

HUDSON TUNNEL PROJECT

DRAFT

NEPA RE-EVALUATION #7

**PROPOSED MODIFICATIONS TO CONSTRUCTION ACTIVITIES, LAYOUT, AND
DURATION WITHIN HUDSON RIVER, HUDSON RIVER PARK,
AND TWELFTH AVENUE/ROUTE 9A**

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1 INTRODUCTION

This National Environmental Policy Act (“NEPA”) re-evaluation analyzes proposed modifications to the Hudson Tunnel Project (“HTP” or “the Project”) following the issuance of the Project’s Combined Final Environmental Impact Statement (“FEIS”) and Record of Decision (“ROD”) on May 28, 2021. Specifically, this re-evaluation focuses on refinements to construction activities in the Manhattan waterfront area and Hudson River, including removal of obstructions within the river east of the New York City (Manhattan) pierhead line;¹ modified construction staging and ground stabilization activities in the river, in the West 30th Street Heliport in Hudson River Park (“HRP”), and across Twelfth Avenue/Route 9A; and modified duration and schedule of construction activities within these areas (the “Proposed Project Modifications”).

Given that permanent operational conditions were analyzed in the FEIS/ROD, and given that the Proposed Project Modifications relate to construction means, methods, and duration and would not change operational conditions, this re-evaluation focuses on construction-period effects and construction-related mitigation.

2 DESCRIPTION OF PROPOSED PROJECT MODIFICATIONS

Subsequent to the FEIS/ROD, new information, as well as reconsideration of construction means and methods during the advancement of the design, have resulted in potential changes to the construction activities contemplated within the Hudson River and HRP and across Twelfth Avenue/Route 9A.

2.1 Obstruction Removal

2.1.1 *Conditions Included as Part of the Published FEIS/ROD*

The FEIS/ROD identified the potential for obstructions beneath the riverbed during the tunnel boring process. These obstructions may include former waterfront structures close to the Manhattan shoreline, such as former Piers 68 and 69. The FEIS/ROD (Section 3.3.4.5) assumed that, if the tunnel boring machine (“TBM”) were to encounter timber piles where these former piers were once located, the piles would be manually removed from the face of the TBM. The FEIS/ROD assumed that this would be done either with compressed air pumped to maintain tunnel face stability or by applying ground treatment in advance so the work could be conducted under normal atmospheric pressure.

2.1.2 *Changes Since Publication of FEIS/ROD*

Subsequent to the issuance of the FEIS/ROD, further information was obtained through a marine geophysical survey, as well as additional historical documentation, regarding the extent of abandoned waterfront structures, including timber piles associated with former Piers 68 and 69 or other obstructions (e.g., wood, concrete, etc.) within the jurisdictional waters of the Hudson River Park Trust (“HRPT”) in the

¹ The removal of obstructions within the river west of the New York City (Manhattan) pierhead line was analyzed in Re-Evaluation #3, “Proposed Hudson River Obstruction Removal Activities West of the New York Pierhead Line.”

path of the TBM.² Approximately 80 pier piles were detected within/above the water column and it is estimated that up to approximately 720 piles could be buried under the mudline within the footprints of former Piers 68 and 69. Given the extent of the obstructions, it was determined that manual removal from the face of the TBM (as described in the FEIS/ROD) would be infeasible, and drilling through the obstructions would pose significant risks to TBM operations. For example, the TBM could become immobilized and require extraction from the Hudson riverbed, which would result in additional impacts to the Hudson River as well as unacceptable delays to the Project schedule. As such, these obstructions must be removed prior to tunneling activities through this area.

These obstructions would be removed via barge-mounted equipment and subsequently transported and disposed of via barges. Obstruction removal is planned to be conducted during two seasons – between July 1, 2025 and January 20, 2026, and July 1, 2026 and January 20, 2027 – per the seasonal work restriction set forth in the FEIS/ROD (described further in **Section 2.4, “Duration and Schedule”**).³

Obstructions, including abandoned pier piles, that extend above the riverbed mudline into the water column could be removed by several extraction techniques, including vibratory hammer, direct pull, or clamshell or mechanical bucket extraction. Prior to commencement of the obstruction removal, the Contractor would assess the condition of the obstruction and identify the appropriate extraction technique for its removal.

For obstructions beneath the mudline, several methods are available for removal. The appropriate method to move sediment away from any given obstruction depends on the ability of equipment to sufficiently access the obstruction to allow for its extraction. For example, clamshell extraction may be considered to remove obstructions below the riverbed mudline with little or no stub accessible above the mudline. Excavation or vacuum suction dredging of sediment around the base of an obstruction may be needed to gain access to portions of the obstruction that are sound so as to allow for extraction using a clamshell. Suction dredging would involve lowering a suction hose to the river bottom, and creating a vacuum, either via a pump or a compressor located on a barge. Assisted by divers, the hose would be swept across the area of concern to remove overburden silt material. Outlet hoses would deposit accumulated river bottom material and water into hopper barges. Barges would be positioned around the work site to allow settlement of material within the initial barge, accelerated when needed by use of eco-friendly flocculants. Excess accumulated water would be tested and treated, if necessary, before discharge. Dredged materials would be dewatered in barges prior to transport to an approved disposal location. Prior to the start of dredging operations, *in situ* sampling would be performed to analyze and determine required handling, treatment, and disposal measures. The dredging, dewatering, and disposal activities described above would be undertaken in accordance with applicable law.

² HRPT is the public benefit corporation that maintains HRP. HRPT Jurisdictional waters are defined as the area between the Hudson River Bulkhead and the New York City (Manhattan) pierhead line.

³ As currently contemplated, obstruction removal activities east of the New York City (Manhattan) pierhead line would begin in September 2025. Obstruction removal west of the pierhead line, which is addressed in Re-evaluation #3, “Proposed Hudson River Obstruction Removal Activities West of the New York Pierhead Line,” has already begun.

2.2 Ground Stabilization

2.2.1 Conditions Included as Part of the Published FEIS/ROD

The FEIS/ROD (Section 3.3.6.1.3) described two types of ground stabilization⁴ techniques that may be employed within HRP and along portions of Twelfth Avenue/Route 9A to harden and support soils above the proposed tunnel alignment: (1) injection of concrete grout (referred to as “jet grouting”) and (2) ground freezing, which involves installation of a network of underground pipes and then circulation of a freezing agent through the pipe network until the ground around the pipes freezes solid. These techniques would enable the TBM to operate below-ground, where loose soil may otherwise shift and/or settle, posing risks to TBM operations. The FEIS/ROD also provided for the potential to utilize either horizontal or vertical ground stabilization means and methods – only one of which would be implemented – as described below.

Horizontal Ground Stabilization: With horizontal ground stabilization, a temporary, approximately 110-foot by 25-foot rectangular construction access shaft in the southern part of the West 30th Street Heliport within HRP would be constructed above the proposed tunnel alignment. Once the temporary shaft is in place, it would serve as the location from which freeze pipes could be routed. These pipes would be installed horizontally from the temporary shaft into the tunnel alignment.

From the construction access shaft, construction workers would utilize sequential excavation method (“SEM”) tunneling to carefully remove components of the Hudson River Bulkhead⁵ foundation and obstructions beneath Twelfth Avenue/Route 9A in advance of the TBMs.

Vertical Ground Stabilization: With vertical ground stabilization, freeze pipes would be installed (i.e., drilled into the ground) in a grid pattern from the surface, set both vertically and diagonally (i.e., at an incline), to minimize disturbance at the surface that may result from pipe installation.

Freeze pipes were assumed to be installed under portions of Twelfth Avenue/Route 9A from the median and from either side of Twelfth Avenue/Route 9A. They would also be installed in the southern portion of the West 30th Street Heliport in HRP. As described below in **Section 2.3, “Staging Areas,”** vertical ground freezing was assumed to be conducted primarily from the West 30th Street Heliport and Twelfth Avenue/Route 9A median.

2.2.2 Changes Since Publication of FEIS/ROD

The following sections present the newly proposed construction techniques and activities for both horizontal and vertical ground stabilization options that would reduce construction risks and improve constructability. As with the options presented in the FEIS/ROD, the Contractor would proceed with *either* horizontal *or* vertical ground stabilization.

⁴ The FEIS/ROD refers to “ground improvement,” whereas GDC now refers to these activities as “ground stabilization.”

⁵ As discussed below in **Section 4.7.1, “Historic Architectural Resources,”** the Hudson River Bulkhead is eligible for listing on the National Register of Historic Places (“NRHP”).

Further, with either option for ground stabilization, four digger shields⁶ would be used to excavate and support the tunnels beneath a small portion of the Hudson River, the bulkhead, HRP and Twelfth Avenue/Route 9A. The stabilized ground described above would enable this method of tunnelling to safely and securely traverse these areas. With the digger shields, precast concrete expanded tunnel lining segments that form a ring would be assembled after each mining advance cycle.

2.2.2.1 Horizontal Ground Stabilization

As contemplated in the FEIS/ROD, the single construction access shaft described above would be utilized to route freeze pipes for ground freezing operations and would also serve as the starting point for SEM tunnel excavation toward the Hudson River Bulkhead and toward Twelfth Avenue/Route 9A. Upon further evaluation, GDC, Amtrak, and Gateway Trans-Hudson Partnership (“GTHP”)⁷ (collectively the “Project Team”) determined that two additional construction access shaft configurations would be feasible to facilitate tunnel construction, as described below. Further, each configuration would be in a similar geographic footprint and would result in similar effects to HRP and surrounding infrastructure.

Two Circular Shafts: In lieu of a single rectangular construction shaft, this construction access shaft configuration would consist of two separate circular shafts, each approximately 50 feet in diameter. As compared to the FEIS/ROD, the circular construction access shafts would be located further east within HRP. This change in configuration would not increase the overall size of the HRP construction staging area⁸ footprint identified in the FEIS/ROD.

Peanut-Shaped Shaft: In lieu of two independent shafts, an additional configuration would involve joining two approximately 50-foot circular shafts at their closest point, creating a peanut-shaped shaft. The middle wall would be structurally shared with each shaft cell. During tunnel excavation, a small opening in the shared middle wall would be made to improve logistics and support tunneling from each shaft cell.

2.2.2.2 Vertical Ground Stabilization

HRP and Twelfth Avenue/Route 9A

As currently contemplated, the means and methods for vertical ground stabilization would generally be consistent with those proposed in the FEIS/ROD (Section 3.3.6.1), though jet grouting rather than ground freezing would be used to stabilize the area between HRP and the eastern edge of Twelfth Avenue (i.e., across Twelfth Avenue/Route 9A).⁹ The Proposed Project Modifications would allow ground stabilization

⁶ Digger shields are hydraulic full-face machines that enable excavation from within the protection of a circular steel shield.

⁷ GTHP, a joint venture of WSP USA Inc., STV Incorporated, and AECOM USA, Inc., is the Engineer of Record for the HTP.

⁸ The temporary construction zone and staging area in the southern portion of the West 30th Street Heliport within HRP, as described in the FEIS/ROD, is referenced herein as the “HRP construction staging area.”

⁹ Consistent with the FEIS/ROD, ground freezing would be conducted between the Hudson River Bulkhead and the western curb of Twelfth Avenue/Route 9A.

along the tunnel alignment beneath a larger area of Twelfth Avenue/Route 9A from the roadway surface with short-term, temporary lane shifting into the West 30th Street Heliport in HRP.¹⁰

The pedestrian walkway and bikeway would be temporarily reconfigured and/or relocated, as described below in **Section 2.3, “Staging Areas.”** The Twelfth Avenue/Route 9A travel lanes would be shifted into the Twelfth Avenue median and the West 30th Street Heliport in HRP in phases, as appropriate, while maintaining three lanes in the southbound direction and four lanes in the northbound direction throughout the construction period. Refer to **Section 2.3, “Staging Areas,”** for details on the extent and phasing of Twelfth Avenue/Route 9A lane shifting.

Hudson River Bulkhead¹¹

Whereas the FEIS/ROD contemplated ground stabilization at the bulkhead conducted only from within the landside of HRP (West 30th Street Heliport), the Project Team has determined that ground stabilization at the Hudson River Bulkhead would require a combination of grouting and ground freezing from both the landside and waterside. Waterside grouting and ground freezing operations would enable more precise placement of grout material and create a better frozen soil mass within which to excavate, particularly at the western ends of the in-river tunnels; this would reduce risk to the Contractor as well as limit the potential for uncontrolled grout seepage into the upper riverbed or into the river itself.

Landside Grouting and Ground Freezing: During grouting at the bulkhead within HRP, cement-based grout would be injected from the landside to fill large voids in the bulkhead riprap prior to ground freezing. Grouting activities conducted from the landside portion of HRP, including maintaining grouting pressures, overseeing instrumentation and monitoring, and maintaining safe limits for changes in pressure and movements to limit the possibility of grout being released into the river, would be as described in the FEIS/ROD (Section 3.3.6.3). The grout pipes would remain in place where designated and be reused for ground freezing.

Waterside Grouting and Ground Freezing: Following grouting at the bulkhead, a drilling and grouting operation would be performed west of the bulkhead from the Hudson River (waterside HRP) using either a jack up barge, spud barge, drilling deck, or temporary platform(s) (all hereafter referred to as “marine deck”), which would be positioned adjacent to the bulkhead. As with the landside grouting at the bulkhead, maintaining grouting pressures, overseeing instrumentation and monitoring, and maintaining

¹⁰ Certain activities limited to the New York State Department of Transportation (“NYSDOT”) right-of-way (“ROW”) (e.g., demolition of the center median and buffer areas between approximately West 29th and West 30th streets, initial shifting of northbound lanes, etc.) not requiring FTA consideration as part of this NEPA re-evaluation may already have been initiated in advance of October 1, 2025 (the anticipated start of construction activities associated with the Proposed Project Modifications described herein).

¹¹ Following publication of the FEIS/ROD, HRPT conducted a routine level inspection of select segments of the bulkhead and prepared a Bulkhead Inspection Report (dated May 2024), which indicates that the Hudson River Bulkhead in the vicinity of the HRP construction staging area is in poor condition. The bulkhead between approximately West 23rd Street and West 34th Street consists of a front-facing granite wall, which extends to just below the low-tide line, on narrow concrete blocks with inclined bracing piles and timber binding frames around the piles. Defects include spalling and erosion, voids or gaps in concrete and stone blocks, erosion and/or undermining of concrete elements, and missing or displaced stone blocks in the masonry portions of the bulkhead.

safe limits for changes in pressure and movements, to limit the possibility of grout being released into the river, would be as described in the FEIS/ROD.

