

Natural Resources

APPENDIX F



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Appendix F. Natural Resources

F.1 NATURAL RESOURCES SUPPORTING TABLES

Table F-1. New York State Breeding Bird Atlas 2000-2005 for Block 5851D

Common Name	Species
American Crow	<i>Corvus brachyrhynchos</i>
American Robin	<i>Turdus migratorius</i>
European Starling	<i>Sturnus vulgaris</i>
Gray Catbird	<i>Dumetella carolinensis</i>
House Finch	<i>Carpodacus mexicanus</i>
House Sparrow	<i>Passer domesticus</i>
Mourning Dove	<i>Zenaida macroura</i>
Northern Cardinal	<i>Cardinalis cardinalis</i>
Northern Mockingbird	<i>Mimus polyglottos</i>
Peregrine Falcon	<i>Falco peregrinus</i>
Rock Pigeon	<i>Columba livia</i>
American Crow	<i>Corvus brachyrhynchos</i>
American Robin	<i>Turdus migratorius</i>
European Starling	<i>Sturnus vulgaris</i>
Gray Catbird	<i>Dumetella carolinensis</i>

Source: 2000-2005 NYSDEC Breeding Bird Atlas
Notes: Portions of Segment 1 fall within Block 5851D.

Appendix F. Natural Resources

Table F-2. New York State Breeding Bird Atlas 2000-2005 for Block 5851B

Common Name	Species
American Crow	<i>Corvus brachyrhynchos</i>
American Robin	<i>Turdus migratorius</i>
Baltimore Oriole	<i>Icterus galbula</i>
Barn Swallow	<i>Hirundo rustica</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>
Brown-headed Cowbird	<i>Molothrus ater</i>
Canada Goose	<i>Branta canadensis</i>
Common Grackle	<i>Quiscalus quiscula</i>
Double-crested Cormorant	<i>Phalacrocorax auritus</i>
Downy Woodpecker	<i>Picoides pubescens</i>
Eastern Kingbird	<i>Tyrannus tyrannus</i>
European Starling	<i>Sturnus vulgaris</i>
Glossy Ibis	<i>Plegadis falcinellus</i>
Gray Catbird	<i>Dumetella carolinensis</i>
Great Black-backed Gull	<i>Larus marinus</i>
Great Egret	<i>Ardea alba</i>
Herring Gull	<i>Larus argentatus</i>
House Finch	<i>Carpodacus mexicanus</i>
House Sparrow	<i>Passer domesticus</i>
American Crow	<i>Corvus brachyrhynchos</i>
American Robin	<i>Turdus migratorius</i>
Baltimore Oriole	<i>Icterus galbula</i>
Barn Swallow	<i>Hirundo rustica</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>
Brown-headed Cowbird	<i>Molothrus ater</i>
Canada Goose	<i>Branta canadensis</i>
Common Grackle	<i>Quiscalus quiscula</i>
Double-crested Cormorant	<i>Phalacrocorax auritus</i>
Downy Woodpecker	<i>Picoides pubescens</i>
Eastern Kingbird	<i>Tyrannus tyrannus</i>

Source: 2000-2005 NYSDEC Breeding Bird Atlas

Notes: Portions of Segment 1 and Segment 2 fall within Block 5851B.

**Table F-3. New York State Breeding Bird Atlas 2000-2005 for Block 5952C**

Common Name	Species
American Crow	<i>Corvus brachyrhynchos</i>
American Goldfinch	<i>Spinus tristis</i>
American Kestrel	<i>Falco sparverius</i>
American Robin	<i>Turdus migratorius</i>
Baltimore Oriole	<i>Icterus galbula</i>
Barn Swallow	<i>Hirundo rustica</i>
Black-capped Chickadee	<i>Poecile atricapillus</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>
Blue Jay	<i>Cyanocitta cristata</i>
Brown-headed Cowbird	<i>Molothrus ater</i>
Canada Goose	<i>Branta canadensis</i>
Carolina Wren	<i>Thryothorus ludovicianus</i>
Cedar Waxwing	<i>Bombycilla cedrorum</i>
Chimney Swift	<i>Chaetura pelagica</i>
Chipping Sparrow	<i>Spizella passerina</i>
Common Grackle	<i>Quiscalus quiscula</i>
Common Yellowthroat	<i>Geothlypis trichas</i>
Downy Woodpecker	<i>Picoides pubescens</i>
Eastern Kingbird	<i>Tyrannus tyrannus</i>
Eastern Towhee	<i>Pipilo erythrophthalmus</i>
Eastern Wood-Pewee	<i>Contopus virens</i>
European Starling	<i>Sturnus vulgaris</i>
Fish Crow	<i>Corvus ossifragus</i>
Glossy Ibis	<i>Plegadis falcinellus</i>
Gray Catbird	<i>Dumetella carolinensis</i>
Great Black-backed Gull	<i>Larus marinus</i>
Great Crested Flycatcher	<i>Myiarchus crinitus</i>
Great Egret	<i>Ardea alba</i>
Hairy Woodpecker	<i>Picoides villosus</i>
House Finch	<i>Carpodacus mexicanus</i>
House Sparrow	<i>Passer domesticus</i>
House Wren	<i>Troglodytes aedon</i>
Killdeer	<i>Charadrius vociferus</i>
Little Blue Heron	<i>Egretta caerulea</i>
Mallard	<i>Anas platyrhynchos</i>
Marsh Wren	<i>Cistothorus palustris</i>
Monk Parakeet	<i>Myiopsitta monachus</i>
Mourning Dove	<i>Zenaida macroura</i>
Mute Swan	<i>Cygnus olor</i>
Northern Cardinal	<i>Cardinalis cardinalis</i>
Northern Flicker	<i>Colaptes auratus</i>
Northern Mockingbird	<i>Mimus polyglottos</i>
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>
Orchard Oriole	<i>Icterus spurius</i>

Table F-3. New York State Breeding Bird Atlas 2000-2005 for Block 5952C (continued)

Common Name	Species
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>
Red-eyed Vireo	<i>Vireo olivaceus</i>
Red-tailed Hawk	<i>Buteo jamaicensis</i>
Red-winged Blackbird	<i>Agelaius phoeniceus</i>
Ring-necked Pheasant	<i>Phasianus colchicus</i>
Rock Pigeon	<i>Columba livia</i>
Savannah Sparrow	<i>Passerculus sandwichensis</i>
Snowy Egret	<i>Egretta thula</i>
Song Sparrow	<i>Melospiza melodia</i>
Swamp Sparrow	<i>Melospiza georgiana</i>
Tree Swallow	<i>Tachycineta bicolor</i>
Tufted Titmouse	<i>Baeolophus bicolor</i>
Warbling Vireo	<i>Vireo gilvus</i>
White-breasted Nuthatch	<i>Sitta carolinensis</i>
Wild Turkey	<i>Meleagris gallopavo</i>
Willow Flycatcher	<i>Empidonax traillii</i>
Wood Thrush	<i>Hylocichla mustelina</i>
Yellow Warbler	<i>Dendroica petechia</i>
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>

Source: 2000-2005 NYSDEC Breeding Bird Atlas

Notes: Segment 3 falls within portions of Block 5952C.

Table F-4. New York State Breeding Bird Atlas 2000-2005 for Block 5952B

Common Name	Species
American Black Duck	<i>Anas rubripes</i>
American Crow	<i>Corvus brachyrhynchos</i>
American Goldfinch	<i>Spinus tristis</i>
American Oystercatcher	<i>Haematopus palliatus</i>
American Redstart	<i>Setophaga ruticilla</i>
American Robin	<i>Turdus migratorius</i>
American Woodcock	<i>Scolopax minor</i>
Baltimore Oriole	<i>Icterus galbula</i>
Barn Swallow	<i>Hirundo rustica</i>
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>
Black-capped Chickadee	<i>Poecile atricapillus</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>
Blue Jay	<i>Cyanocitta cristata</i>
Blue-gray Gnatcatcher	<i>Poliophtila caerulea</i>
Brown Thrasher	<i>Toxostoma rufum</i>
Brown-headed Cowbird	<i>Molothrus ater</i>
Canada Goose	<i>Branta canadensis</i>
Carolina Wren	<i>Thryothorus ludovicianus</i>
Cedar Waxwing	<i>Bombycilla cedrorum</i>
Chimney Swift	<i>Chaetura pelagica</i>
Chipping Sparrow	<i>Spizella passerina</i>
Common Grackle	<i>Quiscalus quiscula</i>
Common Nighthawk	<i>Chordeiles minor</i>
Common Yellowthroat	<i>Geothlypis trichas</i>
Double-crested Cormorant	<i>Phalacrocorax auritus</i>
Downy Woodpecker	<i>Picoides pubescens</i>
Eastern Bluebird	<i>Sialia sialis</i>
Eastern Kingbird	<i>Tyrannus tyrannus</i>
Eastern Towhee	<i>Pipilo erythrophthalmus</i>
Eastern Wood-Pewee	<i>Contopus virens</i>
European Starling	<i>Sturnus vulgaris</i>
Gray Catbird	<i>Dumetella carolinensis</i>
Great Black-backed Gull	<i>Larus marinus</i>
Great Crested Flycatcher	<i>Myiarchus crinitus</i>
Great Egret	<i>Ardea alba</i>
Great Horned Owl	<i>Bubo virginianus</i>
Hairy Woodpecker	<i>Picoides villosus</i>
Herring Gull	<i>Larus argentatus</i>
House Finch	<i>Carpodacus mexicanus</i>
House Sparrow	<i>Passer domesticus</i>
House Wren	<i>Troglodytes aedon</i>
Mallard	<i>Anas platyrhynchos</i>
Marsh Wren	<i>Cistothorus palustris</i>
Monk Parakeet	<i>Myiopsitta monachus</i>
Mourning Dove	<i>Zenaida macroura</i>

Table F-4. New York State Breeding Bird Atlas 2000-2005 for Block 5952B (continued)

Common Name	Species
Northern Cardinal	<i>Cardinalis cardinalis</i>
Northern Flicker	<i>Colaptes auratus</i>
Northern Mockingbird	<i>Mimus polyglottos</i>
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>
Orchard Oriole	<i>Icterus spurius</i>
Osprey	<i>Pandion haliaetus</i>
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>
Red-eyed Vireo	<i>Vireo olivaceus</i>
Red-tailed Hawk	<i>Buteo jamaicensis</i>
Red-winged Blackbird	<i>Agelaius phoeniceus</i>
Ring-necked Pheasant	<i>Phasianus colchicus</i>
Rock Pigeon	<i>Columba livia</i>
Ruby-throated Hummingbird	<i>Archilochus colubris</i>
Snowy Egret	<i>Egretta thula</i>
Song Sparrow	<i>Melospiza melodia</i>
Spotted Sandpiper	<i>Actitis macularius</i>
Tree Swallow	<i>Tachycineta bicolor</i>
Tufted Titmouse	<i>Baeolophus bicolor</i>
White-breasted Nuthatch	<i>Sitta carolinensis</i>
Wild Turkey	<i>Meleagris gallopavo</i>
Willow Flycatcher	<i>Empidonax traillii</i>
Wood Duck	<i>Aix sponsa</i>
Wood Thrush	<i>Hylocichla mustelina</i>
Yellow Warbler	<i>Dendroica petechia</i>
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>

Source: 2000-2005 NYSDEC Breeding Bird Atlas

Notes: Segment 4 falls within portions of Block 5952B.



