRAIL
CONRAIL RAIL CORPORATION

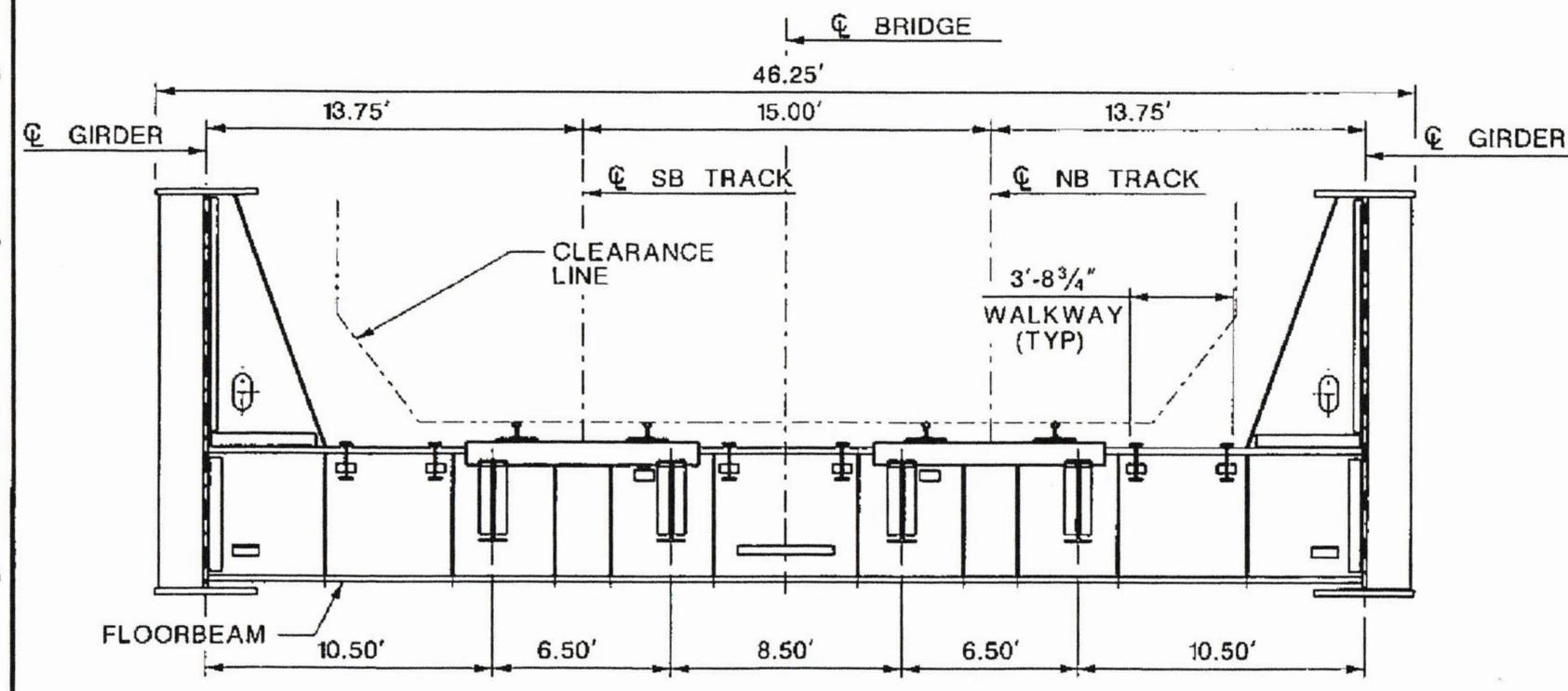
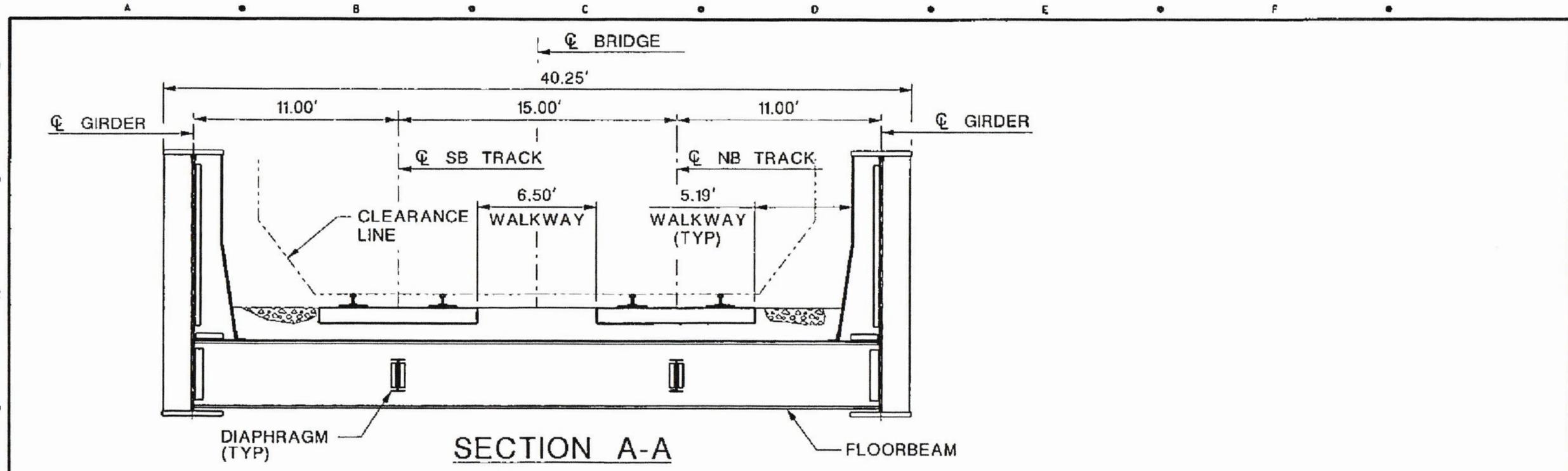
OFFICE OF CHIEF ENGINEER
1000 HOWARD BOULEVARD
MT. LAUREL, N.J. 08054-2355