Approximately 350 temporary casings¹² (with diameters of approximately 12 inches) would be used in the Hudson River to prevent the release of drilling, grouting, and freezing materials. Drilling would occur inside the casings to minimize mud loss. The casings would remain in place and would house the grout pipes and freeze pipes while containing any product that could otherwise have been released into the river in the event of a pipe failure. Casings would extend above the water level to provide access from the temporary marine deck.

Once the grouting has been completed, drilling for vertical ground freezing pipes would be carried out from both the landside and waterside. Drilled pipes would remain in place throughout tunneling and would be removed upon completion of the mined tunnels.

The freeze pipes would be installed in a grid pattern on both the landside and waterside. As described in the FEIS/ROD, the pipes would comprise a closed, sealed system and therefore would not leak any coolant into the surrounding ground or water. As currently contemplated, the ground freezing equipment for this work could be stationed on two spudded barges perpendicular to the bulkhead and located within the HRP construction staging area (hereafter referred to as “chiller barges”).

As described further in **Section 2.3, “Staging Areas,”** the in-water work area for ground stabilization activities would extend approximately 300 feet parallel to the bulkhead and approximately 300 feet into the river, occupying an approximately two-acre (90,000 square feet [“sf”]) area.

2.3 Staging Areas

2.3.1 *Conditions Included as Part of the Published FEIS/ROD*

2.3.1.1 Limits of Waterside Construction Staging and Activities

No in-water construction activities at the Manhattan waterfront area were contemplated in the FEIS/ROD (Section 3.3.6.1).

2.3.1.2 Limits of Landside Construction Staging and Activities

HRP Construction Staging Area: The FEIS/ROD (Section 3.3.7.3) described temporary construction activities associated with tunnel excavation and ground stabilization operations within HRP. A construction staging area was contemplated in the southern portion of the West 30th Street Heliport, which is located within HRP between West 29th Street and West 30th Street, as shown on **Figure 1, “Previously Approved Hudson River and Manhattan Waterfront Area Construction Staging Areas.”**¹³

¹² A casing is typically a hollow steel pipe used to line the inside of a drilled hole.

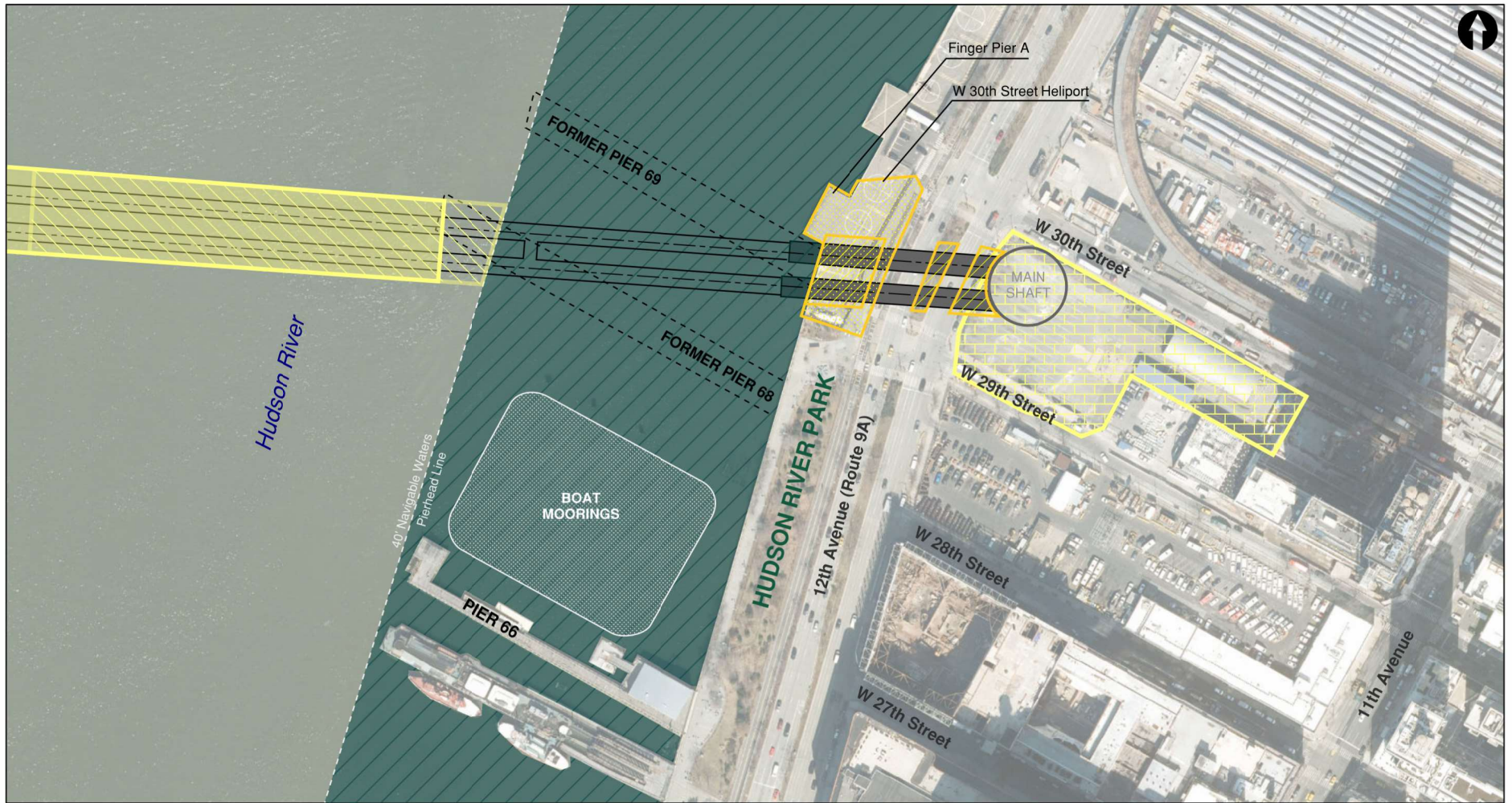
¹³ As described in the FEIS/ROD, the West 30th Street Heliport is located within the boundaries of HRP along the Project alignment on land that is publicly owned and designated for parkland use. A heliport has been present at this location since prior to establishment of the park in 1998; although the heliport is within the park boundaries, it is a private commercial operation that is not open to the public for recreation. The heliport, operating on a month-to-month basis under a permit, provides revenue to HRPT for operations and maintenance of HRP as permitted under the Hudson River Park Act.

The configuration of the HRP construction staging area contemplated in the FEIS/ROD was constrained in order to maintain the pedestrian walkway and bikeway adjacent to Twelfth Avenue/Route 9A on the east side of HRP. Specifically, the construction area was limited to a narrow portion of HRP between the Hudson River Bulkhead to the west and the pedestrian walkway and bikeway to the east, requiring a construction access shaft with a narrow rectangular configuration.

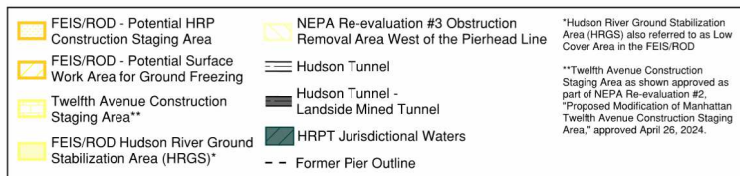
Modifications to Pedestrian Walkway and Bikeway: To accommodate the rectangular construction access shaft described in the FEIS/ROD (Section 3.3.6.1.3), the FEIS/ROD contemplated detouring the approximately 10- to 17-foot-wide pedestrian walkway eastward for approximately 200 linear feet and reducing its width to approximately eight feet. The FEIS/ROD also contemplated reducing the width of the bikeway from approximately 15 feet to 10 feet. Pavement markings and delineators would separate the pedestrian walkway from the bikeway.

Modifications to Twelfth Avenue/Route 9A: As contemplated in the FEIS/ROD (Section 3.3.6.2), vertical ground stabilization would also take place on the east side of Twelfth Avenue/Route 9A, as well as within the median between West 29th and West 30th streets. Throughout the duration of construction, the existing three southbound travel lanes and four northbound travel lanes of Twelfth Avenue/Route 9A would be maintained, subject to short-term closures during nights, weekends, and off-peak hours so that the lane could be decked and in use during peak hours. The east sidewalk and parking lane of Twelfth Avenue/Route 9A was expected to be temporarily closed for ground freezing during this operation (see **Figure 1, “Previously Approved Hudson River and Manhattan Waterfront Area Construction Staging Areas”**). The FEIS/ROD explained that lane closures and related activities would be closely coordinated with New York State Department of Transportation (“NYSDOT”), which has jurisdiction over Twelfth Avenue/Route 9A.

Finger Pier A: The FEIS/ROD (Section 3.3.6.1.2) assumed that Finger Pier A in the West 30th Street Heliport would be used as part of the HRP construction staging area (see **Figure 1, “Previously Approved Hudson River and Manhattan Waterfront Area Construction Staging Areas”**).



Source: ESRI, Maxar, Earthstar Geographics; Gateway Trans-Hudson Partnership (GTHP), 2024; Gateway Development Commission, 2024.



0 75 150 300 Feet

Previously Approved Hudson River and Manhattan Waterfront Area Construction Staging Areas
Figure 1

2.3.2 *Changes Since Publication of FEIS/ROD*

2.3.2.1 Limits of Waterside Construction Staging and Activities

Obstruction Removal: As described in **Section 2.1, “Obstruction Removal,”** abandoned waterfront structures, including timber piles associated with former Piers 68 and 69 and other obstructions (e.g., wood, concrete, etc.), would be removed where they intersect with the proposed tunnel alignments in order to reduce risk to TBM operations (see **Figure 2, “Proposed Project Modifications - Hudson River, HRP, and Twelfth Avenue Staging Areas”**). Work activities for obstruction removal within the footprint of former Pier 68 would extend between the pierhead line and approximately 250 feet from the Hudson River Bulkhead at the closest point. Work activities for obstruction removal within the footprint of former Pier 69 would, at the closest point, be less than 50 feet from the Hudson River Bulkhead and would extend approximately 250 feet west of the Hudson River Bulkhead. The area subject to temporary river bottom effects associated with Pier 68 pile removal is estimated at 0.33 acre, and approximately 0.20 acre would be affected by pile removal activities associated with Pier 69.

Obstruction removal activities would be conducted via approximately three barges supporting equipment and dredged material dewatering and storage activities. It is anticipated that the barges would be approximately 40 feet wide and approximately 150 feet long. Barges in the construction area would be temporarily moored in place until obstruction removal activities in a given area are complete. Tugboats would be used to position the barges. Workers would travel to the barges from existing Hudson River shoreline piers via small boats as needed throughout each work day; similarly, materials would be delivered using these small boats.

Ground Stabilization: As noted above in **Section 2.2, “Ground Stabilization,”** the in-water work area for ground stabilization activities (i.e., the area within which boater navigation would be restricted) as currently contemplated would extend approximately 300 feet parallel to the bulkhead and approximately 300 feet into the river, resulting in an approximately two-acre (90,000 sf) area (see **Figure 2, “Proposed Project Modifications - Hudson River, HRP, and Twelfth Avenue Staging Areas”**).

Within this area, grouting and freezing would be performed from the waterside using a temporary marine deck structure that would also provide landside access to the Hudson River. A materials barge would be used to deliver material to install the temporary marine deck, and a crane barge would be used to install the temporary marine deck. These barges would be approximately 40 feet wide by 150 feet long and would be adjacent to the in-river ground stabilization work area. The temporary marine deck, located within the larger in-water work area for ground stabilization, would extend approximately 180 feet parallel to the bulkhead and approximately 110 feet into the river.¹⁴ Approximately 11 pipe piles would be used to support the temporary marine deck, resulting in a disturbance to the river bottom of approximately 90 sf. Installation of the temporary marine deck is expected to require up to approximately nine months of work.

¹⁴ New loads would not be permitted directly on or immediately behind the Hudson River Bulkhead; accordingly, the temporary marine deck would not result in any structural load on the bulkhead, and the implementation of this work would be coordinated with the New York State Historic Preservation Office (“NYSHPO”) and HRPT. A Bulkhead Protection Plan (June 2024) was prepared to develop measures to avoid adverse effects to the Hudson River Bulkhead including load restrictions and define monitoring parameters.

The temporary marine deck would serve as a drilling platform to support vertical installation of freezing pipe casings into the riverbed. The platform would include a mobile drill bridge to position and advance freezing pipe casings into the riverbed. The temporary marine deck would include an adjustable floor to allow access to the casings. The temporary marine deck would be in place for up to approximately 27 months to support waterside ground stabilization operations.

In addition to the materials barge and crane barge described above, a casing installation barge would be used to deliver casings to advance ground freezing activities in the riverbed. This barge would be approximately 40 feet wide by 150 feet long and would be situated adjacent to the in-water work area for ground stabilization. The casing installation barge would remain in place for the duration of casing installation, which is expected to require up to approximately four months.¹⁵

The casings that would house the grout and freeze pipes would be inserted into the riverbed from the temporary marine deck. The total area of anticipated river bottom disturbance for casing installation is approximately 275 sf. The casings would be in place for up to approximately 23 months to support ground stabilization operations.

Two chiller barges, secured with pipe piles, would be used to support the freezing plants. The chiller barges would be approximately 40 feet wide by 195 feet long and would be positioned adjacent to or straddling the north and south end of the temporary marine deck in the Hudson River. Each barge would be positioned perpendicular to the bulkhead. Approximately six pipe piles would be used to support each chiller barge, resulting in a disturbance to the river bottom of approximately 100 sf. The chiller barges would be in place for up to approximately 18 months.

A trailer barge, secured with spuds, would be used for the placement of a construction trailer just outside of the work area for ground stabilization. The trailer barge would be approximately 30 feet wide by 150 feet long and would be positioned adjacent to the bulkhead, just north of the temporary marine deck in the Hudson River. Approximately four 36-inch spuds would be used to support the trailer barge, resulting in a river bottom disturbance area of approximately 30 sf. The trailer barge would be in place for approximately 36 months.

The total river bottom area that would be disturbed by the temporary marine deck piles, casings, and chiller barge piles would be approximately 465 sf.

