



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
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JAN 20 2011

Commander (dpb)  
First Coast Guard District  
U.S. Department of Homeland Security  
One South Street – Battery Bldg.  
Battery Park Building  
New York, NY 10004-1466

Dear Commander:

The Environmental Protection Agency (EPA) has reviewed the U.S. Coast Guard's Draft Environmental Assessment (DEA) to permit the construction of a new 475-foot long pedestrian bridge and approaches over the New York State Canal/Mohawk River in the City of Amsterdam, Montgomery County, New York. The bridge will be approximately 30 to 35 feet wide (depending on design) and contain park-like features including tree and flower planters. The southern approach will consist of rebuilding an existing dead end street, with a small parking lot, landscape features and retaining walls to accommodate new pedestrian amenities such as walkways and viewing areas. The northern approach will consist of constructing a new 12-foot wide trail to connect the northern bridge abutment with Riverlink Park, located approximately 500 feet to the east. The purpose of the proposed pedestrian bridge is to reconnect the Southside neighborhoods to the City's downtown and Northside neighborhoods; reconnect the Southside neighborhoods to the waterfront recreational areas on the north side of the Mohawk River; improve the safety and efficiency of pedestrian and bicycle connectivity between the Southside neighborhoods and the City's neighborhoods north of the Mohawk River and downtown; connect Riverlink Park and City of Amsterdam's trail systems to the NYS Canalway Trail; facilitate tourism, and provide additional access for emergency vehicles to the Riverlink Park.

EPA is concerned that the DEA does not provide enough information to determine the level of significance of project impacts to the environment. Most importantly, the DEA states that preliminary hydraulic modeling of the proposed bridge indicates that "there is an increase of 0.67 foot in the 100-year flood water surface elevation upstream of the proposed structure." Executive Order 11988 states that if an agency proposes to conduct, support or allow an action to be located in a floodplain, the agency shall consider alternatives to avoid adverse effects. Should it be determined that only the proposed project will meet the purpose and need of the applicant, then floodplain mitigation plans must be included in the DEA indicating that the adverse effects are to be mitigated

sufficiently to result in a finding of no significant impacts (FNSI). In terms of process, the DEA only discusses two basic alternatives, a build alternative (of which there are three designs) and a no build alternative. It does not discuss the potential for any use or rehabilitation of the existing bridge and pedestrian walkway.

In addition, EPA has the following comments on the DEA:

#### NEPA Process

In several of the DEA's diagrams of the proposed project, especially in Appendix A – Plans, Elevations and Typical Sections, a pedestrian bridge going over the CSX rail tracks from the north side of the proposed project is depicted. While labeled "Potential Future Project," this additional segment would help to better achieve the connectivity goals for the Northside and Southside neighborhoods that were identified for this project. Therefore, the environmental impacts of this additional pedestrian bridge should be evaluated in the DEA.

#### Flood Plains

In addition to the aforementioned comments on the impact to the floodplain, EPA understands that City of Amsterdam law prohibits any new construction within the limits of a floodway unless a technical evaluation demonstrates that such construction shall not result in any increase in flood levels. Before making a FNSI determination, the placement of the bridge foundations on a floodplain map must be clearly identified to ensure there is no violation of this law. Similarly, the DEA should also identify any buildings in the floodplain that would be affected by the anticipated increase in the 100-year flood water surface elevation upstream of the proposed structure. The Federal Emergency Management Administration Region 2 Office should be consulted on the proposed bridge's placement in the floodplain and the hydraulic modeling results

#### Water Quality

The DEA states incorrectly that the most recent New York State Department of Environmental Conservation's Mohawk River Basin Waterbody Inventory/Priority Waterbodies List Report was issued in April 2003. The latest report was issued in June 2010 and has reassessed several of the waterbody segments discussed in the DEA. This section of the DEA must be updated and any environmental impacts reevaluated.

#### Archeological Resources

All mitigation plans developed to mitigate the potential impacts to the Chuctanunda Terrace Site should be shared prior to issuing a FNSI.

### General Conformity

While the DEA addresses General Conformity, EPA does not concur with the methodology used to evaluate construction emissions. Each project is unique, and will use different mobile source and marine engines during construction. Comparisons between different project emissions based upon project size may not provide reliable emissions estimates. A new applicability analysis should be performed.

### Hazardous Waste

The DEA states that soil sampling at the two bridge touch-down locations where subsurface excavation will be required for the construction of the bridge foundations was performed on November 5, 2010. The results for the analytical laboratory evaluation and any necessary mitigation should have been presented in the DEA to provide information about the impacts to water quality or worker health of excavating these areas. This information should be made public.

### Sustainability

While the DEA does discuss some emissions reductions commitments, EPA would like to recommend the use of plant species native to New York State, pavers or other porous materials on the land areas at each end of the bridge, energy efficient lighting, and recycled construction materials.

We appreciate the opportunity to comment on the Pedestrian Bridge over the NYS Canal/Mohawk River City of Amsterdam Draft EA. If you have any questions on our comments, please call Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,



Grace Musumeci, Chief  
Environmental Review Section

cc: Gary Kassof, USCG