F.2 FEMA FLOODPLAIN MAPS



Figure F-1. FEMA Floodplain Map – Segment 1

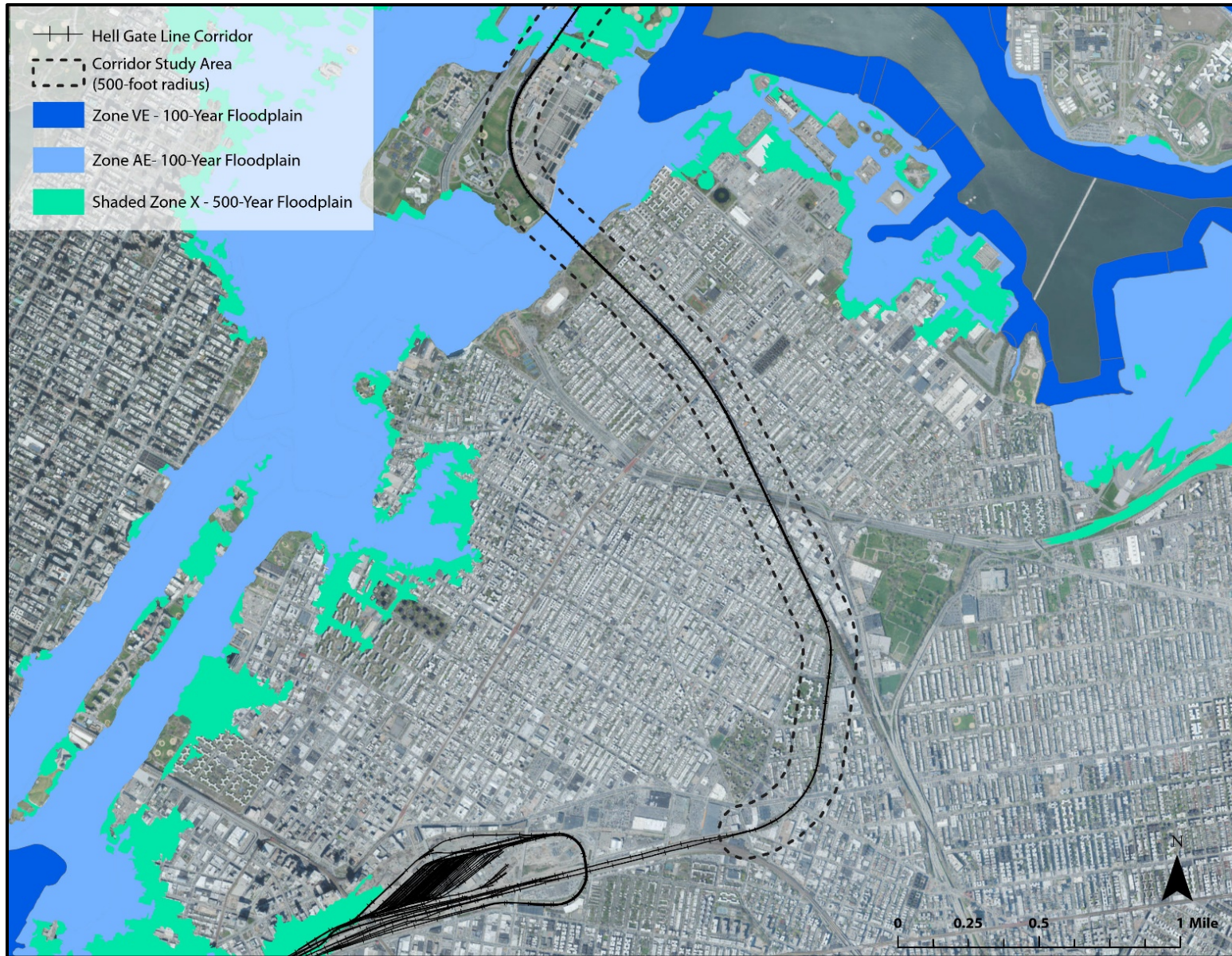


Figure F-2. FEMA Floodplain Map – Segment 2

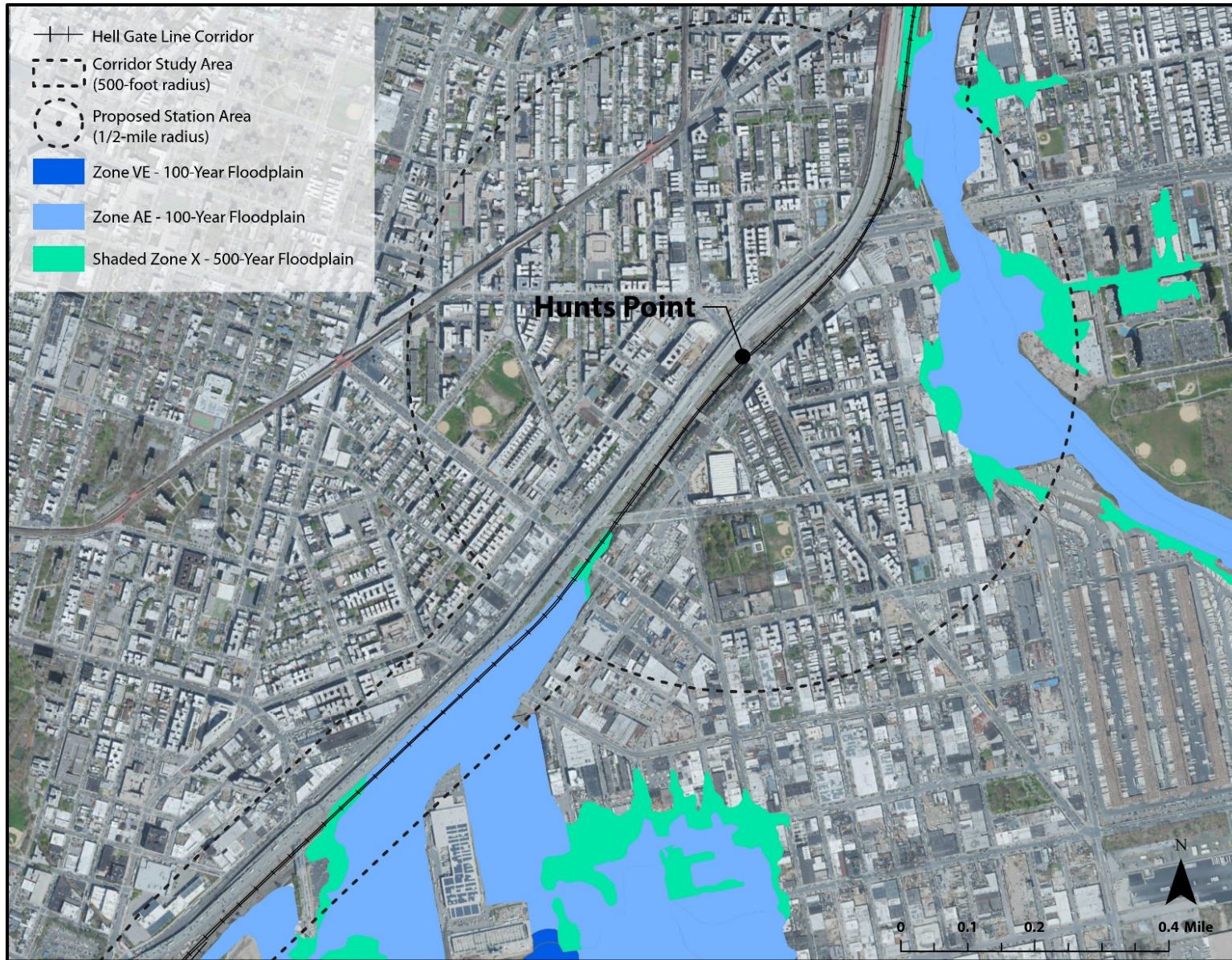


Figure F-3. FEMA Floodplain Map – Segment 3

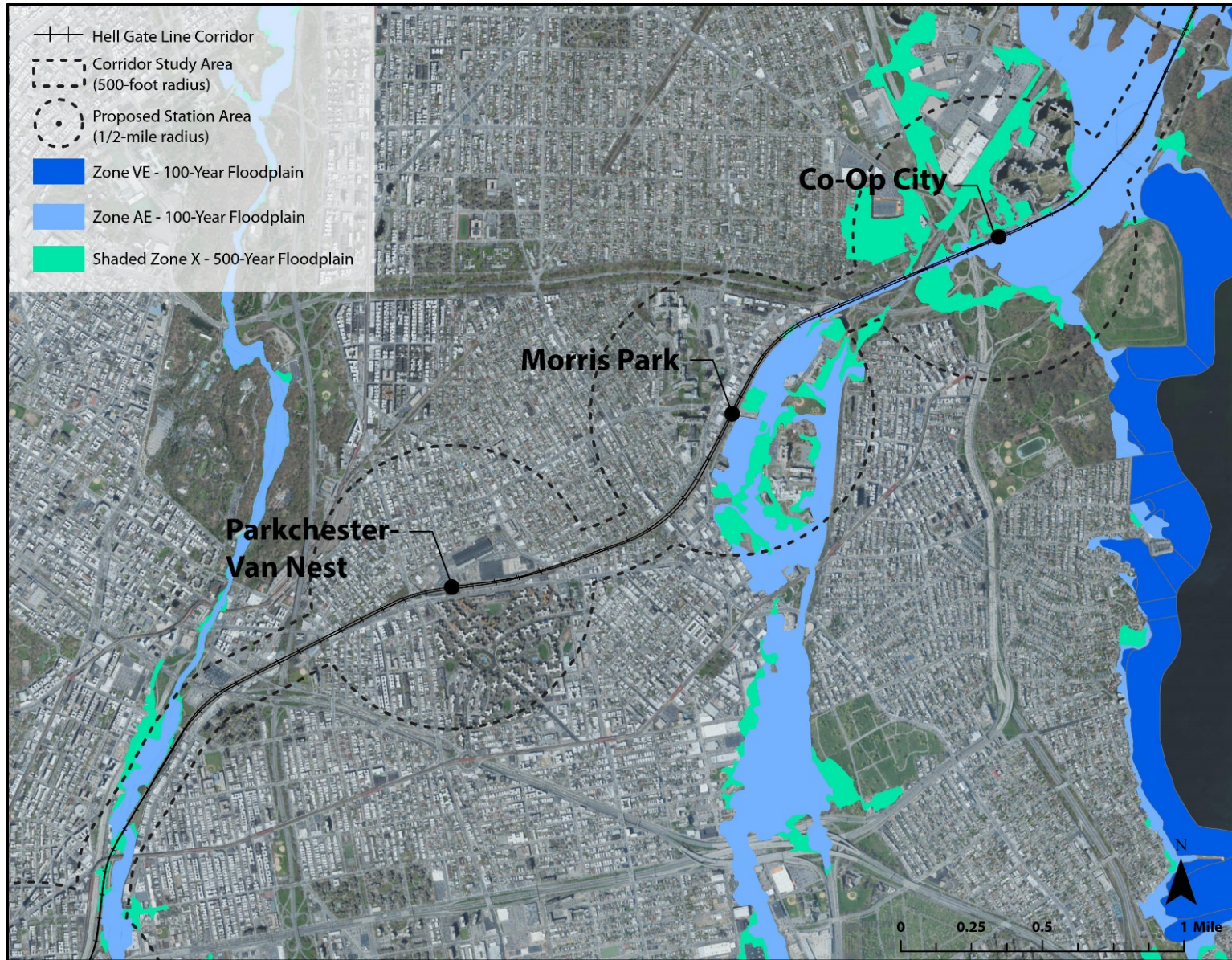


Figure F-4. FEMA Floodplain Map – Segment 4





F.3 U.S. FISH AND WILDLIFE SERVICES (USFWS) CORRESPONDENCE



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

July 14, 2020

Consultation Code: 05E1NY00-2018-SLI-3293

Event Code: 05E1NY00-2020-E-10920

Project Name: MTA Penn Station Access Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<http://www.fws.gov/windenergy/>)

[eagle_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Long Island Ecological Services Field Office

340 Smith Road

Shirley, NY 11967-2258

(631) 286-0485

Project Summary

Consultation Code: 05E1NY00-2018-SLI-3293

Event Code: 05E1NY00-2020-E-10920

Project Name: MTA Penn Station Access Project

Project Type: TRANSPORTATION

Project Description: The Metropolitan Transportation Authority Capital Construction (MTACC) and Metro-North Railroad are advancing the environmental review of the proposed Penn Station Access Project (“Proposed Project”). The Proposed Project would create a new Metro-North Railroad link directly into Penn Station. The Proposed Project generally extends from Sunnyside Yards in Queens along the Hell Gate Line right-of-way to New Rochelle, Westchester. The Proposed Project would include the construction of new passenger tracks along a five-mile segment of the Hell Gate Line right-of-way and four new passenger stations. Other elements that would be constructed or modified as part of the Proposed Project include: interlockings, rail bridges, traction power, signal upgrades, yards, and facilities. All project elements are anticipated to be located within the existing rail right-of-way.

The Federal Transit Administration (FTA) is the lead federal agency for the environmental review, which is being prepared in accordance with the National Environmental Policy Act (NEPA). Previous correspondence with the U.S. Fish and Wildlife Service (USFWS) for the Proposed Project occurred in June 2013 and is attached. Due to the passage of time, MTACC is seeking updated coordination with your office regarding Endangered Species Act (ESA), Migratory Bird Treaty Act of 1918 (MBTA), and Bald and Golden Eagle Protection Act of 1940 (BGEPA) for the proposed station areas (Hunts Point, Parkchester–Van Nest, Morris Park, and Co-op City), because these are the areas in which major construction of Project elements would occur. We request any available information concerning federally-listed threatened or endangered species, species of special concern, and/or any unique habitat under the jurisdiction of USFWS that may occur in the station areas. The information provided by USFWS will be used in the preparation of environmental documentation for the Proposed Project. However, map(s) showing specific locations of sensitive species or habitats developed from lists provided by USFWS will not be published in any document unless permission is granted by the agency.

I would appreciate your response at your earliest convenience and may be

reached at 212-465-5615 if you have any questions concerning the above. If you have any questions regarding the study, please contact James Richardson, Metro-North Railroad, at 212-499-4474 or jrichardson@mnr.org.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/40.83188693932261N73.88230258310972W>



Counties: Bronx, NY | New York, NY | Queens, NY | Westchester, NY

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Long Island Ecological Services Field Office
340 Smith Road
Shirley, NY 11967-2258
Phone: (631) 286-0485 Fax: (631) 286-4003

In Reply Refer To:

July 14, 2020

Consultation Code: 05E1LI00-2018-SLI-0866

Event Code: 05E1LI00-2020-E-01413

Project Name: MTA Penn Station Access Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Long Island Ecological Services Field Office

340 Smith Road
Shirley, NY 11967-2258
(631) 286-0485

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

New York Ecological Services Field Office

3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Project Summary

Consultation Code: 05E1LI00-2018-SLI-0866

Event Code: 05E1LI00-2020-E-01413

Project Name: MTA Penn Station Access Project

Project Type: TRANSPORTATION

Project Description: The Metropolitan Transportation Authority Capital Construction (MTACC) and Metro-North Railroad are advancing the environmental review of the proposed Penn Station Access Project (“Proposed Project”). The Proposed Project would create a new Metro-North Railroad link directly into Penn Station. The Proposed Project generally extends from Sunnyside Yards in Queens along the Hell Gate Line right-of-way to New Rochelle, Westchester. The Proposed Project would include the construction of new passenger tracks along a five-mile segment of the Hell Gate Line right-of-way and four new passenger stations. Other elements that would be constructed or modified as part of the Proposed Project include: interlockings, rail bridges, traction power, signal upgrades, yards, and facilities. All project elements are anticipated to be located within the existing rail right-of-way.