In-water work will be avoided from January 21 to June 30 of every year to adhere to the seasonal work restrictions established through consultations with the National Oceanic and Atmospheric Administration (“NOAA”) National Marine Fisheries Service (“NMFS”) (described further in **Section 2.4, “Duration and Schedule”**).

Following the completion of the HTP tunnels, all pipe casings, barge(s), and the temporary marine deck would be removed; casings located below the bulkhead would remain in place.

¹⁵ If additional casings are required, the Contractor would maneuver the casing installation barge to receive those additional casings.

2.3.2.2 Limits of Landside Construction Staging and Activities

HRP Construction Staging Area: The HRP construction staging area would be utilized with either of the ground stabilization techniques or tunnel excavation methods contemplated herein. With the Proposed Project Modifications, the limits of the staging area within HRP would be expanded slightly north and south to accommodate the ground stabilization activities, though access to HRP would be maintained.

Additionally, if Consolidated Edison (“Con Edison”), the local utility, does not provide new feeder lines to meet the power needs of the construction activities in the Manhattan waterfront area prior to the start of ground stabilization activities, power to support ground stabilization operations would be provided to the HRP construction staging area via three 1,200 horsepower (“hp”) generator sets stationed within the construction staging area.

Modifications to Pedestrian Walkway and Bikeway: Following the issuance of the FEIS/ROD, the Project Team engaged with representatives of HRPT, NYSDOT, and the New York City Department of Transportation (“NYCDOT”) to coordinate construction staging, layout, and operations within HRP and along the west side of Twelfth Avenue/Route 9A. HRPT expressed their desire to maintain wider paths on the pedestrian walkway and bikeway along Twelfth Avenue/Route 9A during the construction period than those described as part of the FEIS/ROD.

After further evaluation of the design and layout of the construction activities in HRP, the Project Team determined that temporary reconfiguration of the pedestrian walkway and bikeway in the vicinity of the HRP construction staging area would require some grade change and would allow for a 12-foot-wide pedestrian walkway, an improvement over the eight-foot-wide pedestrian walkway approved in the FEIS/ROD, while maintaining the existing 15-foot width of the separate bikeway, an improvement over the 10-foot-wide bikeway approved in the FEIS/ROD (see **Table 1, “HRP Pedestrian Walkway and Bikeway Widths”**).¹⁶ Bicycle and pedestrian traffic would be delineated with pavement markings and physically separated with delineators throughout construction, regardless of whether horizontal or vertical ground stabilization is advanced.

Table 1: HRP Pedestrian Walkway and Bikeway Widths

HRP Element	Existing	Approved in FEIS/ROD	As Currently Contemplated
Pedestrian Walkway	10 - 17 feet	8 feet	12 feet
Bikeway	15 feet	10 feet	15 feet

Source: GTHP, 2025.

¹⁶ It is possible that for a limited period (approximately four months) currently anticipated to start in January 2026, the width of the pedestrian walkway and bike path would be reduced to eight feet and 12 feet, respectively, which would still represent an improvement over the widths contemplated in the FEIS/ROD, after which time the widths would be increased to allow for a 12-foot-wide pedestrian and 15-foot bikeway, as noted above. The widths of the pedestrian walkway and bike path would not be reduced below the eight-foot-wide pedestrian walkway and 10-foot-wide bikeway approved in the FEIS/ROD. Final details for the pedestrian walkway and bike path would be finalized in coordination with HRPT, NYSDOT, and NYCDOT.

Modifications to Twelfth Avenue/Route 9A: As described in **Section 2.2.2.2, “Vertical Ground Stabilization,”** if this ground stabilization option is implemented in the Manhattan waterfront area, vertical ground stabilization would be undertaken within Twelfth Avenue/Route 9A, requiring the sequenced relocation of the pedestrian walkway and bikeway and Twelfth Avenue/Route 9A travel lanes in the area of West 29th and West 30th streets (see **Figures 3a – 3c, “Twelfth Avenue/Route 9A Vertical Ground Stabilization Construction Sequencing”**). The sequence of construction activities is subject to the Contractor’s final determination of means and methods and approval by NYSDOT.

If horizontal ground stabilization utilizing a construction access shaft(s) within the West 30th Street Heliport in HRP is selected, the above-described Twelfth Avenue/Route 9A lane relocation may not be required. However, in either case, the pedestrian walkway and bikeway would be temporarily relocated. As described above, the temporarily relocated walkway and bikeway would be maintained as separate pathways and would be a minimum of 12 feet wide and 15 feet wide, respectively, throughout construction, except possibly during a limited period (approximately four months) currently anticipated to start in January 2026, in which the width of the pedestrian walkway and bike path would be eight feet and 12 feet, respectively.

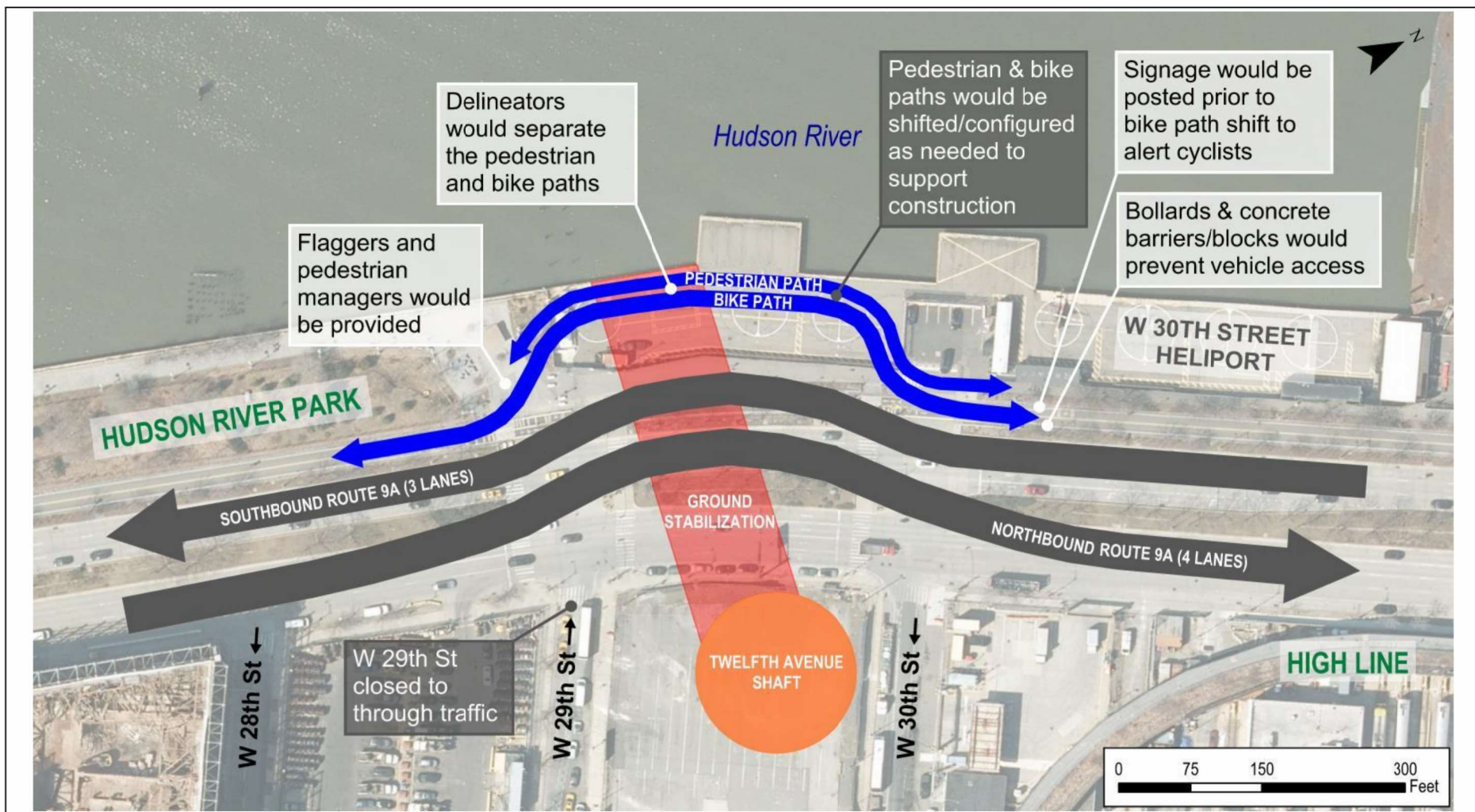
Finger Pier A: Following the issuance of the FEIS/ROD, Finger Pier A in the West 30th Street Heliport area of HRPT, adjacent to Helipad 1, collapsed into the Hudson River. Given that HRPT does not intend to reconstruct the finger pier in advance of construction activities in this area, Finger Pier A would not be available for use by the Contractor.



Note - Possible sequence of construction staging and activities shown for demonstrative purposes only. Precise sequence of construction activities, including potential ground freezing operations and relocation of Twelfth Avenue/Route 9A lanes, is subject to final means and methods selected and approval by NYSDOT.

Twelfth Avenue/Route 9A Vertical Ground Stabilization
Construction Sequencing - Existing Conditions

Figure 3a



Note - Possible sequence of construction staging and activities shown for demonstrative purposes only. Precise sequence of construction activities, including potential ground freezing operations and relocation of Twelfth Avenue/Route 9A lanes, is subject to final means and methods selected and approval by NYSDOT.

Twelfth Avenue/Route 9A Vertical Ground Stabilization
Construction Sequencing - Construction-Period

Figure 3b



Note - Possible sequence of construction staging and activities shown for demonstrative purposes only. Precise sequence of construction activities, including potential ground freezing operations and relocation of Twelfth Avenue/Route 9A lanes, is subject to final means and methods selected and approval by NYSDOT.

Twelfth Avenue/Route 9A Vertical Ground Stabilization
Construction Sequencing - Restoration

Figure 3c

2.4 Duration and Schedule

2.4.1 *Conditions Included as Part of the Published FEIS/ROD*

2.4.1.1 Waterside Schedule

Waterside construction activities associated with obstruction removal and ground stabilization at the Hudson River Bulkhead were not proposed as part of the FEIS/ROD.

2.4.1.2 Landside Schedule

As contemplated in the FEIS/ROD (Sections 3.3.6.1.1 and 3.3.6.1.2), construction activities within HRP were expected to last approximately 18 months. Ground stabilization in the Manhattan waterfront area was expected to be accomplished in two eight-hour shifts per day (7 AM-3 PM and 3 PM-11 PM) on weekdays. The FEIS/ROD (Section 3.3.6.7) assumed that the SEM excavation in HRP and beneath Twelfth Avenue/Route 9A would generally occur 24 hours a day on weekdays, with some potential for weekend work, such as equipment maintenance, to support the weekday activities.

2.4.2 *Changes Since Publication of FEIS/ROD*

2.4.2.1 Waterside Schedule

Waterside construction activities (i.e., associated with obstruction removal and ground stabilization at the bulkhead) would occur for up to approximately 36 months, with operations ongoing 24 hours per day, seven days per week.

Obstruction Removal: The Project Team proposes to undertake obstruction removal activities (including those approved as part of Re-evaluation #3 and the activities discussed herein) during approximately two seasons extending from July 1, 2025 to January 20, 2026, and from July 1, 2026 to January 20, 2027.

Since issuance of the FEIS/ROD and United States Army Corps of Engineers (“USACE”) and New York State Department of Environmental Conservation (“NYSDEC”) permits,¹⁷ NYSDEC modified the in-water timing restriction for sturgeon within the Hudson River to include the months of July and September. However, because the extended timing restriction would pose a hardship for obstruction removal activities as it would reduce in-water work to approximately four nonsequential months, GDC submitted a request for a hardship waiver on August 16, 2024; NYSDEC approved GDC’s hardship waiver request on September 5, 2024 (see **Appendix A, “Natural Resources”**). The waiver authorizes modified timing restrictions for obstruction removal activities to coincide with the period previously established (i.e., January 21 through June 30).

Ground Stabilization: In-river construction activities to support ground stabilization would require approximately 36 months, beginning in fall 2025 and extending through fall 2028.

¹⁷ Work activities associated with the low-cover area described in the FEIS/ROD are permitted through a USACE Section 10/404 permit (November 15, 2021). NYSDEC issued a permit for these activities under the Tidal Wetlands and Protection of Waters programs, as well as a Water Quality Certification under the Clean Water Act, on October 1, 2021.

Given NYSDEC's modified in-water timing restriction for sturgeon within the Hudson River described above, GDC submitted a request for a hardship waiver for ground stabilization activities on May 13, 2025. A copy of the correspondence with NYSDEC is included in **Appendix A, 'Natural Resources.'** On September 5, 2024, NYSDEC confirmed that the seasonal restrictions adopted in the FEIS/ROD and incorporated into the NYSDEC permits for the Project would apply to in-water waterside ground improvement activities.

2.4.2.2 Landside Schedule

Construction activities in HRP would require approximately 42 months; therefore, the duration of activities in HRP would be extended from the 18-month duration contemplated in the FEIS/ROD.

Further, daily duration of activities in HRP, along Twelfth Avenue/Route 9A, at the Twelfth Avenue construction staging area (Block 675, Lot 1), and on West 30th Street would increase from five days (contemplated in the FEIS/ROD) to seven days per week, between 7 AM and 11 PM (see **Section 4.10, "Noise (FEIS Chapter 12A),"** for a summary of the detailed noise assessment conducted to assess potential impacts of the Proposed Project Modifications). Additional weekend work periods may reduce the extent to which proposed construction activities in these areas would occur simultaneously. Limited landside construction activities (surface construction – e.g., construction of temporary access shaft(s), jet grouting, ground freezing, Twelfth Avenue lane shifting, etc.) in these areas may be conducted in the overnight period, between 11 PM and 7 AM, though these instances would be considered individually and coordinated in consultation with the local community. Short-term off-peak (i.e., overnight) Twelfth Avenue/Route 9A lane closures, approved by NYSDOT, would be implemented to facilitate ground stabilization (see **Section 4.1.1, "Traffic,"** for additional information).