POINT NO POINT CONRAIL BRIDGE
OVER PASSAIC RIVER, MILE POST 2.6
PROPOSED BRIDGE ELEVATION

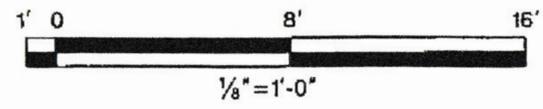
NEWARK, ESSEX COUNTY AND KEARNY,
HUDSON COUNTY, STATE OF NEW JERSEY
PASSAIC AND HARIMUS LINE
SHEET 4 OF 5
NOVEMBER, 2018

NO.	REVISION	BY	CHKD.	DATE
1	REVISED PER COAST GUARD COMMENTS	MFE	LMB	05/22/2020
2	REVISED BRIDGE PERS AND FENDER SYSTEM	MFE	DL	02/04/2020

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NOTE:
 1. SECTION LOCATION SHOWN ON SHEET 2 OF 5.



JACOBS ENGINEERING GROUP INC.
 PLANS UTILIZED TO OBTAIN COAST GUARD PERMIT



OFFICE OF CHIEF ENGINEER
 1000 HOWARD BOULEVARD
 MT LAUREL, N.J. 08054-2355

POINT NO POINT CONRAIL BRIDGE
 OVER PASSAIC RIVER, MILE POST 2.6
 TYPICAL CROSS SECTION

NEWARK, ESSEX COUNTY AND KEARNY,
 HUDSON COUNTY, STATE OF NEW JERSEY
 PASSAIC AND HARIMUS LINE
 SHEET 5 OF 5
 NOVEMBER, 2018

NO.	REVISION	BY	CHKD.	DATE
Δ	REVISED PER COAST GUARD COMMENTS	WFE	LMB	05/22/2020
Δ	REVISED SECTIONS	WFE	DL	02/04/2020

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