The Federal Transit Administration (FTA) is the lead federal agency for the environmental review, which is being prepared in accordance with the National Environmental Policy Act (NEPA). Previous correspondence with the U.S. Fish and Wildlife Service (USFWS) for the Proposed Project occurred in June 2013 and is attached. Due to the passage of time, MTACC is seeking updated coordination with your office regarding Endangered Species Act (ESA), Migratory Bird Treaty Act of 1918 (MBTA), and Bald and Golden Eagle Protection Act of 1940 (BGEPA) for the proposed station areas (Hunts Point, Parkchester–Van Nest, Morris Park, and Co-op City), because these are the areas in which major construction of Project elements would occur. We request any available information concerning federally-listed threatened or endangered species, species of special concern, and/or any unique habitat under the jurisdiction of USFWS that may occur in the station areas. The information provided by USFWS will be used in the preparation of environmental documentation for the Proposed Project. However, map(s) showing specific locations of sensitive species or habitats developed from lists provided by USFWS will not be published in any document unless permission is granted by the agency.

I would appreciate your response at your earliest convenience and may be

reached at 212-465-5615 if you have any questions concerning the above. If you have any questions regarding the study, please contact James Richardson, Metro-North Railroad, at 212-499-4474 or jrichardson@mnr.org.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/40.83188693932261N73.88230258310972W>



Counties: Bronx, NY | New York, NY | Queens, NY | Westchester, NY

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2083	Endangered

Flowering Plants

NAME	STATUS
Seabeach Amaranth <i>Amaranthus pumilus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8549	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



**F.4 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (NYSDEC) CORRESPONDENCE**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

October 15, 2018

Victoria Hallas
WSP USA
One Penn Plaza, 2nd Floor
New York, NY 10119

Re: MTA Penn Station Access Project -- Hell Gate Line and Four Proposed Stations
County: Bronx, Westchester Town/City: City Of New Rochelle, City Of New York

Dear Ms. Hallas:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur along or in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 2 Office, Division of Environmental Permits, at dep.r2@dec.ny.gov.

Sincerely,



Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

1127



The following state-listed animals have been documented in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for the project, contact the NYSDEC Region 2 Office, Division of Environmental Permits, at dep.r2@dec.ny.gov.

A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.

The following species has been documented nesting on the Hell Gate Railroad Bridge and the Triborough Bridge.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
Peregrine Falcon <i>Breeding</i>	<i>Falco peregrinus</i>	Endangered	

4548

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage’s Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



**The following rare plants and rare animals
have been documented at the project site, or in its vicinity.**

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS	
Goose Island, Hutchinson River, 1/10 mile from Hell Gate Line, 1/3 mile from proposed Co-op City Station: A salt marsh island.				
Snowy Egret <i>Breeding</i>	<i>Egretta thula</i>	Protected Bird	Imperiled in NYS	12539
Glossy Ibis <i>Breeding</i>	<i>Plegadis falcinellus</i>	Protected Bird	Imperiled in NYS	12540
Little Blue Heron <i>Breeding</i>	<i>Egretta caerulea</i>	Protected Bird	Imperiled in NYS	12542
Yellow-crowned Night-Heron <i>Breeding</i>	<i>Nyctanassa violacea</i>	Protected Bird	Imperiled in NYS	12541
Barn Owl <i>Breeding</i>	<i>Tyto alba</i>	Protected Bird	Critically Imperiled in NYS	
Hutchinson River Parkway Bridge, 1/3 mile from Hell Gate Line, 1/2 mile from proposed Co-op City Station. .				4123
Dragonflies and Damselflies				
Seaside Dragonlet	<i>Erythrodiplax berenice</i>	Unlisted	Imperiled in NYS	14740
Pelham Bay Park, salt marsh adjacent to Hell Gate Line, 2008-07-25.				
Bees				
Yellow Bumble Bee	<i>Bombus fervidus</i>	Unlisted	Critically Imperiled in NYS	
Pelham Bay Park, .1 mile from Hell Gate Line and .4 mile from proposed Co-op City Station, 2009-08-14.				14797

The following plants are listed as Endangered or Threatened by New York State, and are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Field Beadgrass	<i>Paspalum laeve</i>	Endangered	Critically Imperiled in NYS
Pelham Bay Park, Barton Pell Traffic Circle, .1 mile from Hell Gate Line, 1997-07-03: Roadside lawn.			7621
Yellow Giant-hyssop	<i>Agastache nepetoides</i>	Threatened	Imperiled in NYS
Pelham Bay Park, 60 yards from Hell Gate Line, 1997-07-03: Along railroad access road near Hutchinson River Parkway Extension. and Pelham Bay Park, 50 yards from Hell Gate Line, 1996-10-31: A deciduous forest.			9789 4121
Wild Pink	<i>Silene caroliniana</i> <i>ssp. pennsylvanica</i>	Threatened	Imperiled in NYS
Pelham Bay Park, 100 yards from Hell Gate Line, 2007-05-10: 2000: The plants are on a rocky knoll dominated by red oak.			13120

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).



**The following rare plants and rare animals have
historical records
in the vicinity of the Hell Gate Line.**

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site include a search for these species, particularly at sites that are currently undeveloped and may still contain suitable habitat.

COMMON NAME	SCIENTIFIC NAME	NYS LISTING	HERITAGE CONSERVATION STATUS
Plants			
Slender Blue Flag 1947-06-12: Pelham Bay. Marsh.	<i>Iris prismatica</i>	Threatened	Imperiled in NYS 7820
Virginia Three-seeded Mercury 1954-10-10: Pelham Bay. Specimen label: Pelham Bay Park.	<i>Acalypha virginica</i>	Endangered	Critically Imperiled in NYS 9842
Annual Saltmarsh Aster 1946-09-26: Pelham Bay. Salt marsh.	<i>Symphyotrichum subulatum</i> var. <i>subulatum</i>	Threatened	Imperiled in NYS 7871
Violet Wood Sorrel 1947-05-31: Pelham Bay. Edge of woodland.	<i>Oxalis violacea</i>	Threatened	Imperiled in NYS 7217

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).



**F.5 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)
CORRESPONDENCE**



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric
Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

December 2, 2020

Donald Burns
Director of Planning and Program Development
U.S. Department of Transportation
Federal Transit Administration, Region 2
One Bowling Green
Room 428
New York, NY 10004

RE: Essential Fish Habitat Assessment for Proposed Bridge over the Bronx River for the Metro-North Railroad Penn Station Access Project Bronx, New York

Dear Mr. Burns:

We have reviewed the information provided in your November 3, 2020, letter and accompanying essential fish habitat assessment (EFH) for the Penn Station Access Project in the Bronx and Queens, New York. The Metropolitan Transportation Authority (MTA) is proposing a new rail service for MTA Metro North Railroad's (Metro-North) New Haven Line customers from New Haven, Connecticut to Manhattan, New York using Amtrak's Hell Gate Line through the eastern Bronx and western Queens. The project proposes to make infrastructure improvements to the rail service, which includes the construction of four new Metro North stations, construction of additional passenger tracks, the rehabilitation of two existing draw bridges, and the construction of a new two-span bridge over the Bronx River. The project aims to enhance Metro North's network resiliency, support faster recovery efforts, and facilitate its ability to maintain acceptable levels of service when faced with service disruptions, severe weather events and other emergency situations.

Project activities will result in 0.035 acres of temporary impact and 0.007 acres of permanent impact to an intertidal area within the Bronx River associated with the construction of the new two-span bridge. Activities associated with the project include the construction of a new abutment and pier, which may temporarily disrupt aquatic life in the vicinity of the project area due to turbidity, noise, and physical activity in the water column. Proposed best management practices (BMPs) to support construction activities and minimize in-water disturbance include the installation of cofferdams around the work area, working primarily by land, the use of spud barges which will float at all stages of the tide, and the avoidance of in-water work between January 1 and June 30. Construction activities are anticipated to take between three and six months for completion. Compensatory mitigation for impacts is anticipated to be in the form of credit purchase from a mitigation bank, pending approval by the US Army Corp of Engineers.



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

Magnuson-Stevens Fishery Conservation and Management Act (MSA)

The Bronx River has been designated as EFH for a number federally managed species including winter flounder (*Pseudopleuronectes americanus*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), windowpane flounder (*Scophthalmus aquosus*), Atlantic butterfish (*Peprilus triacanthus*), bluefish (*Pomatomus saltatrix*), summer flounder (*Paralichthys dentatus*) and others. The Bronx River is also a migratory and spawning corridor for anadromous fish such as alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis*).

We have reviewed the EFH assessment provided and agree with your conclusion that the adverse effects of this project on EFH will not be substantial. As discussed through early coordination with our office and documented in the EFH assessment, project activities have been designed to avoid and minimize impacts as practical, which include limited in-water work and a construction schedule aimed to avoid and minimize adverse effects to winter flounder early life stage EFH and anadromous fish migratory runs. Based upon all of the information provided, we do not have any objections to the proposed project and additional EFH conservation recommendations are not warranted. Please note that further EFH consultation must be reinitiated pursuant to 50 CFR 600.920(j) if new information becomes available, or if the project is revised in such a manner that affects the basis for the above determination.

As always, we are available to coordinate with your staff so that this project can move forward efficiently and expeditiously as possible while still meeting our joint responsibilities to protect and conserve aquatic resources. If you have any questions or need additional information, please contact Jessie Murray in our Highlands, NJ field office at (732) 872-3116 or Jessie.Murray@noaa.gov.

Sincerely,

GREENE.KAREN.
M.1365830785

Digitally signed by
GREENE.KAREN.M.1365830785
Date: 2020.12.02 11:30:25 -05'00'

Karen M. Greene
Mid-Atlantic Field Offices Supervisor
Habitat Conservation Division

cc: DOT – A. Klein
FTA – R. Gosman
NYD ACOE – S. Ryba
NMFS PRD – E. Carson-Supino
NYDEC – D. McReynolds
FWS – S. Papa



U.S. Department
of Transportation

**Federal Transit
Administration**

REGION 2
New York and New Jersey

One Bowling Green
Room 428
New York, NY 10004
(212) 668-2170
(212) 688-2136 (fax)

November 3, 2020

Ms. Karen Greene
Mid-Atlantic Field Office Supervisor and EFH Coordinator
NOAA Fisheries
Via email: Karen.Greene@noaa.gov

**Subject: Essential Fish Habitat Assessment
Proposed Bridge over the Bronx River for the Metro-North Railroad Penn Station
Access Project Bronx, New York**

Dear Ms. Greene:

The Metropolitan Transportation Authority (MTA) is proposing the Penn Station Access Project, which would provide one-seat passenger rail service to Penn Station New York on Manhattan's west side for MTA Metro North Railroad's (Metro-North) New Haven Line (NHL) customers (the Proposed Project). The Proposed Project would provide new rail service from New Haven, Connecticut to PSNY in Manhattan by utilizing Amtrak's Hell Gate Line (HGL) through the eastern Bronx and western Queens. The Proposed Project would make infrastructure improvements on the HGL beginning in southeastern Westchester County, where NHL trains would divert onto the HGL at Shell Interlocking and extending to Harold Interlocking in Queens, joining the MTA Long Island Rail Road (LIRR) Mainline. As part of the Proposed Project, four new Metro-North stations would be constructed in the eastern Bronx at Hunts Point, Parkchester-Van Nest, Morris Park, and Co-op City.

As part of the proposed infrastructure improvements, two existing drawbridges crossing the Bronx River, both locked in the closed position, that carry two Amtrak passenger tracks on the northern bridge and a CSX freight track on the southern bridge, with a vacant trackway, would be rehabilitated. In addition, to accommodate the third passenger track as part of the Proposed Project, a new two-span bridge would be constructed over the Bronx River immediately north of the existing bridge. Construction of the new two-span bridge would occur in waters designated as Essential Fish Habitat (EFH).

The purpose of this letter is to submit an EFH Worksheet for the Proposed Project to the National Oceanic and Atmospheric Administration (NOAA) Fisheries Greater Atlantic Regional Fisheries Office to document compliance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act (FWCA). As per the Worksheet and discussed below, we

have reviewed the Proposed Project and found that the Proposed Project does not result in a substantial adverse effect to EFH. This letter requests an abbreviated consultation and acknowledgement from NOAA that they have received our determination regarding the Proposed Project provided in this letter, and that NOAA has no objections to the determination. The Federal Transit Administration (FTA) also hereby acknowledges the EFH conservation recommendations provided to FTA.

1.0 PROJECT DESCRIPTION

The new two-span bridge over the Bronx River is the only portion of the Proposed Project that would result in construction activity within designated EFH. The new bridge would be constructed approximately 500 feet upstream of Westchester Avenue, immediately north of the exiting drawbridges, in the location of a bridge span that was previously demolished. A figure depicting the location of the new bridge within the corridor of Proposed Project, a close up aerial view of the proposed bridge location, and plan depicting wetland impacts that would result from bridge construction are included in **Attachment 1 - Project Description Figures**. Photographs of the Bronx River in the vicinity of the proposed bridge location are included as **Attachment 2 – Site Photographs**.