The Project Team also proposes additional work hours to support below-ground tunneling operations, specifically 24/7 mining rather than 24/5 mining as contemplated in the FEIS/ROD. Tunnel excavations, ground support installation, and ring closures¹⁸ are all undertaken in a cyclical fashion; without continuous operations, ring closures must be completed well in advance of work stoppages. Therefore, continuous operation would offer flexibility and more schedule certainty. Specifically, this additional time on weekends and during off-hours would:

- Support mining operations (e.g., extension of ventilation, water lines, air lines, concrete pipes, etc.);
- Eliminate time to install and remove temporary support of the tunnel face before and after non-work hours (e.g., during safe stop procedure); and
- Reduce downtime from non-productive shifts due to work-window restrictions (e.g., loss of Friday shift(s) because ring closure cannot be completed before demobilizing for weekend).

¹⁸ Following the last excavation round, the tunnel face must be fully supported as per specifications before leaving for the weekend/holidays (safe stops). This can include but is not limited to: shotcrete lining, lattice girder, face shotcrete, and face dowels, as per specifications and design drawings. This is an important aspect of safety in tunneling. Ring closures limit surface settlements and deformation of the tunnel.

3 AFFECTED ENVIRONMENT: “NO ACTION” CONDITIONS

As described in the FEIS/ROD, the area in the vicinity of the Proposed Project Modifications is currently undergoing extensive redevelopment as a result of development and infrastructure initiatives; many sites have recently been developed and other high-density developments are under construction.

Table 2, “No Action Projects in the Vicinity of the Proposed Project Modifications,” provides a summary of No Action projects in the vicinity of the Proposed Project Modifications; that is, projects that would occur whether or not the HTP is implemented (see **Figure 4, “No Action Projects in the Vicinity of the Proposed Project Modifications”**). These projects were described in the FEIS/ROD, and the list below includes updates identified during the re-evaluation process. As noted in the FEIS/ROD, GDC will coordinate project activities to minimize disruptions wherever possible.

Since the publication of the FEIS/ROD, HRPT has indicated that repair activities (i.e., rehabilitation of piles, pier decks, bulkheads, relieving platforms, etc.) are tentatively planned at Pier 66 in 2025 and 2026. This repair work would be staged from barges and would rely on barge-mounted cranes. GDC will continue to work with HRPT to coordinate any Project construction activities that may occur simultaneously with repair activities at Pier 66 and to minimize the potential for cumulative adverse construction effects.

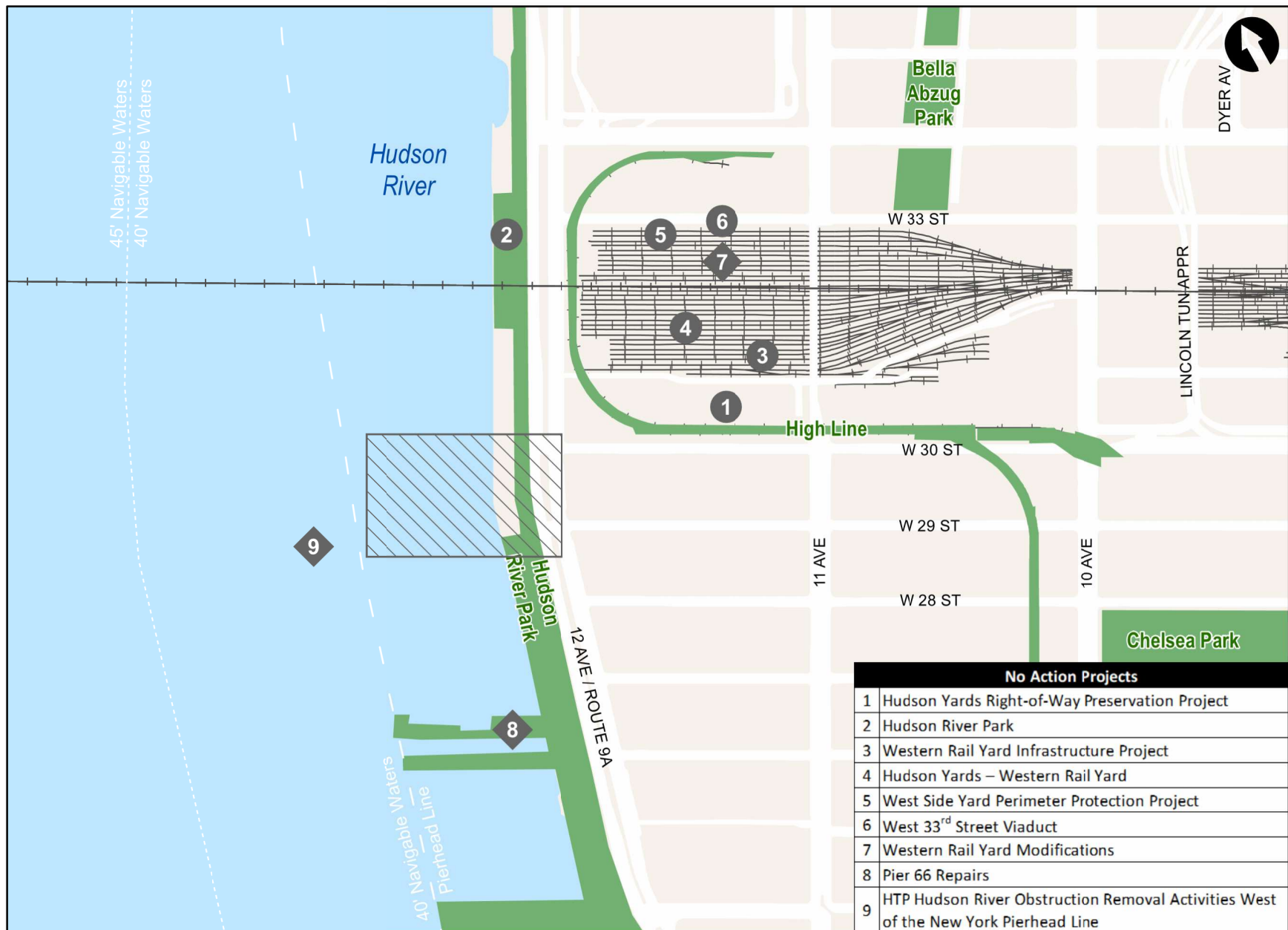
Table 2: No Action Projects in the Vicinity of the Proposed Project Modifications

ID*	Project Name/Address**	Project Description/Program	Completion Year
1	Hudson Yards Right-of-Way Preservation Project	Concrete casing preserving rail right-of-way underneath Western and Eastern Rail Yards	Under Construction
2	Hudson River Park	Park improvements, 29 th -34 th streets	Under Construction
3	Western Rail Yard Infrastructure Project	Section of Hudson Yards Right-of-Way Preservation Project with platform above the concrete casing and rail yard to support Hudson Yards development above	2026
4	Hudson Yards – Western Rail Yard	Mixed-Use: eight towers (approximately 30 to 75 stories), 6.2 million sf of residential, office, retail, and school space with public open space	2030
5	West Side Yard Perimeter Protection Project	Resiliency project to construct protection for the West Side Yard	Unknown
6	West 33 rd Street Viaduct	Regrading of West 33 rd Street between Eleventh and Twelfth avenues to correspond with new construction over Hudson Yards	Unknown
7	Western Rail Yard Modifications***	Mixed-Use: three towers (approximately 74 to 80 stories) and gaming/resort facility podium, 6.2 million sf of residential, office, retail, cultural, school, and day care space with public open space; elimination of vehicular access from West 33 rd Street to Twelfth Avenue	2031
8	Pier 66 Repairs***	Repair activities (including rehabilitation of piles, pier decks, bulkheads, relieving platforms, etc.) would be staged from barges and would rely on barge-mounted cranes	2025-2026

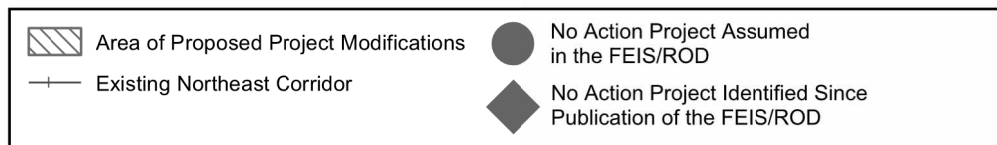
Table 2: No Action Projects in the Vicinity of the Proposed Project Modifications (cont.)

ID*	Project Name/Address	Project Description/Program	Completion Year
9	HTP Hudson River Obstruction Removal Activities West of the New York Pierhead Line†	Removal of obstructions within an approximately 1.6-acre area in the river to the west of the New York City (Manhattan) pierhead line in the vicinity of the Hudson River Ground Stabilization ("HRGS") activities	July 1, 2025 - January 20, 2026; July 1, 2026 - January 20, 2027
Notes: * ID corresponds to the No Action projects shown on Figure 4, "No Action Projects in the Vicinity of the Proposed Project Modifications." ** The FEIS/ROD included the development of a 941,000-sf hotel and/or commercial space on Block 675, Lot 1 as a No Action project. However, since the FEIS/ROD, Amtrak acquired Block 675, Lot 1; no further development projects are currently planned for this property. *** The Western Rail Yard Modifications project and Pier 66 Repairs were identified following publication of the FEIS/ROD. † The removal of obstructions identified west of the pierhead line in the Hudson River within the HRGS area is the subject of HTP NEPA Re-evaluation #3, "Proposed Hudson River Obstruction Removal Activities to Support HRGS Work," which was approved in April 2025. Completed since the FEIS/ROD: 601 West 29th Street, 606 West 30th Street, and 517 West 29th Street			

Source: GTHP, 2025.



Source: ESRI, Maxar, Earthstar Geographics; Gateway Trans-Hudson Partnership (GTHP), 2025; Gateway Development Commission, 2025.



No Action Projects in the Vicinity of the Proposed Project Modifications

Figure 4

4 CONSTRUCTION-RELATED IMPACTS

The FEIS/ROD considered 23 technical areas for both final operational conditions and temporary construction-period conditions. The permanent operational conditions and mitigations described in the FEIS/ROD would not change with the Proposed Project Modifications described herein; as such, this re-evaluation focuses on construction-period effects and construction-related mitigation. A re-analysis of these 23 technical areas to identify any new or additional construction-period impacts and required mitigation not previously documented in the FEIS/ROD is provided below. For clarity, the Proposed Project Modifications in the Hudson River (waterside) and within HRP and across Twelfth Avenue/Route 9A (landside) are considered under separate headings within each technical area, as appropriate.¹⁹

GDC anticipates that the Proposed Project Modifications would not change the following FEIS/ROD technical areas, and that therefore re-analyses are not required:²⁰

- Zoning and Public Policy;
- Greenhouse Gas and Resilience;
- Geology;
- Electromagnetic Fields;
- Indirect and Cumulative Effects; and
- Commitment of Resources.

Further, the in-river work associated with the Proposed Project Modifications is not expected to result in any change to the Traffic and Pedestrians or Utilities and Energy analyses in the FEIS/ROD, nor are the landside Proposed Project Modifications expected to result in any change to the Natural Resources or Soils analyses in the FEIS/ROD. Therefore, for these four technical areas, the analyses provided below consider either the waterside or landside activities only, as applicable.

Given that the Proposed Project Modifications would be located within portions of HRP as well as within the Hudson River jurisdictional waters of HRPT, additional coordination pursuant to Section 4(f) of the U.S. Department of Transportation (“DOT”) Act of 1966 (23 CFR Part 774) (“Section 4(f)”) has been undertaken. As described in **Section 4.18.3, “Section 4(f) Outreach and Coordination,”** HRPT provided written concurrence with FTA’s finding that the Proposed Project Modifications would not change the FEIS/ROD Section 4(f) use finding.

¹⁹ The air quality, noise, and vibration analyses of the Proposed Project Modifications do not distinguish between waterside and landside activities; rather, they account for the effects of all Proposed Project Modifications taken together.

²⁰ While the FEIS/ROD provides an analysis of the HTP’s potential effects to environmental justice communities, the White House Council for Environmental Quality (“CEQ”) issued guidance on February 25, 2025 indicating that Federal agencies should no longer provide an analysis of environmental justice in NEPA documentation.

4.1 Traffic and Pedestrians (FEIS Chapter 5A)

4.1.1 Traffic

Waterside

As described in **Section 4, “Construction-Related Impacts,”** the Proposed Project Modifications in the Hudson River are not expected to result in any change to the traffic analysis in the FEIS/ROD.

Landside

A traffic study was prepared to analyze the potential traffic impacts of the proposed Work Zone Traffic Control (“WZTC”) plan for work on Twelfth Avenue/Route 9A in the area of West 29th and West 30th streets (see **Appendix B, “Traffic Study”**). The WZTC plan would temporarily remove the existing median to facilitate construction in the Twelfth Avenue/Route 9A roadbed and shift the north- and southbound Twelfth Avenue/Route 9A lanes into HRP during staged construction, which would shift the work zone across the roadbed. Consistent with what was assumed in the FEIS/ROD, the WZTC plan would also reduce Twelfth Avenue/Route 9A southbound from three lanes to two lanes and Twelfth Avenue/Route 9A northbound from four lanes to three lanes during limited stages of the construction in off-peak periods only. These closures would be implemented in consultation with NYSDOT, which has jurisdiction over Twelfth Avenue/Route 9A.

The lane configurations during each proposed construction stage are summarized as:

- Stages 1 to 3: Peak-period lane configurations would maintain existing conditions during the three peak analysis periods. Off-peak lane closures that have been approved by NYSDOT would be utilized to facilitate median removal.
- Stage 4: Two of the three southbound through lanes would shift west into HRP.
- Stage 5: All three southbound lanes would shift west into HRP.
- Stage 6: Two of the four northbound through lanes would shift west. All three southbound lanes would shift west into HRP.
- Stage 7: All four northbound lanes would shift west. All three southbound lanes would shift west into HRP.

The traffic study determined that the existing signal timing, which accommodates the pedestrian crossing time required to safely reach the median of Twelfth Avenue/Route 9A, can be utilized in the construction stages because the crossing distance for pedestrians would remain the same. No significant traffic impacts would be expected at the analysis intersections of Twelfth Avenue/Route 9A at West 30th Street and West 29th Street during any proposed construction stage in each peak period.

The traffic study was submitted to the NYCDOT and the NYSDOT on June 10, 2025. NYSDOT approved the proposed WZTC plan in an email dated June 18, 2025; following incorporation of NYCDOT’s comments (provided June 17, 2025 and July 3, 2025), NYCDOT also approved the traffic study and proposed modifications on August 1, 2025.

