



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 29 2010

Mr. Dennis L. Merida
Division Administrator
Federal Highways Administration
840 Bear Tavern Road, Suite 310
West Trenton, New Jersey 08628

Dear Mr. Merida:

The Environmental Protection Agency (EPA) has reviewed the Federal Highway Administration's (FHWA) Draft Environmental Assessment (EA) dated April 2010, to construct improvements and add a new bridge span to the Route 72 Manahawkin Bay Bridges, including intersection improvements starting at Marsha Drive in Stafford Township, NJ and ending at Long Beach Boulevard in Ship Bottom, Ocean County, NJ. The purpose of the project is to improve the structural integrity of the Manahawkin Bay Bridges and provide better levels of service at the intersection of Route 72 and Marsh Drive, improve traffic operation in Ship Bottom, and addressing flood impacts on the 8th and 9th streets in Ship Bottom.

EPA is concerned with the overall quality of the EA for several reasons. In several places in Chapter 4, dialogue boxes refer the reader to the "Route 72 Manahawkin Bay Bridges Technical Environmental Study on Ecology." This document is not appended to the EA, nor is it available on the New Jersey Department of Transportation Manahawkin Bridge website. Information incorporated by reference should be more readily available to the reviewers. The EA states that a detention basin to treat the runoff from the pavement of the causeway would be very expensive and explains that other alternatives are being evaluated. However, the impacts of stormwater from the causeway are not even described and the "other alternatives" are not presented. There are no mitigation plans included for wetlands, submerged aquatic vegetation, or intertidal shallows included in the EA. Nor does the EA include an Essential Fish Habitat assessment, or discuss Endangered Species Act (ESA) Consultation. Agencies, the public and environmental stakeholders should be able to evaluate all mitigation plans, the Essential Fish Habitat assessment and the ESA consultation, all of which help demonstrate your finding of no significant impact for the project, as part of the NEPA process.

Additionally, the EA does not provide an initial project map that clearly identifies all waters, islands (including artificial islands mentioned in the text of the EA) and bridge segments. Throughout chapter 4, there are letters and page numbers missing. The descriptions of the final operating configuration of the alternatives could be clearer and

diagrams of the Route 72 alternatives showing the roadway, bicycle and pedestrian lanes and directions of traffic flow would be helpful.

Finally, there are no discussions of greenhouse gases emissions from the project construction and operation or the effects of sea level rise in the future on the proposed project.

Attached to this letter are EPA's technical comments on the EA. Should you have any questions, please call Lingard Knutson of my staff at (212) 637-3747. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Grace Musumeci".

Grace Musumeci, Chief
Environmental Review Section

cc: Bruce Hawkinson, Environmental Project Manager

Enclosure

U.S. Environmental Protection Agency Comments on
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Page 2-4. Section 2.6.3. The EA states that “westbound Route 72 backups extend to the Bay Avenue intersection.” Is the Bay Avenue intersection the same as the E. Bay Avenue ramps to Route 72?

Page 3-7. Figure 3.1. The labels on the figure are unreadable. Also, the figure should clearly diagram the points of improvement, such as the through lane in each direction on Route 72 and the “one through turn lanes” in each direction on Marsh Drive.

Page 3-7. Figure 3.2. The figure should diagram all vehicle lanes, sidewalks and bike lanes.

Page 3-7. Figure 3.3. The figure should diagram all vehicle lanes, sidewalks and bike lanes.

Page 3-9. Figure 3.4. The figure should be enlarged, and all increases in road width and proposed pump station shown.

Figures 3.5, 3.6 and 3.7 should be similarly improved.

Page 3-10. Section 3.5.3. A figure showing the placement of the pump station should be included.

Page 3-12. Will the new bay bridge have two eastbound lanes during normal operations? Will the rehabilitated old bridge have 2 eastbound and 2 westbound lanes during normal operations? (Fourth bullet – lane should be lane.)

Page 4-1. Section 4.2.2. Describe what the temporary bridge would entail. Will there be need for pile driving, or other types of bay impacts?