The new bridge over the Bronx River would not need to function as a drawbridge; therefore, a through girder superstructure is proposed. The new structure would provide 8'-0" minimum clearance to centerline of track, which adheres to Amtrak's standards for through girder bridges and is at a minimum the existing vertical clearance of the existing structure over the Bronx River. Based on the preliminary design for the new bridge, a new abutment to the east of the Bronx River, a new upland abutment to the west of the Bronx River, and a new deep foundation pier on the west edge of the Bronx River would be constructed. The new abutment and pier would be constructed through two 6 ft. diameter caissons with drilled shafts for the required deep foundations, likely using a Bauer BG-40 rig. Pile driving is not anticipated as the caissons (drilled shafts) are not driven, but augered type piles. This work within the Bronx River would be performed in dry conditions, within temporary cofferdams. The temporary cofferdams would be removed following construction. Much of the work would be performed from land; however, spud barges may be used to support construction activities. Waterborne equipment used during construction would float at all stages of the tide. Construction of the Proposed Project would last approximately 3 to 6 months. The timing of in-water activity is not known, but any in-water work, including the installation and removal of cofferdams, would be avoided between January 1 and June 30, in order to minimize impacts to winter flounder early life stage EFH and anadromous fish. Once cofferdams are installed, work within the de-watered area can occur without timing restrictions.

2.0 ESSENTIAL FISH HABITAT ASSESSMENT

A completed *NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat*

Assessment & Fish and Wildlife Coordination Act Worksheet is provided as **Attachment 3**. The worksheet provides an analysis of the potential adverse effects on EFH and federally managed species and FTA's conclusions regarding the effects of the action on EFH and proposed mitigation.

For the purposes of this analysis, the term "Proposed Project Area" used hereafter refers to the location of the new two-span bridge over the Bronx River. According to NOAA's EFH Mapper, the Proposed Project Area is designated as EFH for various life stages of 14 species. The EFH mapper query results are provided as **Attachment 4**. The probability for various life stages of each species to occur within the Proposed Project Area was evaluated based on their preferences for water quality parameters (i.e. temperature and salinity), habitat preferences (i.e., sediment type, shelter, structure), seasonal migrations, and geographic ranges as described in the NMFS EFH Source Documents, EFH Designations, and Text Descriptions. Based on this review, EFH for various life stages of seven species is expected to occur within the intertidal and low salinity estuarine habitat present within the Proposed Project Area: winter flounder (*Pseudopleuronectes americanus*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), windowpane flounder (*Scophthalmus aquosus*), Atlantic butterfish (*Peprilus triacanthus*), bluefish (*Pomatomus saltatrix*), and summer flounder (*Paralichthys dentatus*). The Proposed Project Area also supports forage species which are an important resource for EFH-designated fish species.

Permanent impacts to EFH within the Proposed Project Area would result from the loss of approximately 292.9 square feet (0.007 acre) of EFH from the placement of the new bridge pier and abutment within the Bronx River. Approximately 1,542.6 square feet (0.035 acre) of temporary impact to EFH would result from the installation of cofferdams within the river to facilitate construction. The potential use of spud barges would result in minor temporary increases in suspended sediment and disturbance to the substrate and the benthic community. Sediment would be expected to quickly fill in depressions to restore natural gradients and predominant grain size, and recolonization of benthic infauna prey organisms would occur relatively quickly in areas occupied by the temporary cofferdams and disturbed by spud barge activity. The temporary cofferdams would prevent fish from entering the work area.

2.1 FISH AND WILDLIFE COORDINATION ACT

The FWCA requires that federal agencies consult with NOAA for activities that affect, control or modify waters of any stream or bodies of water, in order to minimize the adverse impacts of such actions on fish and wildlife resources and habitat. Implementation of the Proposed Project would not result in the modification to waters, such as impoundment, diversion, channel deepening, or any other control or modification to natural streams or bodies of water. The new bridge would be constructed in the location of a bridge span that was previously demolished.

3.0 CONCLUSION

The Proposed Project would result in approximately 0.007 acre of permanent impact to EFH and approximately 0.035 acre of temporary impacts to designated EFH within the Bronx River. Project implementation will be conditioned upon issuance of applicable federal and state permits and would be constructed in accordance with federal and state permit conditions. Impacts to tidal wetland would be mitigated via the purchase of credits from a mitigation bank, pending approval by the United States Army Corps of Engineers. Any adverse effects to EFH are anticipated to be no more than minimal and/or temporary, and minimization measures and mitigation are planned, including the EFH conservation recommendations to avoid in-water work between January 1 and June 30 and ensure waterborne equipment floats at all stages of the tide. For purposes of consultation under the MSA, the FTA has determined that the Proposed Project would not result in a substantial adverse effect on EFH-designated species or habitat, or forage species.

If you have any questions, please feel free to contact me via telephone number 212-824-2432 or email richelle.gosman@dot.gov.

Sincerely,

Donald Burns

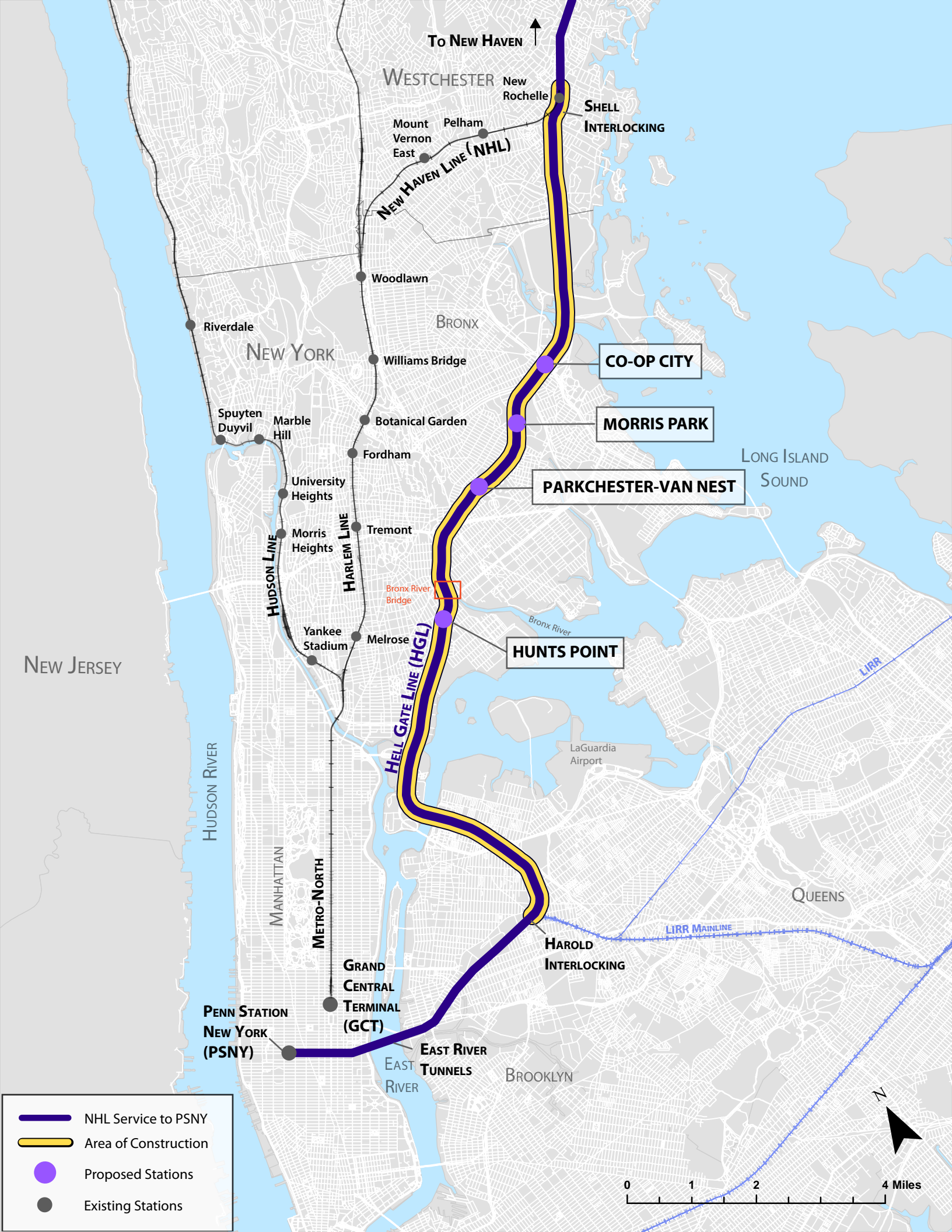
Donald Burns, AICP
Director of Planning and Program Development
U.S. Department of Transportation
Federal Transit Administration, Region 2

Attachments:

- 1) Project Description Figures
- 2) Site Photographs
- 3) NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat Assessment & Fish and Wildlife Coordination Act Worksheet
- 4) EFH Mapper Results

ATTACHMENTS

ATTACHMENT 1



To NEW HAVEN ↑

WESTCHESTER
New Rochelle
Pelham
Mount Vernon East
NEW HAVEN LINE (NHL)

SHELL INTERLOCKING

NEW YORK

CO-OP CITY

MORRIS PARK

PARKCHESTER-VAN NEST

LONG ISLAND SOUND

HUDSON LINE
HARLEM LINE

HUNTS POINT

HELL GATE LINE (HGL)

LaGuardia Airport

NEW JERSEY

HUDSON RIVER

MANHATTAN

METRO-NORTH

QUEENS

LIRR MAINLINE

PENN STATION NEW YORK (PSNY)

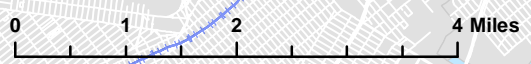
GRAND CENTRAL TERMINAL (GCT)

HAROLD INTERLOCKING

EAST RIVER TUNNELS

BROOKLYN

- NHL Service to PSNY
- Area of Construction
- Proposed Stations
- Existing Stations





IRT No. 6 SUBWAY TRUSS BRIDGE
OVER WESTCHESTER AVENUE,
AMTRAK HGL, AND THE BRONX RIVER

SHERIDAN EXPRESSWAY (I-895)

AMTRAK HELL GATE LINE


Bronx River Avenue


BRONX RIVER

AMTRAK HELL GATE LINE
(NORTHEAST CORRIDOR)
BASCULE BRIDGE OVER THE
BRONX RIVER

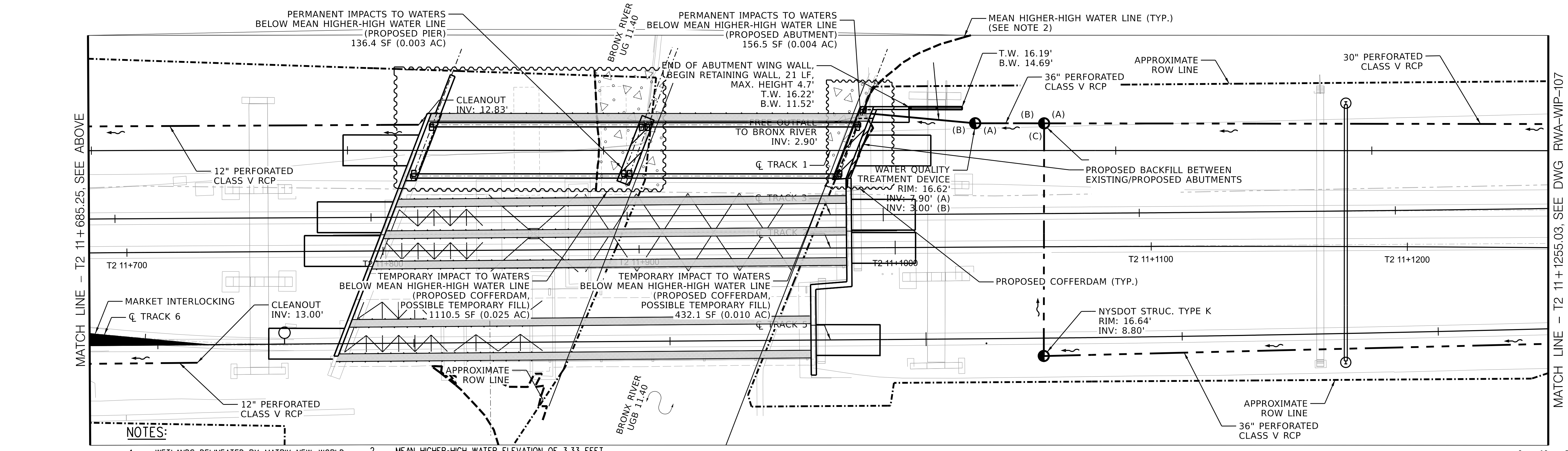
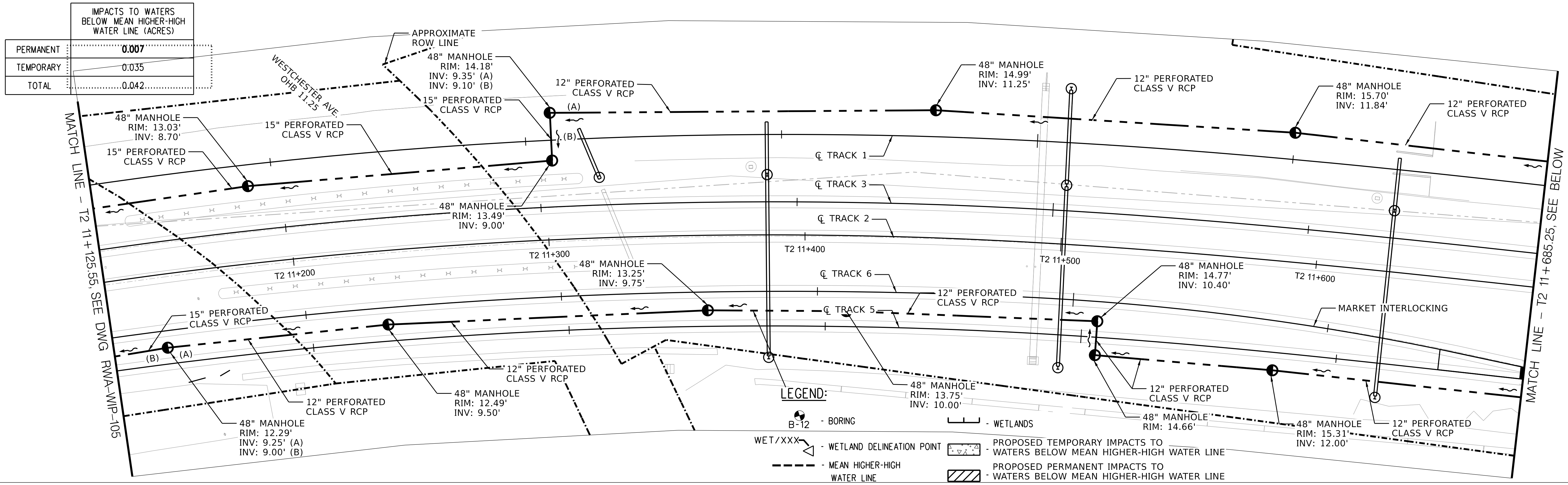
Westchester Avenue