4.1.2 *Pedestrians and Bicyclists*

Waterside

As described in **Section 4, “Construction-Related Impacts,”** the Proposed Project Modifications in the Hudson River are not expected to result in any change to the pedestrians and bicyclists analysis in the FEIS/ROD.

Landside

As contemplated in the FEIS/ROD, construction activities in HRP would require closing the full width of the park walkway for approximately 200 linear feet (an area approximately 10 - 17 feet wide and 200 feet long, or up to approximately 3,400 sf). To allow continued walkway access, the FEIS/ROD contemplated temporarily shifting the walkway eastward into the adjacent Twelfth Avenue/Route 9A bikeway and converting an eight-foot-wide portion of the existing bikeway to a temporary walkway. This reconfiguration would have narrowed the bikeway from 15 feet to 10 feet for the length of the HRP construction staging area, about 200 feet.

After further evaluation and coordination with HRPT, the Project Team determined that the temporary reconfiguration would require some grade change and would allow for a 12-foot-wide pedestrian walkway and maintaining the separate 15-foot width of the bikeway, an improvement over the reconfiguration approved in the FEIS/ROD.²¹ Bicycle and pedestrian traffic would be delineated with pavement markings and physically separated with delineators throughout construction, regardless of whether horizontal or vertical ground stabilization is advanced. Flaggers and pedestrian managers would be present to protect pedestrians and bikers given that trucks bringing materials and removing excavated materials would cross the park walkway and Twelfth Avenue/Route 9A.

The aforementioned traffic study determined that the existing signal timing at the intersections of Twelfth Avenue/Route 9A and West 29th and West 30th streets – which currently accommodates the pedestrian crossing time to safely reach the median refuge area on Twelfth Avenue/Route 9A – would not require modification with the vertical ground stabilization option requiring lane shifting given that the pedestrian crossing distance would not increase. Therefore, the existing traffic signal timing plans would continue to provide safe pedestrian crossing times, provided that a safe pedestrian refuge is maintained on Twelfth Avenue/Route 9A throughout the construction period.

4.2 Transportation Services (FEIS Chapter 5B)

Waterside

As described in the FEIS/ROD, the Project would require in-water construction activities in the Hudson River to strengthen a small area in the riverbed approximately 620 feet west of the Hudson River Bulkhead

²¹ As noted above, it is possible that for a limited period (approximately four months) currently anticipated to start in January 2026, the width of the pedestrian walkway and bike path would be reduced to eight feet and 12 feet, respectively, after which time the widths would be increased to allow for a 12-foot-wide pedestrian walkway and 15-foot bike path. The widths of the pedestrian walkway and bike path would not be reduced below those approved in the FEIS/ROD.

(70 feet west of the pierhead line). The in-water construction activities contemplated in the FEIS/ROD would comprise ground stabilization in a river bottom area approximately 1,200 feet long and 110 feet wide. A temporary cofferdam (in-water containment structure) would be installed in this area. Barges and other equipment would be situated in a work zone approximately 100 feet wide on both long sides of the cofferdam. Workers would travel to the construction zone on small boats (i.e., tugboats or dinghies) from established piers on the Hudson River shoreline.

The in-water construction activities associated with the Proposed Project Modifications (i.e., obstruction removal and ground stabilization) would occur simultaneously with the HRGS activities approved in the FEIS/ROD. The HRGS activities would fall entirely within the river's designated 40- to 45-foot-deep navigation channel (i.e., would not extend east of the New York City [Manhattan] pierhead line) and are currently progressing from west to east. With the Proposed Project Modifications, the obstruction removal activities in the footprints of former piers 68 and 69 and the waterside ground stabilization activities adjacent to the bulkhead would be undertaken in the area east of the pierhead line (i.e., within HRPT jurisdictional waters).

The obstruction removal activities at former Pier 68 would abut the pierhead line and would occur approximately 250 feet from the Hudson River Bulkhead at the closest point. Work activities for obstruction removal within the footprint of former Pier 69 would, at the closest point, be less than 50 feet from the Hudson River Bulkhead and would extend approximately 250 feet west of the Hudson River Bulkhead. As with the in-water work described in the FEIS/ROD, workers would travel to and from the construction zone for obstruction removal on small boats from established piers on the Hudson River shoreline.

The work area for ground stabilization adjacent to the bulkhead would measure approximately 300 feet parallel to the bulkhead and extend approximately 300 feet into the river. Within this zone, a temporary marine deck structure measuring 180 feet parallel to the bulkhead and approximately 110 feet into the river would be constructed to support the vertical installation of freezing pipe casings into the riverbed. Two chiller barges (approximately 40 feet wide by 195 feet long), secured with pipe piles, would be positioned perpendicular to the bulkhead to the north and south of the temporary marine deck.

Just outside of the work area for ground stabilization, a trailer barge (approximately 30 feet wide by 150 feet long), secured with spuds, would be positioned adjacent to the bulkhead immediately north of the temporary marine deck. Other barges (i.e., for materials, cranes, casing installation, etc.) would support ground stabilization activities from positions within or with direct access to the work area.

Maritime Hudson River traffic within the Project area includes passenger ferries operating to and from the Midtown West 39th Street ferry terminal, freight and barge traffic, cruise vessels, and other commercial and recreational boats. A boathouse in HRP, located at Pier 66 at West 26th Street, serves boaters in small unpowered watercraft, including sailboats, outrigger canoes, and kayaks. The proposed in-water activities associated with the Proposed Project Modifications would be undertaken approximately 150 feet north of the northernmost boat moorings. There would be no access restrictions for boaters traveling between the navigation channel and the Pier 66 boathouse and nearby moorings, nor would the obstruction removal activities affect boaters' ability to travel south along the pierhead line.

However, in order to travel north from the Pier 66 boathouse and moorings, boaters would need to avoid the construction work zones for obstruction removal and ground stabilization. Boaters would either travel along the pierhead line immediately west of the ground stabilization activities (following completion of the obstruction removal activities at former piers 68 and 69) or, given the proximity of the HRGS work, they would travel directly west into the 45-foot-deep navigation channel, moving around the western edge of the cofferdam and continuing north along the pierhead line (see **Figures 5a - 5e, “Representative Paths of Travel”**). As the cofferdam for the ground stabilization activities progresses west to east (i.e., toward Piers 68 and 69), the distance that boaters would have to travel west into the 45-foot-deep navigation channel to maneuver around the cofferdam would gradually lessen. The Proposed Project Modifications would not affect any other areas of the Hudson River or limit boating activities in any other portion of the river.

As described in the FEIS/ROD, safety measures would be required during construction to protect maritime commerce and recreational boating. Measures would include notification to mariners via the United States Coast Guard (“USCG”) and, potentially, wake restrictions. Other safety measures would include lighting of barges and the use of Automatic Identification System (“AIS”) transponders affixed to barges to enable electronic locating and tracking, as well as the use of marker buoys with solar lighting. These measures, which have been developed in coordination with USCG, would also protect recreational boaters, including those using the sailboats, kayaks, and canoes from the Pier 66 boathouse. With these safety measures in place, the Proposed Project Modifications would not result in adverse impacts to Hudson River maritime traffic.

GDC will continue to coordinate with the USCG, HRPT, and the Pier 66 recreational boating tenants regarding the Proposed Project Modifications.

Landside

The FEIS/ROD described that the construction would require the removal of access to an approximately 250-foot-long area on the south side of West 30th Street designated for on-street tour and charter bus parking signed as “Non-MTA Bus Layover Only.” This removal and relocation would still be required with the Proposed Project Modifications. The Contractor would coordinate with the NYCDOT’s Bus Stop Management Division regarding the need to relocate this parking area.

Season 2: Cofferdam Installation and Pile Pulling September 2025 - November 2025

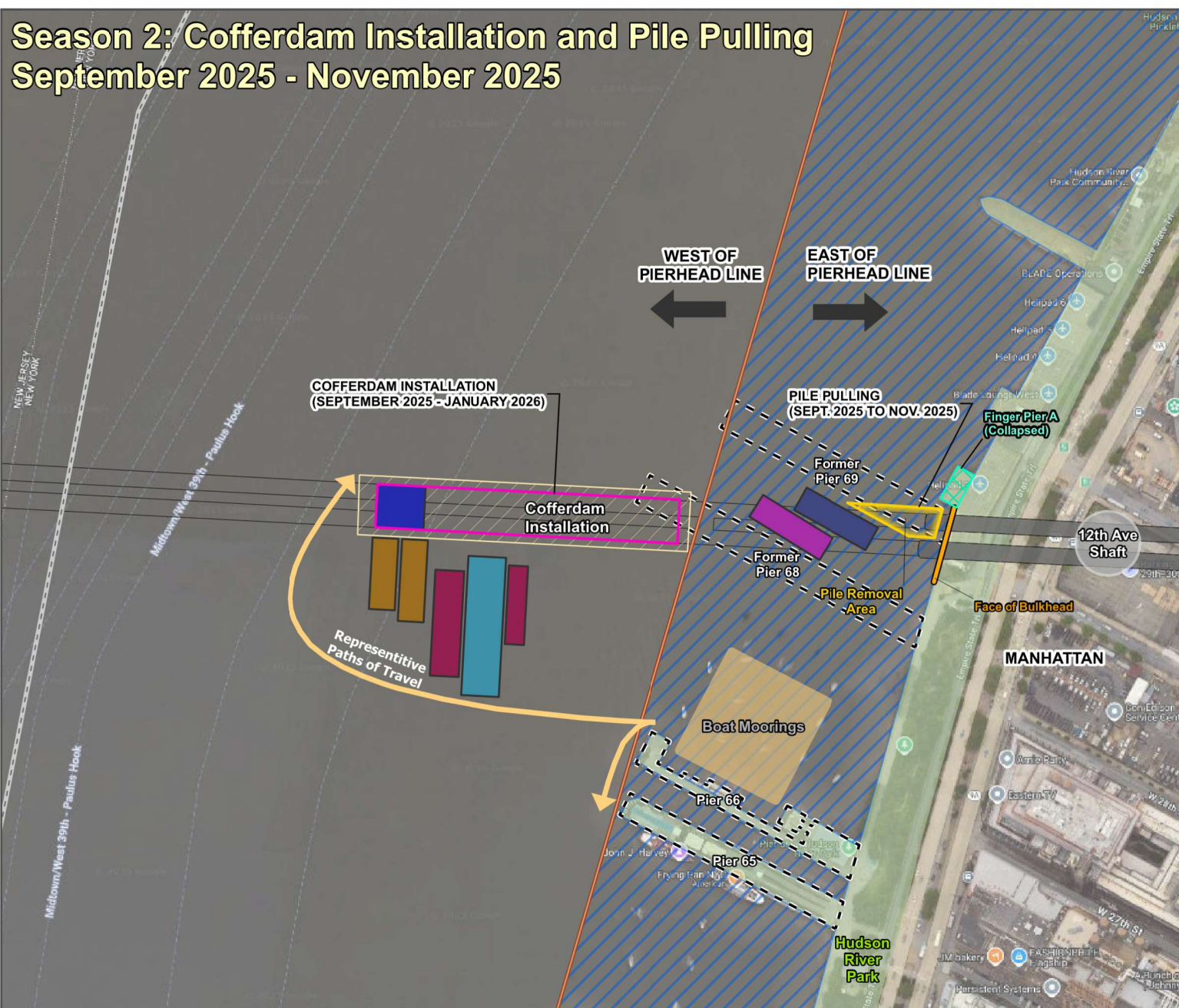


FIGURE 5a
REPRESENTATIVE PATHS OF TRAVEL

Gateway Development Commission
New York County, NY

- Legend**
- Pierhead Line
 - Bulkhead
 - Cofferdam Installation
 - Pier Footprint
 - Hudson River Ground Stabilization
 - Cofferdam Install Barge
 - Crane Barge
 - Deep Soil Mixing Barge
 - Support Barge
 - Equipment Barge
 - Dredge Barge
 - Pile Removal Area
 - Hudson Tunnel Underwater Segment
 - 12th Avenue Shaft
 - Landside Mined Tunnel
 - Boat Mooring
 - Hudson River Park
 - HRPT Jurisdictional Waters



Season 2: Cofferdam Installation and Pile Pulling November 2025 - January 2026

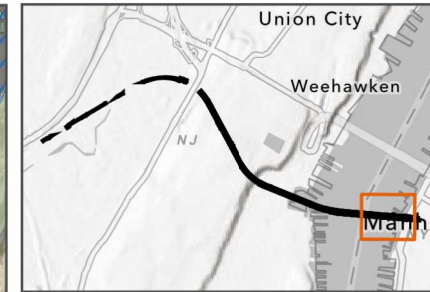
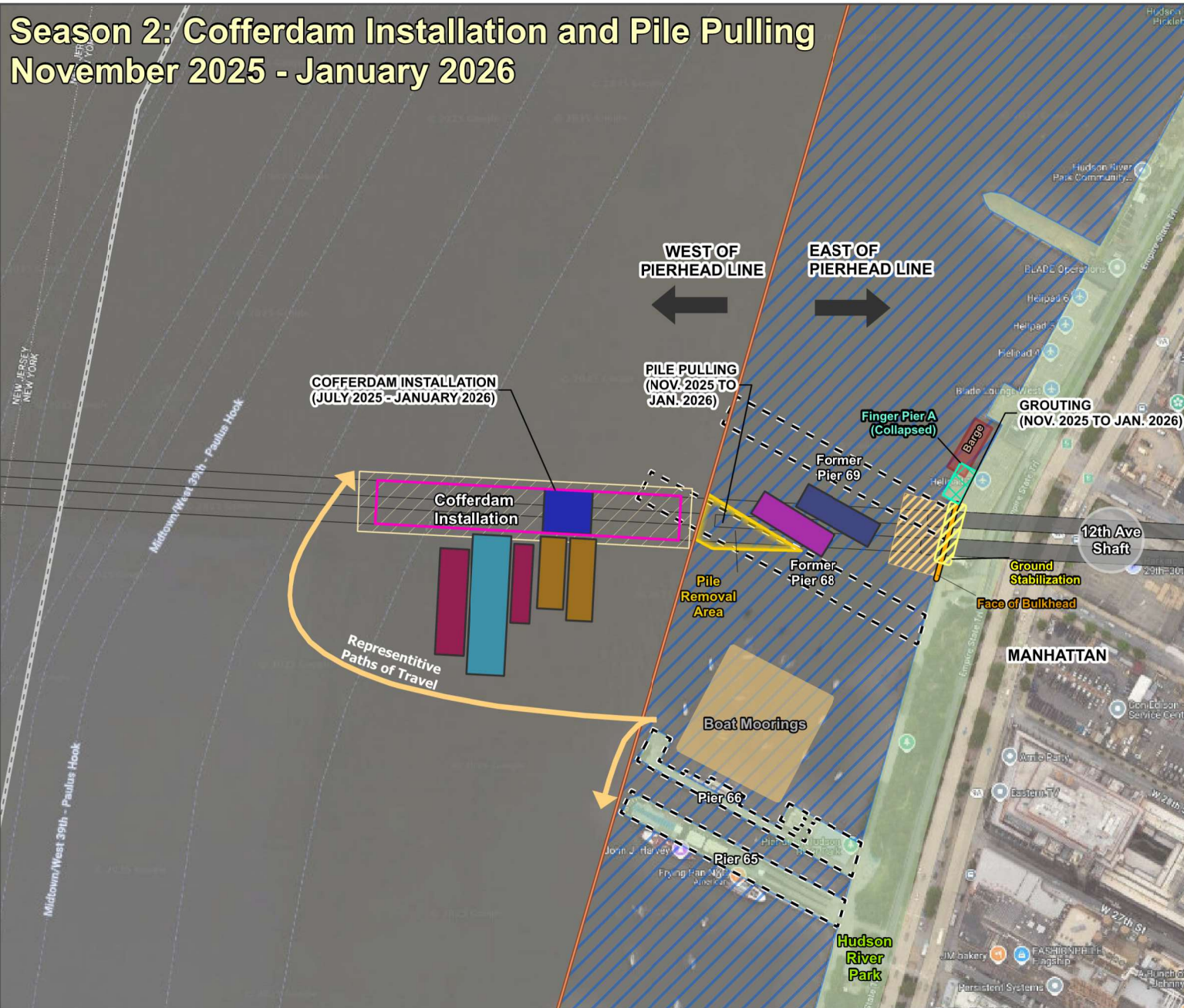
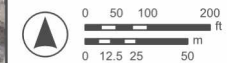