Page 4-5. Section 4.3. Describe any other existing or planned construction, development or other projects that have or will create environmental impacts to Barnegat Bay in the Long Beach Island area. The FHWA website defines cumulative impact as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. There is no description of this kind in the EA.

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While the NJDOT does not anticipate any indirect impacts to growth because Long Beach Island is “for all practical purposes” fully developed, the EA should describe any other indirect impacts to the smaller islands that have communities or marinas. For example, will increased access induce growth at the Cedar Bonnet marinas?

Page 4-6. Section 4.5.3. Identify Cedar Bonnet Island on the project map.

Page 4.7. Section 4.7.3. Is Bonnet Island the same as Cedar Bonnet island?

Page 4.8. Section 4.7.1. A dialogue box refers the reader to the “Route 72 Manahawkin Bay Bridges Technical Environmental Study on Ecology” for a complete discussion on wetlands and open water analysis. This technical study is not included within the EA, nor is it available on the NJ DOT’s Manahawkin Bridge website. (This document is also referenced in Sections 4.7.3, 4.10.1, 4.11, 4.12., and 4.14.)

Page 4.11. Section 4.7.3. Submerged Aquatic Vegetation is not commonly known as seaweed.

Page 4-13. Section 4.8.1. An endangered species consultation and an Essential Fish Habitat analysis must be completed with the National Marine Fisheries Service, and should be included in the EA to verify no significant impacts to threatened, endangered or commercial species.

Page 4-13. Section 4.8.3. The first sentence in the last paragraph needs to be rewritten. Plankton are not impurities in the water. Any mitigation for the loss of shellfish habitat should be included in the EA.

Page 4-14. Section 4.9. Section titles in the Chapter 4 of the EA (as seen in the website version) are missing letters and numbers. Page numbers are missing, as well.

Page 4-15. Section 4.9.2. The construction and placement of stormwater basins must be described in the Final EA. Also, the EA should discuss the possible use of pervious pavement in Alternatives 1 and 2.

Page 4-16. Section 4.9.3. The location of riparian impacts in Alternatives 1 and 2 should be stated clearly and identified on a map. This is the first time the term “artificial islands” has been used in the EA.

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Page 4-18. Section 4.10.2. There is no Figure 4.2 series in the document. There are Figures 1, 1.2 A, and 1.2 B showing the 2035 build and no build noise contours, but no noise contours for existing conditions. The noise section would be clearer to residents if the existing structures now in Category B were identified on a map, along with the existing noise levels. They can then be compared to each alternative's projected noise levels. The same should be done for the Edwin B. Forsythe National Wildlife Refuge area.

Page 4-18. Section 4.10.4. While the EA discusses noise from the pump station qualitatively, it is difficult to determine the impact of the noise to a sensitive receptor when a site for the pump station has not been clearly identified.

Page 4-19. Section 4.11. NJ DOT should evaluate the acquisition of energy efficient lighting for all lights on the bridge. Also, as Barnegat Bay has been recognized as a wetland of global significance, EPA recommends that NJ DOT discuss the appropriate placement of lighting fixtures to minimize impacts to birds and wildlife.

Page 4-21. Section 4.14. This section does not discuss contaminated sediments within Barnegat Bay. Will any sediment testing be required by the US Army Corps of Engineers for this project?

Page 4-20. Section 4.16. A full diagram of the preferred alternative should be included in this section. As we understand it, the bay portion of the bridge will have a parallel span for a total of eight traffic lanes that will be connected to rehabilitated trestle bridges that still only have four lanes for traffic.

Page 4-24. Section 4.16. If the new pump station will not prevent flooding from major storms "that raise the tidal elevations above the street level..." describe the range of the pump operation.

Page 4-27. Section 4.16.3. Efforts to address non-point source pollution to Barnegat Bay, are not appropriate mitigation for the impacts described. Compensatory mitigation provided for the impacts to 0.32 acres of coastal wetlands, 1.54 acres of shallow water habitat, and 2.54 acres of submerged aquatic vegetation must replace the lost functions and values to the aquatic environment and be consistent with the federal mitigation regulations at 33 CFR Part 230 & 40 CFR Part 230 (Compensatory Mitigation for Losses of Aquatic Resources; Final Rule).