E 172nd Street

 New Railroad Bridge over Bronx River at MP 11.40

 Amtrak Hell Gate Line

0 200 400 800 Feet



NOTES:

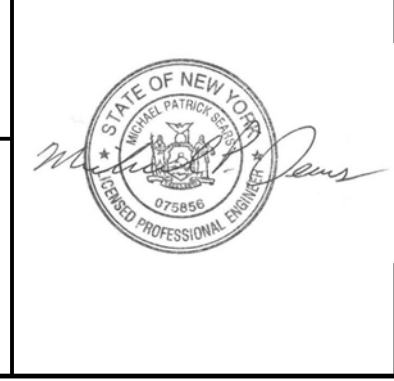
1. WETLANDS DELINEATED BY MATRIX NEW WORLD ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE, PC IN MARCH 2020.
2. MEAN HIGHER-HIGH WATER ELEVATION OF 3.33 FEET NAVD 88 OBTAINED FROM NOAA'S TIDE GAGE 8518639 IN PORT MORRIS, NY.



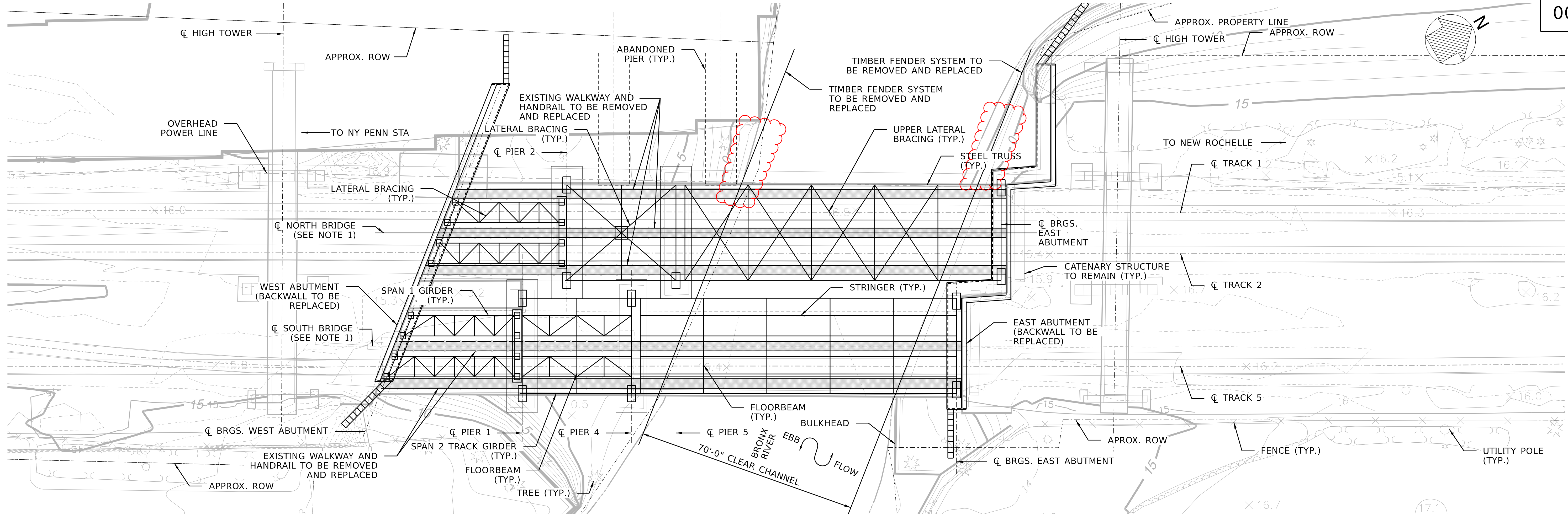
REVISION	DESCRIPTION	DATE	APPROVED

CONTRACT CBX001
 DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
 PENN STATION ACCESS PROJECT

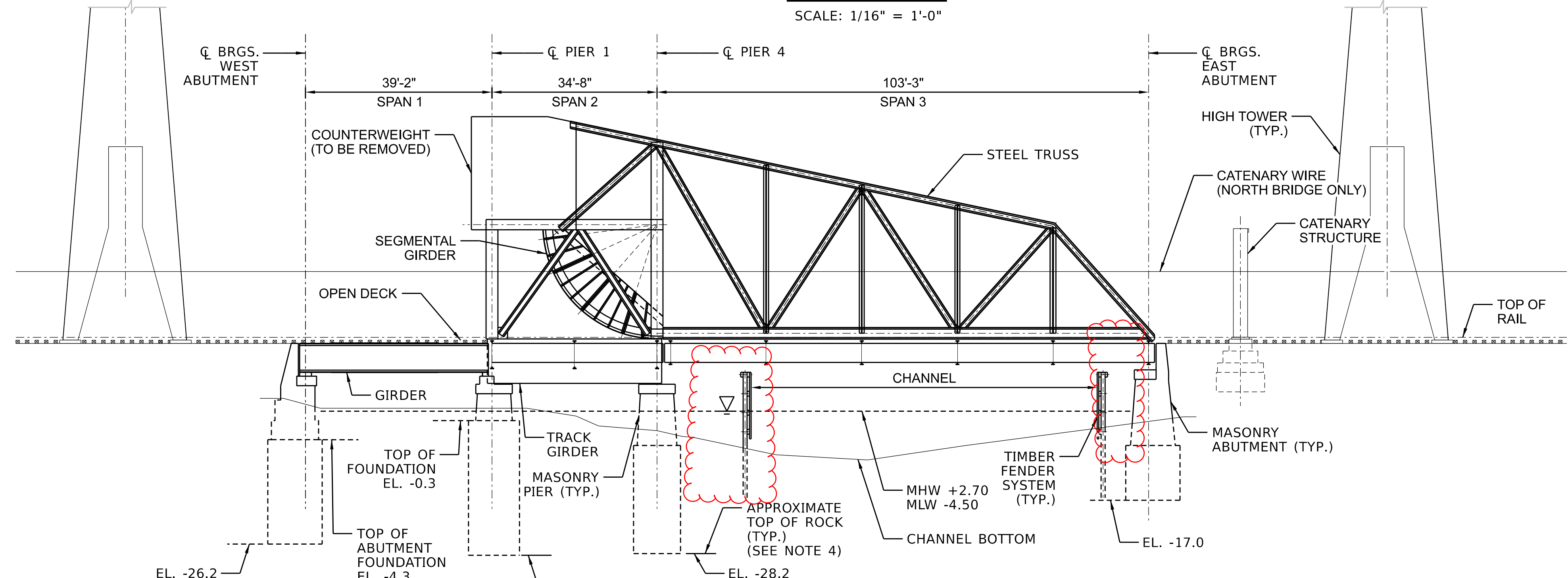
WETLAND IMPACT PLAN - 6



DRAWN BY	L. SPADACCINI	DATE	07/02/2020
DESIGNED BY	L. SPADACCINI		CIVIL
CHECKED BY	M. SEARS		DRAWING NO.
APPROVED BY	M. SEARS		RWA-WIP-106
			REVISION



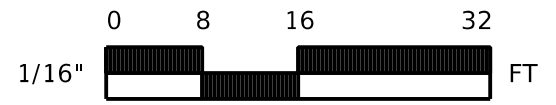
EXISTING PLAN
SCALE: 1/16" = 1'-0"



EXISTING ELEVATION
SCALE: 1/16" = 1'-0"

NOTES:

1. THE COMPONENTS OF THE EXISTING STRUCTURES ARE IDENTICAL. SEE AS-BUILT PLANS IN VOLUME 10: REFERENCE DOCUMENTS.
2. FOR GENERAL STRUCTURAL NOTES, SEE DWGS. NOS. GEN-CB-001 AND GEN-CB-002.
3. FOR PROPOSED GENERAL PLAN AND ELEVATION, SEE DWG. NO. BRB-CB-102.
4. ROCK PROFILES SHOWN ARE ALONG THE SOUTHERN LIMITS OF THE BRIDGE. TOP OF ROCK VARIES FROM NORTH TO SOUTH AND DIFFERS AT THE EAST AND WEST ABUTMENTS. FOR APPROXIMATE ROCK PROFILES, SEE GEOTECHNICAL DATA REPORT.
5. FOR OCS AND PROPOSED WIRING ON EXISTING BRIDGES, SEE DWG. NO. RWA-ET-210.



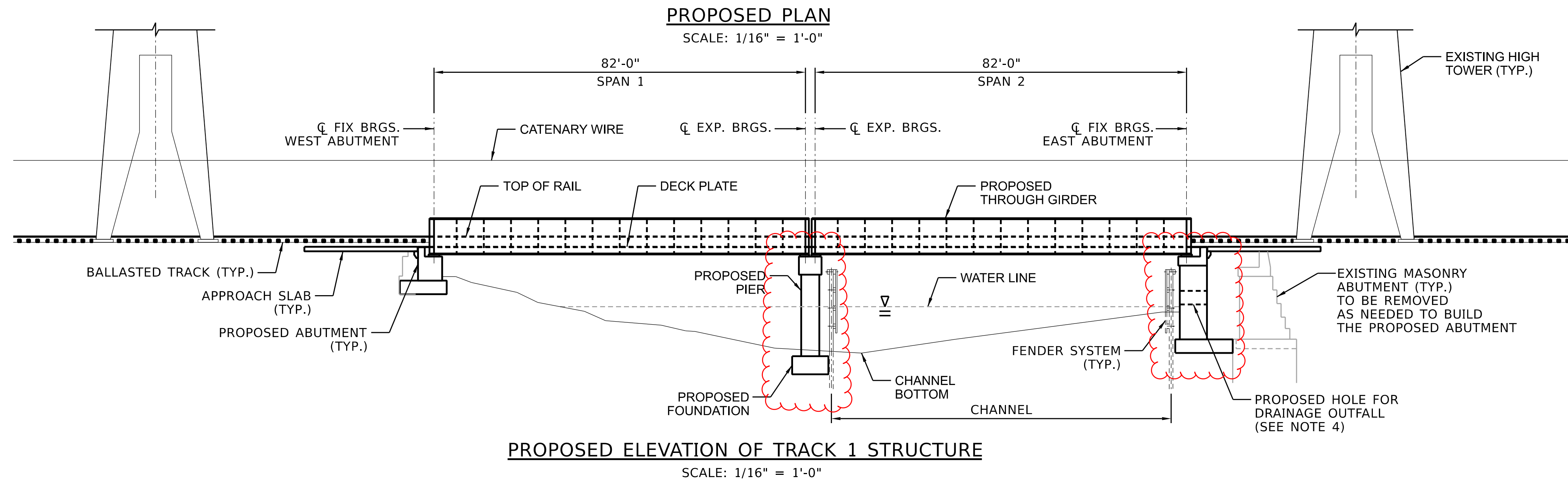
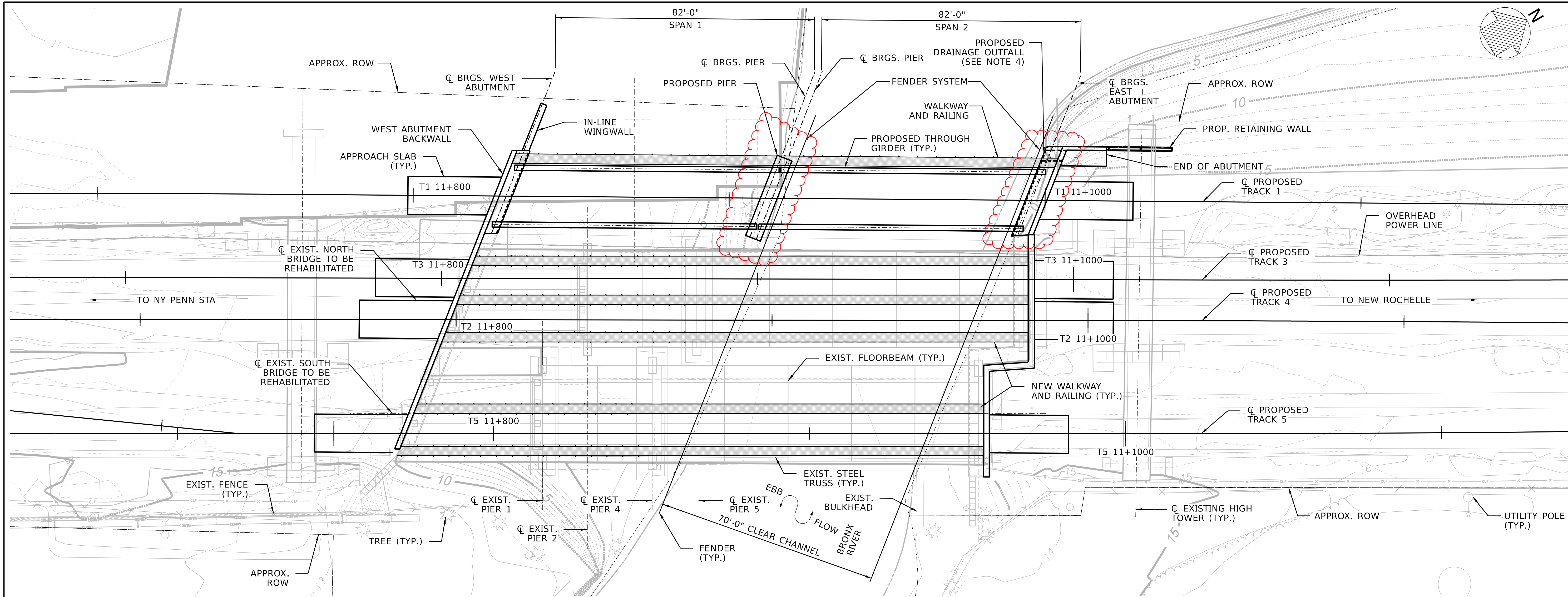
REVISION	DESCRIPTION	DATE	APPROVED