FIGURE 5b
REPRESENTATIVE PATHS OF TRAVEL

Gateway Development Commission
New York County, NY

- Legend**
- Pierhead Line
 - Bulkhead
 - Cofferdam Installation
 - Pier Footprint
 - Hudson River Ground Stabilization
 - Barge
 - Permeation Grouting
 - Cofferdam Install Barge
 - Crane Barge
 - Deep Soil Mixing Barge
 - Support Barge
 - Equipment Barge
 - Dredge Barge
 - Pile Removal Area
 - Marine Deck
 - Hudson Tunnel Underwater Segment
 - 12th Avenue Shaft
 - Landside Mined Tunnel
 - Boat Mooring
 - Hudson River Park
 - HRPT Jurisdictional Waters



GATEWAY DEVELOPMENT COMMISSION

Soil Mixing: January 2026 - July 2026

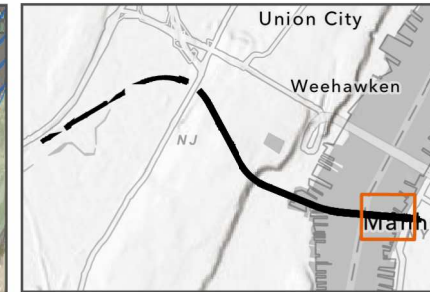
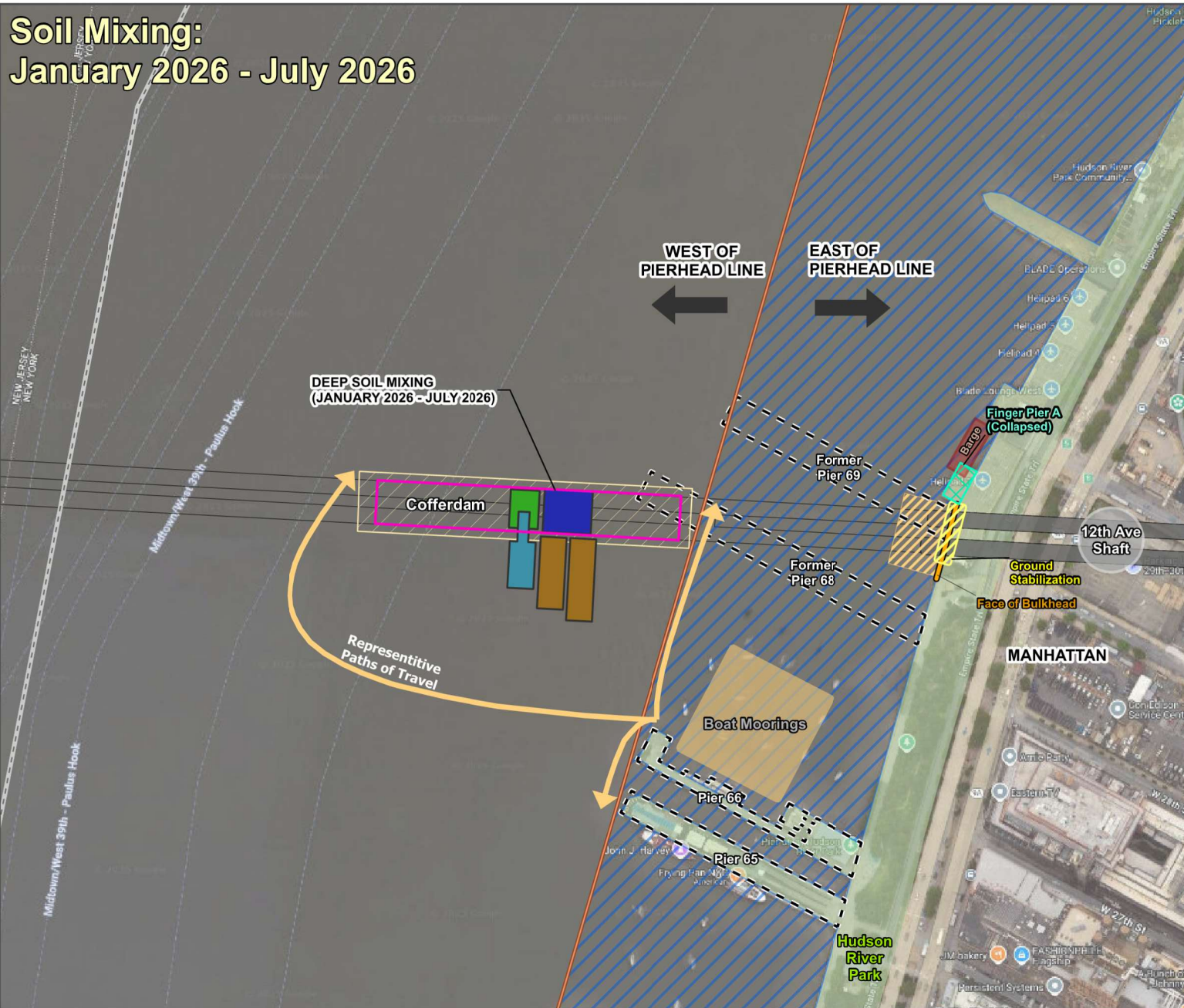
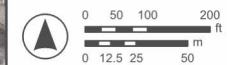


FIGURE 5c
REPRESENTATIVE PATHS OF TRAVEL
Gateway Development Commission
New York County, NY

- Legend**
- Pierhead Line
 - Bulkhead
 - Cofferdam
 - Pier Footprint
 - Hudson River Ground Stabilization
 - Barge
 - Permeation Grouting
 - Coring Barge
 - Crane Barge
 - Deep Soil Mixing Barge
 - Support Barge
 - Marine Deck
 - Hudson Tunnel Underwater Segment
 - 12th Avenue Shaft
 - Landside Mined Tunnel
 - Boat Mooring
 - Hudson River Park
 - HRJT Jurisdictional Waters



**GATEWAY DEVELOPMENT
COMMISSION**

Season 3: Cofferdam Removal July 2026 - January 2027

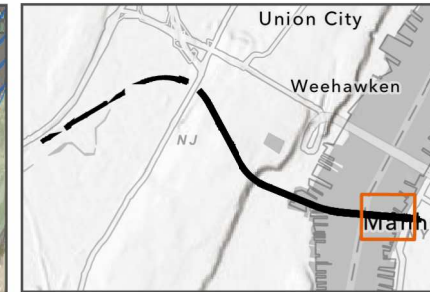
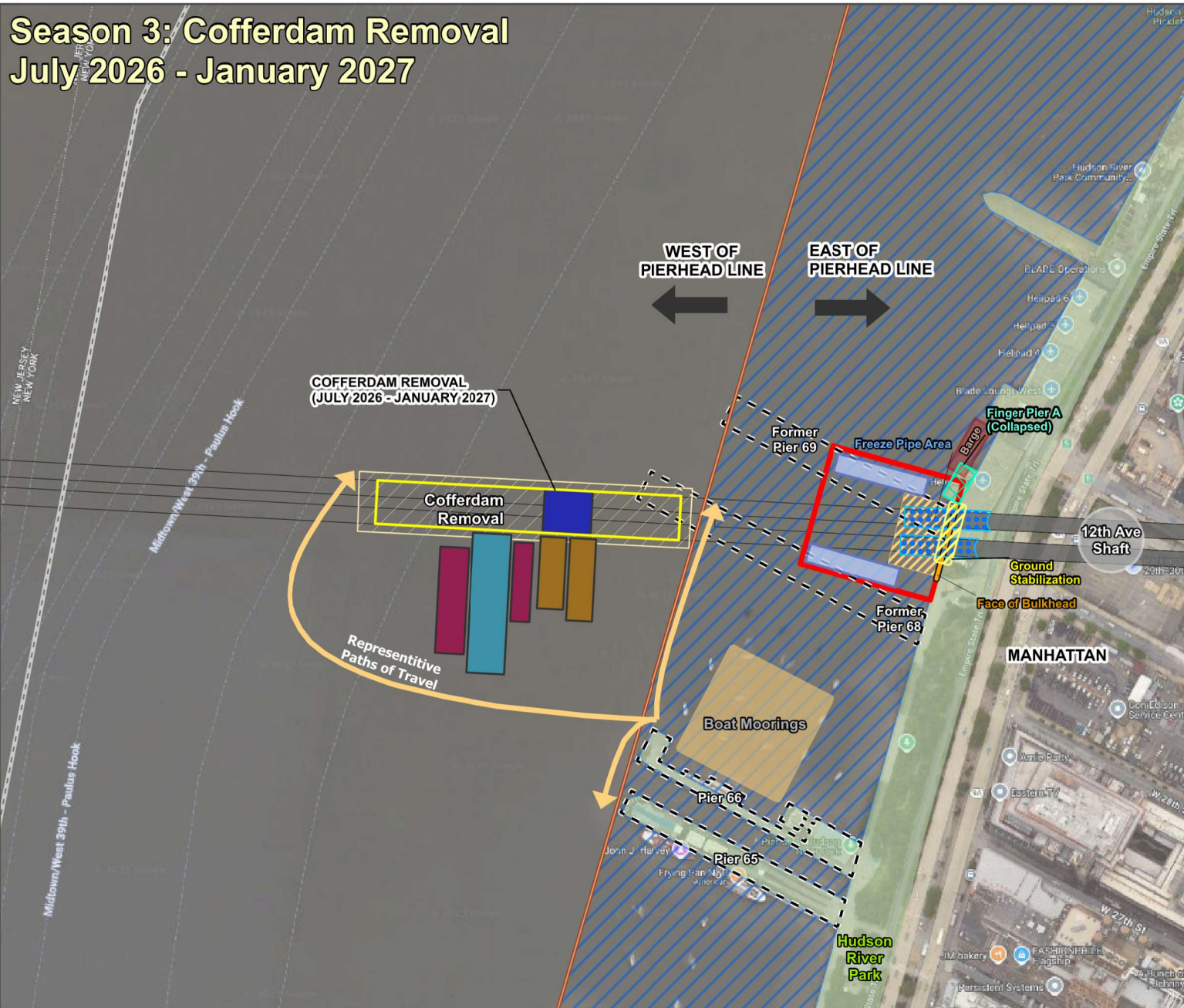
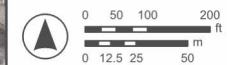


FIGURE 5d
REPRESENTATIVE PATHS OF TRAVEL
Gateway Development Commission
New York County, NY

- Legend**
- Pierhead Line
 - Bulkhead
 - Cofferdam Removal
 - Pier Footprint
 - Hudson River Ground Stabilization
 - Barge
 - Freeze Pipe Area
 - Permeation Grouting
 - Cofferdam Install Barge
 - Crane Barge
 - Deep Soil Mixing Barge
 - Support Barge
 - Chiller Barge
 - Marine Deck
 - Work Area (Approx.)
 - Hudson Tunnel Underwater Segment
 - 12th Avenue Shaft
 - Landside Mined Tunnel
 - Boat Mooring
 - Hudson River Park
 - HRPT Jurisdictional Waters