CONTRACT CBX001
DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
PENN STATION ACCESS PROJECT
11.40 - BRONX RIVER
EXISTING GENERAL PLAN
AND ELEVATION

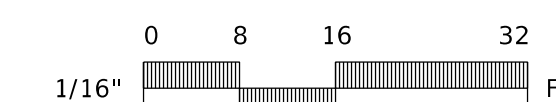
REVISED
CONCEPT
DESIGN
NOT FOR
CONSTRUCTION

DRAWN BY	H. MONTILLA	DATE	06/12/2020
DESIGNED BY	H. MONTILLA		BRIDGE STRUCTURAL
CHECKED BY	P. D'AMBROSIO		DRAWING NO. BRB-CB-101
APPROVED BY	J. SEABOLDT		REVISION



NOTES:

1. FOR GENERAL STRUCTURAL NOTES, SEE DWGS. NOS. GEN-CB-001 AND GEN-CB-002.
2. FOR EXISTING GENERAL PLAN AND ELEVATION, SEE DWG. NO. BRB-CB-101.
3. FOR OCS AND PROPOSED WIRING ON NEW BRIDGE, SEE DWG. NO. RWA-ET-210.
4. FOR DRAINAGE OUTFALL DISCHARGED THROUGH PROPOSED EAST ABUTMENT, SEE DWG. NO. RWA-CG-109.



REVISION	DESCRIPTION	DATE	APPROVED



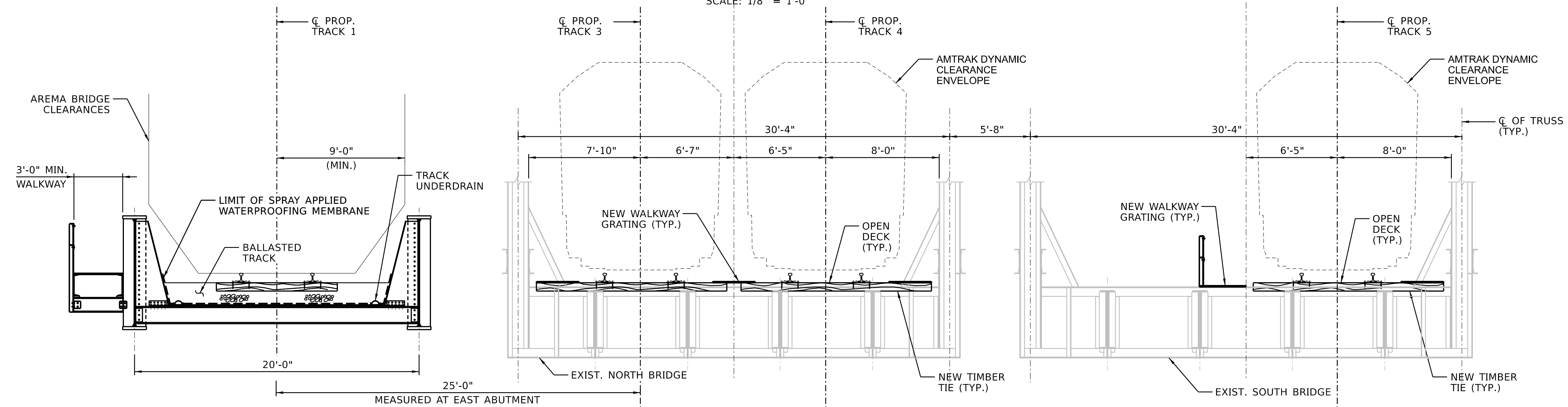
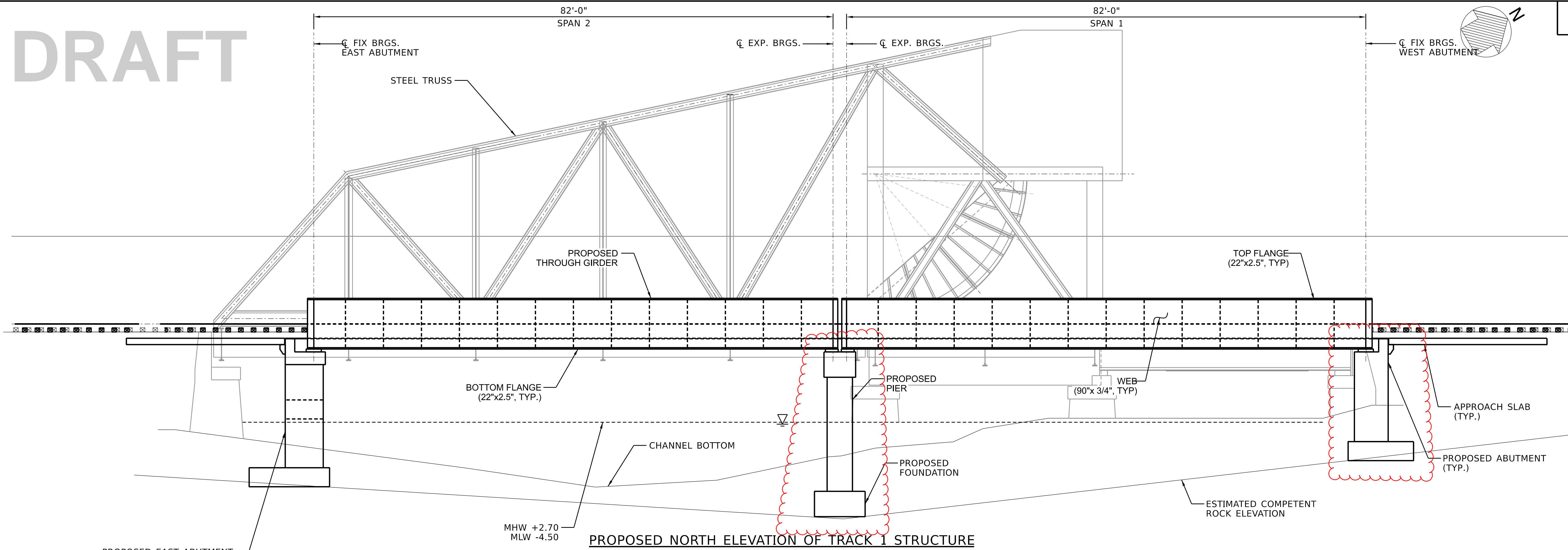
CONTRACT CBX001
DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
PENN STATION ACCESS PROJECT
11.40 - BRONX RIVER
PROPOSED GENERAL PLAN
AND ELEVATION

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DRAWN BY	H. MONTILLA	DATE	06/12/2020
DESIGNED BY	H. MONTILLA		BRIDGE STRUCTURAL
CHECKED BY	P. D'AMBROSIO		DRAWING NO. BRB-CB-102
APPROVED BY	J. SEABOLDT		REVISION

DRAFT

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REVISION	DESCRIPTION	DATE	APPROVED