GATEWAY DEVELOPMENT COMMISSION

January 2027 - January 2029

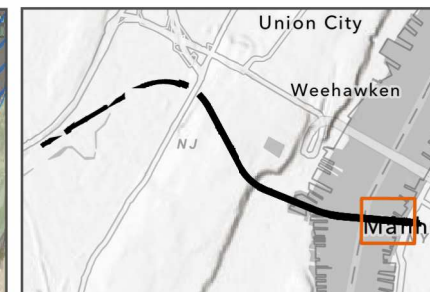
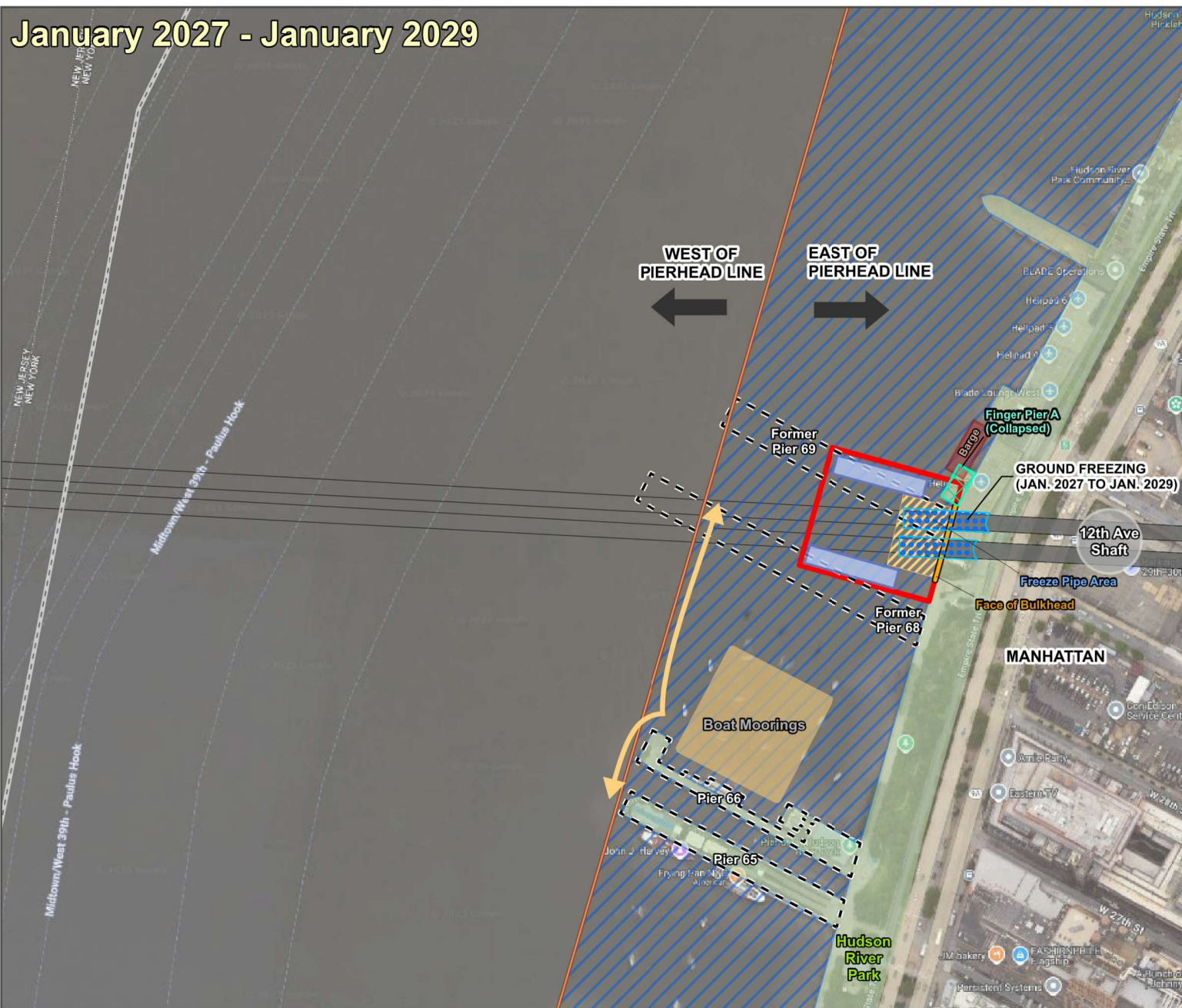
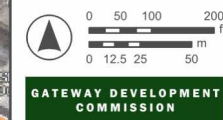


FIGURE 5e
REPRESENTATIVE PATHS OF TRAVEL
Gateway Development Commission
New York County, NY

- Legend**
- Pierhead Line
 - Bulkhead
 - Pier Footprint
 - Barge
 - Freeze Pipe Area
 - Chiller Barge
 - Marine Deck
 - Work Area (Approx.)
 - Hudson Tunnel Underwater Segment
 - 12th Avenue Shaft
 - Landside Mined Tunnel
 - Boat Mooring
 - Hudson River Park
 - HRPT Jurisdictional Waters



4.3 Land Use (FEIS Chapter 6A)

Waterside

As with the in-water construction activities described in the FEIS/ROD, Hudson River construction activities related to the Proposed Project Modifications would not disrupt nearby onshore or in-water land uses, such as activities within the land and water areas of HRP, given their temporary duration and limited area of activity.

Similar to the in-water work described in the FEIS/ROD, construction activities would be visible from the New York shoreline and could result in increased noise and vibration levels as a result of the potential use of a vibratory hammer to support pile installations, as discussed below. As described in the FEIS/ROD, in-water construction equipment could require rerouting of helicopter traffic enroute to the West 30th Street Heliport to avoid conflicts between the aircraft and equipment such as cranes. While boaters would be required to avoid the construction work zone, which may be inconvenient, there would be no access restrictions for boaters traveling between the navigation channel and the Pier 66 boathouse and nearby moorings, nor would the obstruction removal and ground stabilization activities affect boaters' ability to travel south along the pierhead line from Pier 66. While educational programming is held in the Pier 66 boathouse during the winter months, construction activities associated with the Proposed Project Modifications would occur only between July 1 and January 20, and therefore would be unlikely to result in noise-related disruptions.

However, GDC is coordinating with the businesses operating out of the West 30th Street Heliport, the Pier 66 boathouse tenants, and HRPT to minimize potential disruptions and/or modifications to their operations. Therefore, as with the in-water construction activities described in the FEIS/ROD, the Proposed Project Modifications are not anticipated to result in significant adverse impacts to surrounding land uses, including activities at the West 30th Street Heliport and the land and water areas of HRP.

Landside

The FEIS/ROD includes an analysis of the potential land use impacts resulting from temporary construction activities. Specifically, the FEIS/ROD describes the potential for construction activities to disrupt nearby land uses due to the activities themselves, dust, and noise, as well as disruptions resulting from increased truck traffic. As contemplated in the FEIS/ROD, the Project would involve temporary construction activities in HRP for approximately 18 months. In addition to the temporary narrowing of the HRP walkway and bikeway for an approximately 200-foot length, these construction activities would also require the use of the southern portion of the West 30th Street Heliport, which would result in the temporary closure the heliport fueling area and its two fueling pads, two landing pads, and a heliport driveway and parking area. However, the FEIS/ROD assumed that the Project Sponsor (GDC) will coordinate with the heliport operator and HRPT regarding relocation of the fueling facility, to identify a suitable location for the fuel tank. Further, as noted above, it may be necessary to reroute helicopters headed to and from the West 30th Street Heliport to avoid conflicts between aircraft and tall equipment during construction activities in the park and the Hudson River.

With the implementation of the Proposed Project Modifications, the duration of construction activities within HRP, and specifically within the West 30th Street Heliport, is anticipated to be extended to

approximately 42 months, which would extend the partial closure of the heliport. However, as described in the FEIS/ROD and noted above, the Project Sponsor (GDC), in cooperation with the other Project Partners, will coordinate with the West 30th Street Heliport operator and HRPT, which receives revenues from the heliport, to minimize construction-period disruption to heliport operations to the extent practicable. As described in the FEIS/ROD, the temporary use of a portion of the heliport would comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the “Uniform Act”).²²

Although construction activities at the West 30th Street Heliport would likely be disruptive for HRP users in the area just south of the heliport, any disruptions would occur in an area already subject to heavy auto and helicopter traffic. The Proposed Project Modifications would not change the number, frequency, or schedule of truck trips to and from the HRP construction staging area. As noted in the FEIS/ROD, the Project Sponsor (GDC) will implement measures to minimize construction impacts on nearby land uses, including the use of site enclosures or temporary noise barriers (e.g., ¾-inch thick plywood, approximately 15 feet high) at construction sites to provide a buffer to the recreational uses at the nearby park from construction noise and activity.

As described in **Section 2.2.2.2, “Vertical Ground Stabilization,”** if vertical ground stabilization is progressed in the Manhattan waterfront area, it would require the sequenced relocation of the pedestrian walkway and bikeway and Twelfth Avenue/Route 9A travel lanes in the area of West 29th Street and West 30th Street. The sequence of construction activities is subject to the Contractor’s final determination of means and methods and approval by NYSDOT.

However, as described in **Section 4.1, “Traffic and Pedestrians (FEIS Chapter 5A),”** with either approach to ground stabilization (horizontal or vertical) the reconfiguration of the pedestrian walkway and bikeway in the vicinity of the HRP construction staging area would allow for a 12-foot-wide pedestrian walkway and a 15-foot-wide bikeway, which would be wider than assumed in the FEIS/ROD.²³ The walkway and bikeway would remain open during construction, providing continued public access to the waterfront.

As described in **Section 2.3, “Staging Areas,”** construction activities as currently contemplated would temporarily affect generally the same areas as contemplated in the FEIS/ROD. New construction activities associated with ground stabilization at the bulkhead, in HRP, and across Twelfth Avenue/Route 9A, potential temporary shaft configurations, and reconfiguration of the walkway and bikeway would not result in any new effects to land use. Therefore, as with the FEIS/ROD, due to the limited and temporary nature of disruptions resulting from implementation of the Proposed Project Modifications, they are not anticipated to result in significant adverse impacts to surrounding land uses.

4.4 Property Acquisition (FEIS Chapter 6B)

The FEIS/ROD indicated that a temporary easement would be required for construction activities on a portion of HRP, including the current location of the West 30th Street Heliport. Implementation of the

²² As described in ROD Commitment Notification #004, and in accordance with its commitments in the FEIS/ROD, GDC is supporting the temporary relocation of fueling facilities and landing pads for the West 30th Street Heliport.

²³ See Note 21 for additional information on the planned widths of the pedestrian walkway and bike path.

Proposed Project Modifications would not require any new property acquisitions or easements, though they would require an amendment to the Temporary Work Permit from HRPT for the temporary occupancy of additional areas within HRP. The permit will address both landside and waterside activities in the park for a 42-month period and will include provisions related to reimbursement to HRPT for lost heliport revenue.

4.5 Socioeconomic Conditions (FEIS Chapter 7)

As described below, implementation of the waterside and landside Proposed Project Modifications would not directly or indirectly affect population or housing stock or result in substantial new development that is markedly different from existing uses, development, or activities within the area. It would not require acquisition of residential property or relocation of housing, nor would it result in indirect residential or business displacement, or adverse effects on a specific industry. Rather, construction would generate economic benefits for New York by creating construction jobs, paying wages and salaries to construction workers, and generating indirect economic activity throughout the region (i.e., the multiplier effect). Therefore, implementation of the waterside and landside Proposed Project Modifications would not result in adverse impacts to socioeconomic conditions.

Waterside

The area in which the waterside Proposed Project Modifications would be undertaken is directly north of the Pier 66 boathouse and moorings within HRP. Tenants using the boathouse include New York Outrigger, a non-profit organization dedicated to educating New Yorkers about outrigger canoe paddling, and Hudson River Community Sailing, a non-profit youth development and community sailing organization that provides programs including Sail Academy, Youth Racing, City Sail Camp, Adult Racing, Veterans Program, and Adaptive Sailing. Although the boaters would need to avoid the adjacent construction work zone, GDC, in cooperation with other project partners, is coordinating with HRPT and the boathouse tenants to minimize disruption to boating during in-water construction activities.

As described in the FEIS/ROD, it may be necessary to reroute helicopters headed to and from the West 30th Street Heliport to avoid conflicts between aircraft and tall construction equipment. Crane boom tips would be outfitted with an orange-and-white checkered air traffic warning flag, approved lighting/strobe, and any other requirements per Federal Aviation Administration (“FAA”) guidelines. As described in the FEIS/ROD, GDC will obtain an FAA construction permit for in-water construction activities. Further, GDC, in cooperation with Amtrak, will coordinate with the heliport tenants (Air Pegasus and BLADE Urban Air Mobility [“BLADE”]) and HRPT to minimize disruption to heliport operations during the in-water construction activities to the extent practicable.

Landside

As described in the FEIS/ROD, construction activities within the West 30th Street Heliport would require the closure of the heliport fueling area and its two fueling pads, two landing helipads, and a heliport driveway and parking area for approximately 18 months. However, the FEIS/ROD assumed that the Project Sponsor (GDC) will coordinate with the heliport operator and HRPT regarding relocation of the fueling facility, to identify a suitable location for the fuel tank. It may also be necessary to reroute

helicopters headed to and from the West 30th Street Heliport to avoid conflicts between aircraft and tall construction equipment during construction activities in the park and during the in-water construction activities.

With the implementation of the Proposed Project Modifications, the duration of construction activities within HRP, and specifically within the West 30th Street Heliport, is anticipated to be extended to approximately 42 months, which would require the extended closure of a portion of the heliport. However, as described in the FEIS/ROD and noted above, the Project Sponsor, in cooperation with the other Project Partners, will coordinate with the West 30th Street Heliport operator and HRPT, which receives revenues from the heliport, to minimize construction-period disruption to heliport operations to the extent practicable and will facilitate the relocation of affected portions of the heliport as set forth in the FEIS/ROD and ROD Commitment Notification #004.

4.6 Open Space and Recreational Resources (FEIS Chapter 8)

Waterside

As described in the FEIS/ROD, the Project would include in-water construction activities associated with the HRGS area. Barges supporting construction equipment would be moored around the cofferdam until in-water construction is complete. The FEIS/ROD contemplated that, in total, the affected area would be 1,200 feet long and 110 feet wide, with a buffer zone of 100 feet around the area where barges would be stationed. At its closest point, the HRGS area described in the FEIS/ROD would be 70 to 100 feet from the pierhead line, which is also the HRP boundary, and thus would not be within the park's water area.

With the implementation of the Proposed Project Modifications, obstruction removal and ground stabilization activities would occur within HRPT jurisdictional waters (i.e., east of the pierhead line, within HRP), which are designated as the Hudson River Park Estuarine Sanctuary.

As described in **Section 4.2, "Transportation Services (FEIS Chapter 5B),"** boaters in the Hudson River, including those departing from the Pier 66 boathouse and moorings, would need to avoid the in-water construction work zones associated with the HRGS area, obstruction removal activities, and ground stabilization activities. This may be inconvenient, but it would not limit boaters' access to and from the channel. The Proposed Project Modifications would not affect any other areas of the Hudson River or limit boating activities in any other portion of the river. While educational programming is held in the Pier 66 boathouse during the winter months, construction activities associated with obstruction removal and ground stabilization would occur only between July 1 and January 20, and therefore would be unlikely to result in noise-related disruptions (see **Section 4.10, "Noise (FEIS Chapter 12A)"**).