HNTB

Gannett Fleming
ENGINEERS AND ARCHITECTS

sowinskisullivan
ARCHITECTS

MTA CONSTRUCTION & DEVELOPMENT

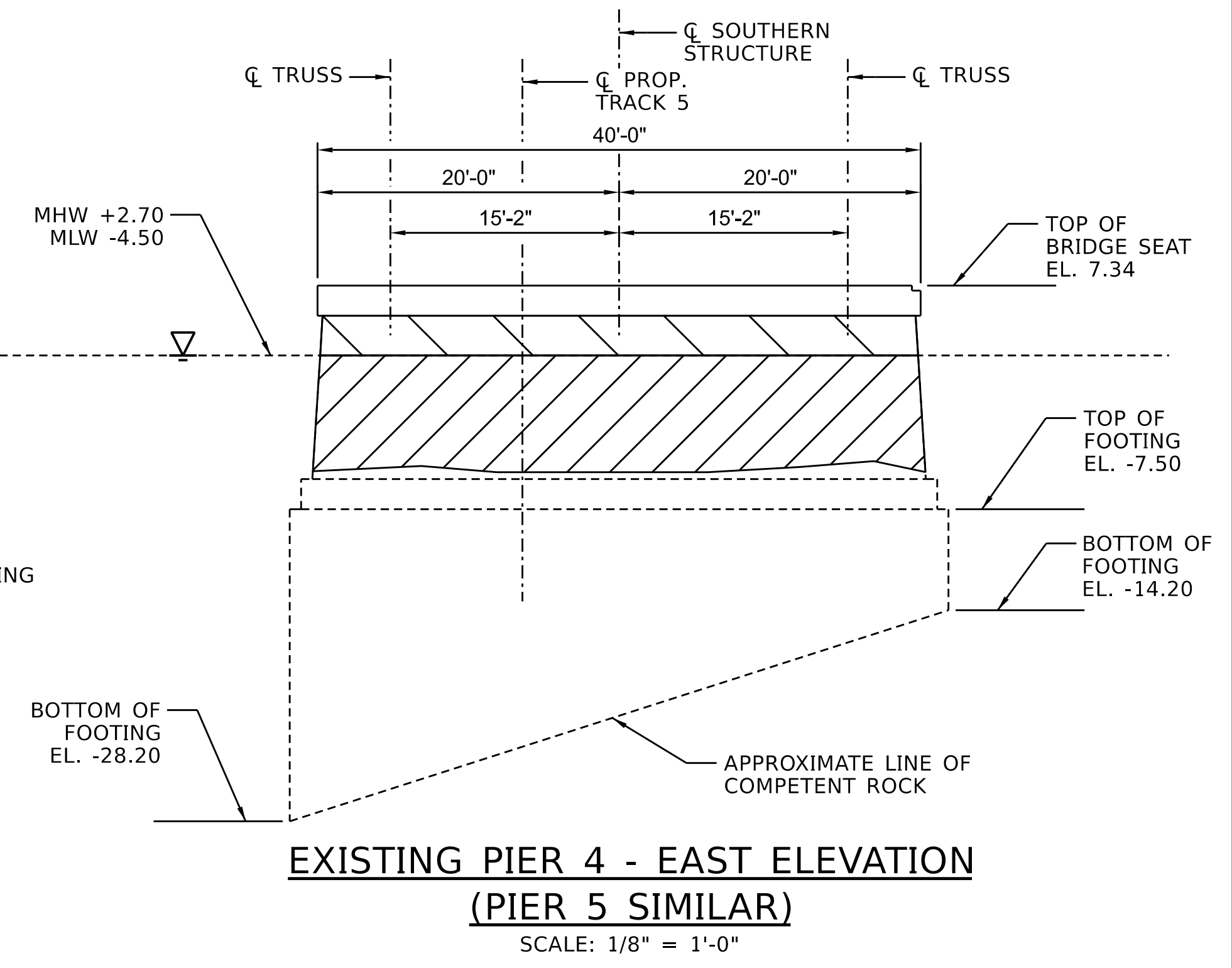
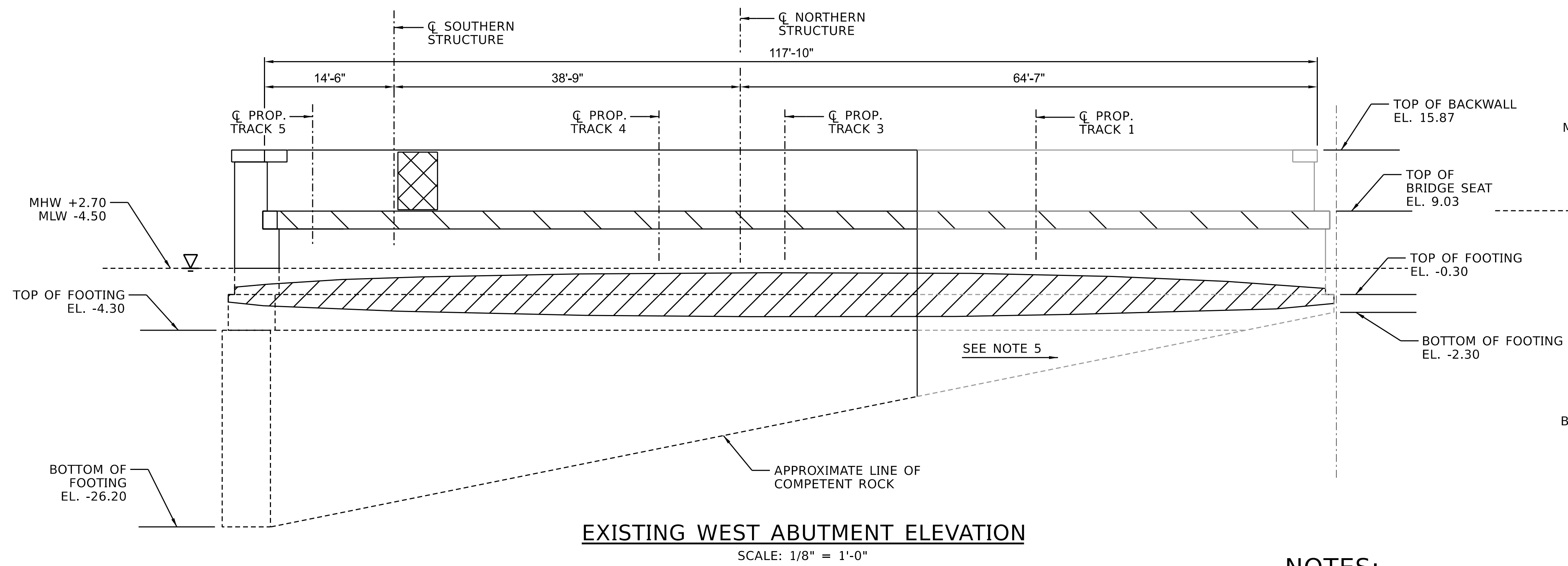
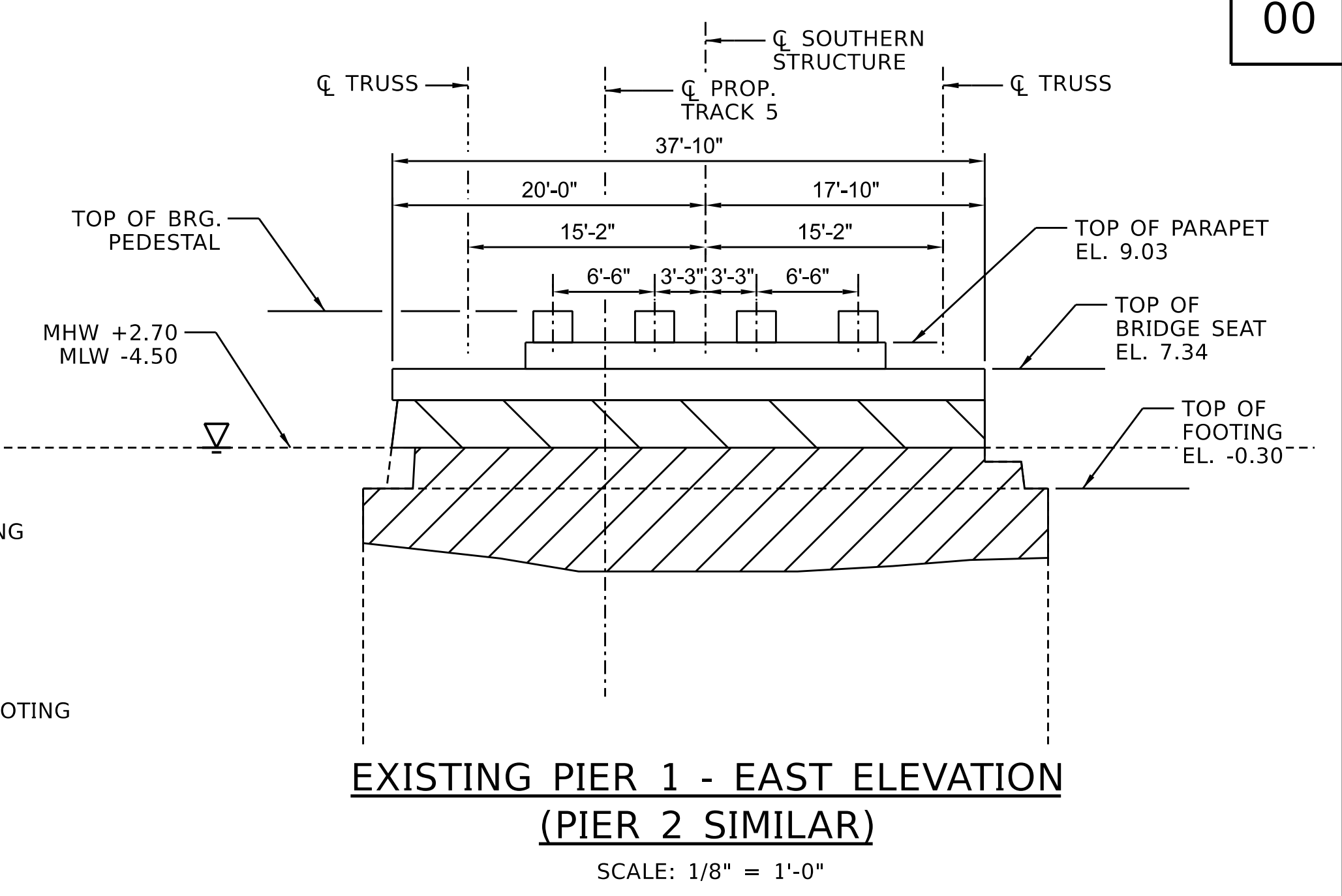
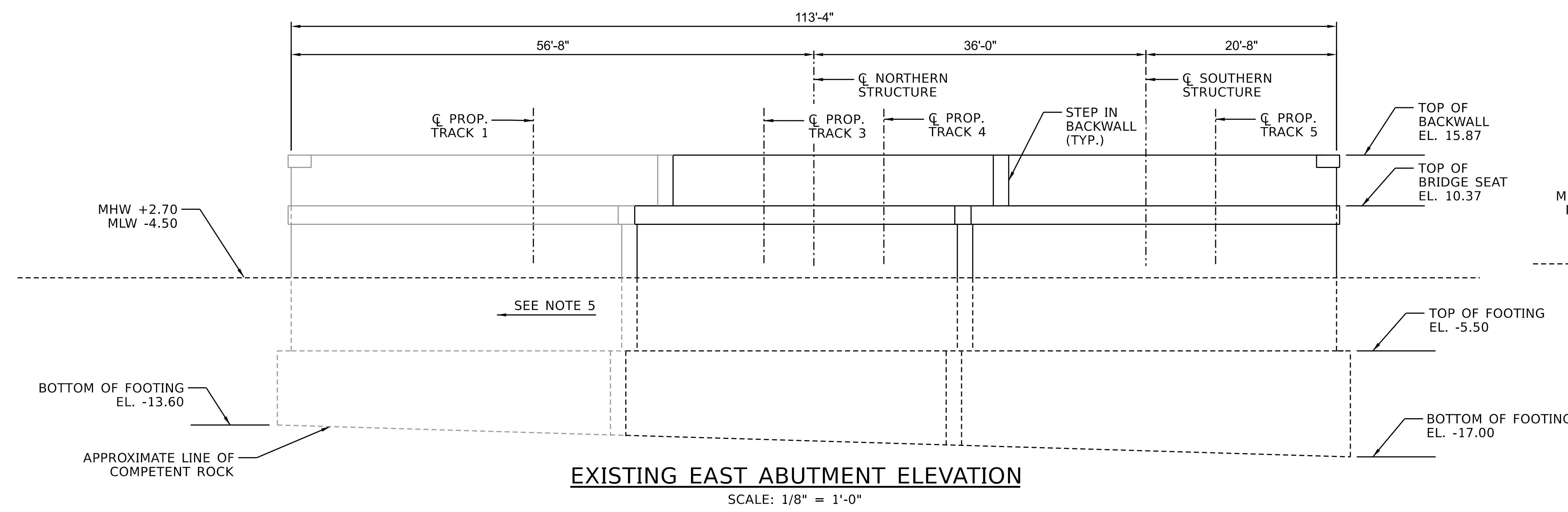
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CONTRACT CBX001
DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
PENN STATION ACCESS PROJECT

11.40 - BRONX RIVER
PROPOSED ELEVATION
AND SECTION

REVISED CONCEPT DESIGN
NOT FOR CONSTRUCTION

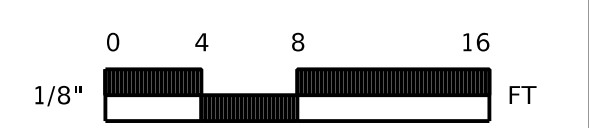
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DESIGNED BY	H. MONTILLA	BRIDGE STRUCTURAL	
CHECKED BY	P. D'AMBROSIO	DRAWING NO.	
APPROVED BY	J. SEABOLDT	BRB-CB-103	
		REVISION	



- LEGEND:**
- MORTAR LOSS IN JOINTS BELOW MEAN HIGH WATER LINE.
 - VARIOUS CRACKS IN STONES.
 - CRACKS IN STONES OF BACKWALL.

NOTES:

1. FOR GENERAL STRUCTURAL NOTES, SEE DWGS. NOS. GEN-CB-001 AND GEN-CB-002.
2. ALL EXISTING (TO REMAIN) CONCRETE SUBSTRUCTURES SHALL BE SOUNDED TO IDENTIFY THE LIMITS OF CONCRETE DETEIORATION. ALL IDENTIFIED SPALLS, CRACKS, AND DELAMINATIONS SHALL BE REPAIRED AS PART OF THIS PROJECT. AREAS TO BE REPAIRED SHALL NOT BE LIMITED TO THE AREAS TO BE REPAIRED IDENTIFIED ON THIS DRAWING.
3. EXISTING SUBSTRUCTURE AND FOUNDATIONS SHOWN ON THIS DWG ARE PRIMARILY BASED ON THE AS-BUILTS FROM 1907 AND DO NOT FULLY REPRESENT THE FIELD CONDITIONS.
4. ALL DIMENSIONS TAKEN AT THE FRONT FACE OF BACKWALL UNLESS INDICATED OTHERWISE.
5. THE AREA OF THE EXISTING ABUTMENT TO SUPPORT THE PROPOSED TRACK 1 STRUCTURE HAS NOT BEEN INSPECTED AND ITS CONDITION IS UNKNOWN.



REVISION	DESCRIPTION	DATE	APPROVED

HNTB

Gannett Fleming
ENGINEERS AND ARCHITECTS

sowinskisullivan
ARCHITECTS

MTA CONSTRUCTION & DEVELOPMENT

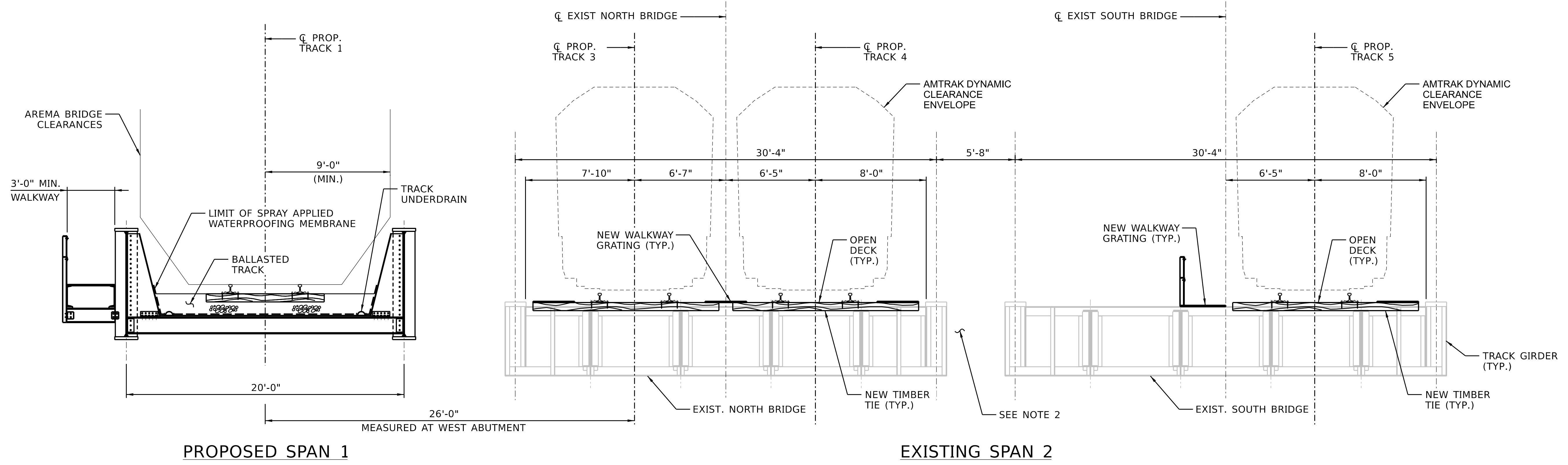
AMTRAK

CONTRACT CBX001
DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
PENN STATION ACCESS PROJECT

11.40 - BRONX RIVER
EXISTING ABUTMENT
ELEVATIONS

REVISED
CONCEPT
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CONSTRUCTION

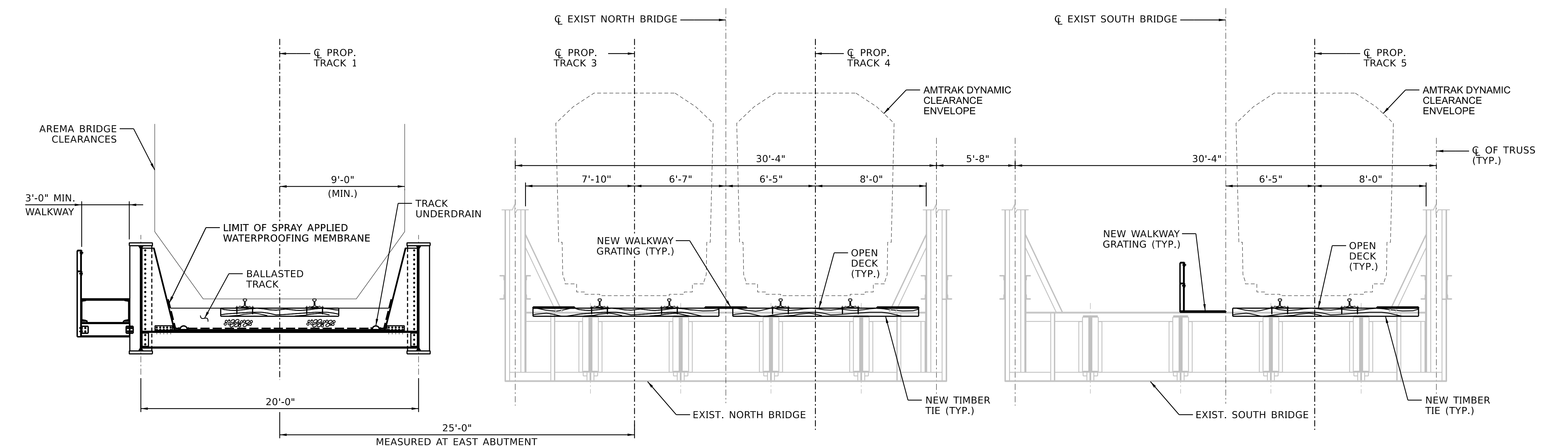
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DESIGNED BY	H. MONTILLA	BRIDGE STRUCTURAL	
CHECKED BY	P. D'AMBROSIO	DRAWING NO.	
APPROVED BY	J. SEABOLDT	BRB-CB-201	
REVISION			



PROPOSED SPAN 1

TYPICAL SECTION - 1
SCALE: 1/4" = 1'-0"

EXISTING SPAN 2



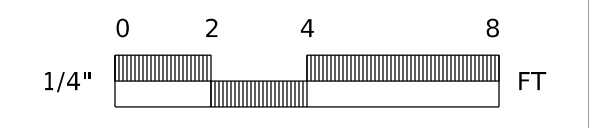
PROPOSED SPAN 2

TYPICAL SECTION - 2
SCALE: 1/4" = 1'-0"

EXISTING SPAN 3

NOTES:

- FOR GENERAL STRUCTURAL NOTES, SEE DWGS. NOS. GEN-CB-001 AND GEN-CB-002.
- RACK SUPPORTS NOT SHOWN FOR CLARITY.



REVISION	DESCRIPTION	DATE	APPROVED
REVISIONS			

CONTRACT CBX001
 DESIGN-BUILD SERVICES FOR METRO-NORTH RAILROAD
 PENN STATION ACCESS PROJECT

11.40 - BRONX RIVER
PROPOSED SECTIONS

REVISED
CONCEPT
DESIGN
 NOT FOR
 CONSTRUCTION

DRAWN BY	H. MONTILLA	DATE	06/12/2020
DESIGNED BY	H. MONTILLA	BRIDGE STRUCTURAL	
CHECKED BY	P. D'AMBROSIO	DRAWING NO.	
APPROVED BY	J. SEABOLDT	BRB-CB-303	
		REVISION	

REVISION	
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ATTACHMENT 2



BRONX RIVER BRIDGE

Site Photographs



Photo 1 – Existing Amtrak Hell Gate Line drawbridge across the Bronx River.



Photo 2 – Rip-rap along shoreline on west side of existing drawbridge.



Photo 3 – View looking upstream from west side of existing drawbridge.



Photo 4 – Intertidal shoreline beneath existing drawbridge, low tide.

ATTACHMENT 3

NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Worksheet

This worksheet is your essential fish habitat (EFH) assessment. It provides us with the information necessary to assess the effects of your action on EFH and NOAA trust resources under the Fish and Wildlife Coordination Act (FWCA). Consultation is not required if:

1. there is no adverse effect on EFH or NOAA trust resources (see page 10 for more info).
2. no EFH is designated and no trust resources may be present at the project site.

Instructions

Federal agencies or their non-federal designated lead agency should email the completed worksheet and necessary attachments to nmfs.gar.efh.consultation@noaa.gov.

Include the public notice (if applicable) or project application and project plans showing:

- location map of the project site with area of impact.
- existing and proposed conditions.
- all waters of the U.S. on the project site with mean low water (MLW), mean high water (MHW), high tide line (HTL), and water depths clearly marked.
- sensitive habitats mapped, including special aquatic sites (submerged aquatic vegetation, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), hard bottom or natural rocky habitat areas, and shellfish beds.
- site photographs, if available.

We will provide our EFH conservation recommendations and recommendations under the FWCA, as appropriate, within 30 days of receipt of a complete EFH assessment (60 days if an expanded consultation is necessary). Please submit complete information to minimize delays in completing the consultation.

This worksheet provides us with the information required¹ in an EFH assessment:

1. A description of the proposed action.
2. An analysis of the potential adverse effects on EFH and the federally managed species.
3. The federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

Your analysis **should focus on impacts that reduce the quality and/or quantity of the habitat or result in conversion to a different habitat type** for all life stages of species with designated EFH within the action area.

Use the information on the [HCD website](#) and [NOAA's EFH Mapper](#) to complete this worksheet. If you have questions, please contact the appropriate [HCD staff member](#) to assist you.

¹ The EFH consultation process is guided by the requirements of our EFH regulation at 50 CFR 600.905.

EFH ASSESSMENT WORKSHEET

General Project Information

Date Submitted:

Project/Application Number:

Project Name:

Project Sponsor/Applicant:

Federal Action Agency (if state agency acting as delegated):

Fast-41 or One Federal Decision Project: Yes No

Action Agency Contact Name:

Contact Phone: Contact Email:

Latitude: Longitude:

Address, City/Town, State:

Body of Water:

Project Purpose:

Project Description:

Anticipated Duration of In-Water Work or Start/End Dates:

Habitat Description

EFH includes the biological, chemical, and physical components of the habitat. This includes the substrate and associated biological resources (e.g., benthic organisms, submerged aquatic vegetation, shellfish beds, salt marsh wetlands), the water column, and prey species.

Is the project in designated EFH²? Yes No

Is the project in designated HAPC²? Yes No

Is this coordination under FWCA only? Yes No

Total area of impact to EFH (indicate sq ft or acres):

Total area of impact to HAPC (indicate sq ft or acres):

Current water depths:

Salinity:

Water temperature range:

Sediment characteristics³:

What habitat types are in or adjacent to the project area and will they be permanently impacted? Select all that apply. Indicate if impacts will be temporary, if site will be restored, or if permanent conversion of habitat will occur. A project may occur in overlapping habitat types.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
	Marine				
	Estuarine				
	Riverine (tidal)				
	Riverine (non-tidal)				
	Intertidal				
	Subtidal				
	Water column				
	Salt marsh/ Wetland (tidal)				
	Wetland (non-tidal)				

² Use the tables on pages 7-9 to list species with designated EFH or the type of designated HAPC present.

³ The level of detail is dependent on your project – e.g., a grain size analysis may be necessary for dredging.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
	Rocky/hard bottom ⁴ :				
	Sand				
	Shellfish beds or oyster reefs				
	Mudflats				
	Submerged aquatic vegetation (SAV) ⁵ , macroalgae, epifauna				
	Diadromous fish (migratory or spawning habitat)				

Indicate type(s) of rocky/hard bottom habitat (pebble, cobble, boulder, bedrock outcrop/ledge) and species of SAV:

Project Effects

Select all that apply	Project Type/Category
	Hatchery or Aquaculture
	Agriculture
	Forestry
	Military (e.g., acoustic testing, training exercises)
	Mining (e.g., sand, gravel)
	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, beach renourishment, mitigation bank/ILF creation)

⁴ Indicate type(s). The type(s) of rocky habitat will help you determine if the area is cod HAPC.

⁵ Indicate species. Provide a copy of the SAV report and survey conducted at the site, if applicable.

Select all that apply	Project Type/Category
	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port)
	Energy development/use
	Water quality (e.g., TMDL, wastewater, sediment remediation)
	Dredging/excavation and disposal
	Piers, ramps, floats, and other structures
	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
	Other

Select all that apply	Potential Stressors Caused by the Activity	Select all that apply and if temporary or permanent		Habitat alterations caused by the activity
		Temp	Perm	
	Underwater noise			
	Water quality/turbidity/contaminant release			Water depth change
	Vessel traffic/barge grounding			Tidal flow change
	Impingement/entrainment ⁶			Fill
	Prevent fish passage/spawning			Habitat type conversion
	Benthic community disturbance			Other:
	Impacts to prey species			Other:

⁶ Entrainment is the voluntary or involuntary movement of aquatic organisms from a water body into a surface diversion or through, under, or around screens and results in the loss of the organisms from the population. Impingement is the involuntary contact and entrapment of aquatic organisms on the surface of intake screens caused when the approach velocity exceeds the swimming capability of the organism.

Details: project impacts and mitigation

The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. Attach supplemental information if necessary.

Describe how the project would impact each of the habitat types selected above. Include temporary and permanent impact descriptions and direct and indirect impacts.

What specific measures will be used to avoid impacts, including project design, turbidity controls, acoustic controls, and time of year restrictions? If impacts cannot be avoided, why not?

What specific measures will be used to minimize impacts?

Is compensatory mitigation proposed?

Yes

No

If no, why not? If yes, describe plans for mitigation and how this will offset impacts to EFH. Include a conceptual compensatory mitigation and monitoring plan, if applicable.

Federal Action Agency's EFH determination (select one)	
	There is no adverse effect ⁷ on EFH or EFH is not designated at the project site. EFH Consultation is not required. This is a FWCA-only request.
	The adverse effect ⁷ on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
	The adverse effect ⁷ on EFH is substantial. This is a request for an expanded EFH consultation. We will provide more detailed information, including an alternatives analysis and NEPA document, if applicable.

EFH and HAPC designations⁸

Use the [EFH mapper](#) to determine if EFH may be present in the project area and enter all species and lifestages that have designated EFH. Optionally, you may review the EFH text descriptions linked to each species in the EFH mapper and use them to determine if the described habitat is present. We recommend this for larger projects to help you determine what your impacts are.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/spawning adults	

⁷ An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

⁸ Within the Greater Atlantic Region, EFH has been designated by the New England, Mid-Atlantic, and South Atlantic Fisheries Management Councils and NOAA Fisheries.

HAPCs

Select all that are in your action area.

	Summer flounder: SAV ⁹		Alvin & Atlantis Canyons
	Sandbar shark		Baltimore Canyon
	Sand Tiger Shark (Delaware Bay)		Bear Seamount
	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)		Heezen Canyon
	Inshore 20m Juvenile Cod		Hudson Canyon
	Great South Channel Juvenile Cod		Hydrographer Canyon
	Northern Edge Juvenile Cod		Jeffreys & Stellwagen
	Lydonia Canyon		Lydonia, Gilbert & Oceanographer Canyons
	Norfolk Canyon (Mid-Atlantic)		Norfolk Canyon (New England)
	Oceanographer Canyon		Retriever Seamount
	Veatch Canyon (Mid-Atlantic)		Toms, Middle Toms & Hendrickson Canyons
	Veatch Canyon (New England)		Washington Canyon
	Cashes Ledge		Wilmington Canyon

⁹ Summer flounder HAPC is defined as all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH. In locations where native species have been eliminated from an area, then exotic species are included. Use local information to determine the locations of HAPC.

ATTACHMENT 4

EFH Data Notice: Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional Fishery Management Councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

[Greater Atlantic Regional Office](#)
[Atlantic Highly Migratory Species Management Division](#)

Query Results

Degrees, Minutes, Seconds: Latitude = 40°49'43" N, Longitude = 74°6'58" W
















Decimal Degrees: Latitude = 40.83, Longitude = -73.88






The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

*** WARNING ***

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH

Show	Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
			Winter Flounder	Eggs Juvenile Larvae/Adult	New England	Amendment 14 to the Northeast Multispecies FMP
			Little Skate	Juvenile Adult	New England	Amendment 2 to the Northeast Skate Complex FMP
			Atlantic Herring	Juvenile Adult	New England	Amendment 3 to the Atlantic Herring FMP
			Pollock	Adult Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
			Red Hake	Adult Eggs/Larvae/Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP

Show	Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
			Windowpane Flounder	Adult Larvae Eggs Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
			Winter Skate	Adult Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
			Scup	Larvae Eggs Juvenile Adult	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
			Longfin Inshore Squid	Juvenile Adult Eggs	Mid-Atlantic	Atlantic Mackerel, Squid, & Butterfish Amendment 11
			Atlantic Mackerel	Eggs Larvae Juvenile Adult	Mid-Atlantic	Atlantic Mackerel, Squid, & Butterfish Amendment 11
			Bluefish	Adult Juvenile	Mid-Atlantic	Bluefish
			Atlantic Butterfish	Eggs Larvae Adult	Mid-Atlantic	Atlantic Mackerel, Squid, & Butterfish Amendment 11
			Summer Flounder	Juvenile Adult	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
			Black Sea Bass	Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass

HAPCs

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data. **For links to all EFH text descriptions see the complete data inventory: [open data inventory -->](#)

Mid-Atlantic Council HAPCs,
No spatial data for summer flounder SAV HAPC.