Additionally, as described in the FEIS/ROD, in-water construction equipment would extend above the waterline and barges would be anchored around the work zone. However, this temporary construction activity would appear similar to other construction and maintenance that periodically occurs along the shoreline and would not notably affect views from HRP in Manhattan given the large expanse of the Hudson River.

As described in **Section 4.2, "Transportation Services (FEIS Chapter 5B),"** a number of measures would be implemented during construction to warn maritime traffic, including recreational boaters, of the in-

water construction and to ensure the continued safety of boaters. Therefore, as with the in-water work described in the FEIS/ROD, there would be only minimal, temporary effects on recreational activities on the Hudson River during construction, which would not adversely affect the river's availability or quality as a recreational resource. In addition, as part of mitigation for the Proposed Project Modifications, GDC will provide HRPT with a monetary contribution to be used for programming related to HRP's estuarine sanctuary.

Landside

As described in the FEIS/ROD, construction activities in New York would result in temporary disruptions at HRP. Construction activities would have three different types of effects on HRP: (1) some construction would occur directly in HRP; (2) some would occur near the park and be audible and visible in the park; and (3) some would occur both in and near the park and delay planned park improvements. As noted in **Section 2.4, "Duration and Schedule,"** proposed construction activity associated with SEM tunnel excavation and ground freezing operations within HRP and at the West 30th Street Heliport was estimated to last approximately 18 months. This construction staging area was expected to involve detouring the full width of the park walkway for approximately 200 linear feet; the walkway would be detoured eastward into the adjacent Twelfth Avenue/Route 9A bikeway and an eight-foot-wide portion of the bikeway would be converted into a temporary walkway. This reconfiguration was also expected to narrow the bikeway from 15 feet to 10 feet for the length of the staging area, about 200 feet. As described in the FEIS/ROD, construction in HRP would also require use of the southern portion of the heliport as a staging area, thereby displacing heliport operations from this area.

As described in **Section 2.3.2.2, "Limits of Landside Construction Staging and Activities,"** implementation of the Proposed Project Modifications would temporarily reconfigure the pedestrian walkway and bikeway in the vicinity of the HRP construction staging area, which would require some grade change and would allow for a 12-foot-wide pedestrian walkway, an improvement over the eight-foot-wide pedestrian walkway proposed in the FEIS/ROD, while also maintaining the existing and separate 15-foot width of the bikeway during construction activities within HRP.²⁴ This proposed temporary reconfiguration would maintain public access to the waterfront and would not significantly alter the park user experience.

The Proposed Project Modifications would require temporary removal of the art installation "Two Too Large Tables," comprising two tables with seating, located in the southern portion of the HRP construction staging area. The installation would be temporarily stored off-site and, following completion of construction activities in the HRP construction staging area, would be returned and re-installed at the direction of HRPT; this mitigation will be managed in coordination with HRPT.

Consistent with the commitments in the FEIS/ROD, the HRP construction staging area would be surrounded by a solid fence to block views of it from the adjacent park. Even with this construction fence, some of the construction equipment in the staging area would be visible to people in nearby areas of HRP. Similarly, if vertical ground stabilization is progressed as part of the Proposed Project Modifications, the construction activities in the roadbed of Twelfth Avenue/Route 9A would be visible from both HRP and the High Line, as well as from other open space and recreational resources in the vicinity. Construction

²⁴ See Note 21 for additional information on the planned widths of the pedestrian walkway and bike path.

activities at the West 30th Street Heliport would produce noise levels that would be noticeable and audible in HRP, but they would be below the FEIS/ROD impact criteria. As noted in the FEIS/ROD, extensive construction has been occurring in the vicinity of the park in many locations, and the park is located on a busy, noisy, and heavily trafficked arterial roadway (i.e., Twelfth Avenue). Though the Proposed Project Modifications would extend the duration of construction activities in HRP from 18 months to 42 months, construction at this location would not affect HRP visitors' ability to utilize or enjoy the park. Therefore, while construction activities associated with the Proposed Project Modifications would at times be noisy and disruptive, and would occur over a longer period of time with the Proposed Project Modifications, they would not change the character or usability of the park's recreational resources.

As described in the FEIS/ROD, two private developers for projects on the east end of Block 675 have purchased development rights from the park. HRPT is expected to use the funds anticipated from the sale to undertake park improvements, potentially including improvements in the segment of the park from West 29th to West 34th Street, as noted in **Table 2, "No Action Projects in the Vicinity of the Proposed Project Modifications."** Park improvements could not be undertaken while Project construction activities within HRP are underway. Per the FEIS/ROD, HRPT is coordinating with the Project Partners and has stated that it would not complete any new park facilities in the area required for Project construction prior to completion of the tunneling. Therefore, given the extended schedule duration, the construction activities for the Proposed Project Modifications in HRP would further delay improvements in the area near West 29th Street where the proposed HRP construction staging area is located.

Following completion of construction within HRP, GDC will restore the affected area of HRP (i.e., heliport, walkway, bikeway, buffer medians, planters and trees, seating, security cameras, utility poles, appurtenances, etc.) in coordination with HRPT. GDC will undertake this restoration at no cost to HRPT or relevant New York State and City agencies. Trees and other vegetation will be planted per HRPT requirements and specifications. GDC continues to coordinate with HRPT regarding mitigation for the Proposed Project Modifications, including monetary contributions to HRPT related to changes in construction activities and duration in HRP.

4.7 Historic and Archeological Resources (FEIS Chapter 9)

Stipulation XIII of the Section 106 of the National Historic Preservation Act of 1966 ("Section 106") Programmatic Agreement ("PA") for the Project, formally executed on May 10, 2021, requires GDC, in cooperation and coordination with Amtrak, to notify FRA, along with the New Jersey and New York State Historic Preservation Officer ("NJSHPO" and "NYSHPO"), Advisory Council on Historic Preservation, and the invited signatories and the other consulting parties to the PA, of any changes to the Project scope which could potentially result in adverse effects to historic properties.

GDC, in coordination with Amtrak, first initiated consultation with FRA and FTA on the potential effects to historic properties of the proposed obstruction removal activities on January 3, 2024, and of the other Proposed Project Modifications (landside) on May 16, 2025. This initial consultation comprised documentation including research, conducted by professionals who meet the Secretary of the Interior's Professional Qualifications Standards, to identify historic properties that may be affected by the Project changes, and recommendations regarding effects to historic properties. As described below, FTA then

consulted with NYSHPO and other Section 106 PA signatories, consulting tribes, concurring parties, and consulting parties regarding these Proposed Project Modifications (see **Appendix C, “Section 106 Consultation”**).

4.7.1 Historic Architectural Resources

Waterside

Preliminary background research indicated that former Piers 68 and 69, which were not identified in the FEIS/ROD as subject to Section 106 consultation, were constructed circa 1890. Pier 68 was demolished between 1967 and 1970, while Pier 69 was demolished in 1935, following a fire. The submerged timber piles embedded in the Hudson River bottom are the remnants of these former structures.

Because former Piers 68 and 69 are well-represented in the municipal records of the City of New York, contemporary newspaper accounts, and historical cartographic materials, and because the remaining structural components of the intentionally razed piers appear to consist solely of timber piles embedded in the bottom of the Hudson River, they do not retain sufficient integrity to be considered for inclusion on the National Register of Historic Places (“NRHP”) as architectural resources.

Therefore, in accordance with 36 CFR Part 800.4(d)(1), FRA determined that the obstruction removal activities will have No Effect on Historic Properties. In a letter dated January 4, 2024, FRA notified NYSHPO and other Section 106 PA signatories, consulting tribes, concurring parties, and consulting parties of the obstruction removal activities and sought NYSHPO concurrence with FRA’s findings. In a response letter dated January 11, 2024, NYSHPO provided concurrence with FRA’s determination that the remnants of former Piers 68 and 69 are not eligible for NRHP listing and indicated that they have no concerns regarding the Project’s effects on these resources.²⁵

As such, no historic properties would be affected by the obstruction removal activities, and no additional historic investigation is required.

Landside

There are seven historic architectural resources located within the New York Area of Potential of Effects (“APE”) as identified in the FEIS/ROD. Of these, two are located within or immediately adjacent to the area of Proposed Project Modifications: the NRHP-eligible Hudson River Bulkhead and the NRHP-eligible High Line. No new or additional historic properties were identified within the APE of the Proposed Project Modifications.

The Hudson River Bulkhead is located within and immediately adjacent to areas of Proposed Project Modifications. As described in the FEIS/ROD, the Project was determined to have an Adverse Effect on the bulkhead due to the removal and disturbance of original substructure components of the property (i.e., timber piles, riprap, etc.), and the stipulations in the PA were adopted to mitigate the removal and disturbance of original substructural components, as well as minimize and/or prevent unanticipated adverse impacts to the structural integrity of the bulkhead structure caused by construction-related

²⁵ The other Section 106 PA signatories, consulting tribes, concurring parties, and consulting parties did not provide a response.

vibration through a Bulkhead Protection Plan (“BPP”). The BPP will continue to be implemented during the Proposed Project Modifications, as contemplated in the FEIS/ROD. As such, Proposed Project Modifications that have the potential to damage or remove original components of the Hudson River Bulkhead substructure, or that may introduce vibratory impacts to the bulkhead, are considered to have no change to the Adverse Effect finding from the FEIS/ROD.

Following publication of the FEIS/ROD, HRPT conducted a routine level inspection of select segments of the bulkhead and prepared a Bulkhead Inspection Report (dated May 2024), which indicates that the Hudson River Bulkhead in the vicinity of the HRP construction staging area is in poor condition. Between approximately West 23rd and West 34th streets, the bulkhead consists of a front-facing granite wall, which extends to just below the low-tide line, on narrow concrete blocks with inclined bracing piles and timber binding frames around the piles. Defects include spalling and erosion, voids or gaps in concrete and stone blocks, erosion and/or undermining of concrete elements, and missing or displaced stone blocks in stone masonry portions of the bulkhead.

The Section 106 PA Stipulation V.C.2.a requires Amtrak to enter into an agreement with HRPT regarding Amtrak’s long-term maintenance of the geographic area of the Hudson River Bulkhead that may be affected by construction and operation of the Project (“Long-Term Maintenance Agreement”). The Long-Term Maintenance Agreement will commit the Contractor to repair defects identified in the Contractor’s preconstruction inspection report of the Hudson River Bulkhead – other than those designated as minor – within a certain geographic area of the Hudson River Bulkhead. Additionally, as required in Stipulation V.C.2.a of the PA, the Contractor will be required to repair any damage sustained to the bulkhead due to construction. As required in the HTP BPP, developed pursuant to Stipulation V.C.2.c of the PA, repair and restoration activities would be undertaken in consultation with NYSHPO.

While the High Line is located outside of the areas of Proposed Project Modifications, these activities may have the potential to introduce indirect impacts to the historic property due to their relative proximity. As described in the FEIS/ROD, the Project was determined to have a No Adverse Effect on the High Line, and a stipulation in the PA was put in place to minimize and/or prevent unanticipated adverse impacts to the structure through a Construction Protection Plan (“CPP”). The proposed temporary relocation of the pedestrian walkway, bikeway, and Twelfth Avenue/Route 9A travel lanes would have the potential to introduce minor indirect impacts as a result of construction-related vibration to the High Line. However, these impacts would be similar to those activities previously described in the FEIS/ROD and addressed in the PA.

In a letter dated May 27, 2025, FTA notified NYSHPO and other Section 106 PA signatories, consulting tribes, concurring parties, and consulting parties of the obstruction removal and ground stabilization activities and sought NYSHPO concurrence with FTA’s findings. In a response letter dated June 17, 2025, NYSHPO provided concurrence with FTA’s determination that the Proposed Project Modifications would not change the No Adverse Effect finding from the FEIS/ROD, subject to the implementation of the approved CPP.

4.7.2 *Archaeological Resources*

Waterside

Historians and archaeologists conducted preliminary background research on former Piers 68 and 69. It was subsequently determined in the aforementioned consultations that the submerged remnant timber piles themselves lack sufficient context or information potential to consider them potentially eligible for inclusion on the NRHP as archaeological resources. As such, no historic properties would be affected by the proposed obstruction removal activities, and no additional archaeological investigation is required.

Landside

As described in the FEIS/ROD, the Project was determined to have an Adverse Effect on one archaeological site (Hudson River Bulkhead) and two areas of archaeological sensitivity west of Twelfth Avenue/Route 9A and within Block 675, Lot 1. The Proposed Project Modifications similarly have the potential to directly and/or indirectly affect these areas of archaeological sensitivity. However, these effects would be similar to those described in the FEIS/ROD and addressed in the PA. In addition, GDC will implement the treatment measures for archaeological resources outlined in Stipulation VI of the PA, including the Archeological Testing Plan/Archeological Monitoring Plan. As such, they would not change the Adverse Effect finding in the FEIS/ROD. Upon completion of construction, affected areas would be restored to pre-construction conditions, unless otherwise stipulated by the PA.

4.8 Visual and Aesthetic Resources (FEIS Chapter 10)

Waterside

In-water construction activities associated with the Proposed Project Modifications would occur for a duration of approximately 36 months and would directly abut the Manhattan shoreline for approximately 300 feet. The in-water work zone for ground stabilization at the bulkhead would, in effect, serve as an extension of the HRP construction staging area within the landside portion of the park. These construction activities and in-water construction equipment would be visible from the shoreline, specifically from HRP. As described in the FEIS/ROD, while construction sites can be visually unappealing to sensitive viewers, HRP is located within a larger industrial setting characterized by a rapidly developing mixed urban environment, with the heavily trafficked Twelfth Avenue directly adjacent to the east and the West 30th Street Heliport just north, within the park. Overall, given the large expanse of the Hudson River and the temporary nature of these construction activities, the in-water work associated with the Proposed Project Modifications would not significantly affect visual or aesthetic resources.

Landside

As described in the FEIS/ROD, construction equipment would be located in the southern portion of the West 30th Street Heliport within HRP and would be visible to people in nearby portions of the park. The FEIS/ROD also determined that construction in this area would be visible from the surrounding streets, the High Line, and two new high-rise developments on the eastern portion of Block 675.

With the Proposed Project Modifications, the modest expansion of the HRP construction staging area from what was assumed in the FEIS/ROD and the temporary reconfiguration of the pedestrian walkway

and bikeway would maintain public access to the waterfront and would not significantly alter the park user experience. As with the detoured pedestrian walkway and narrowed bikeway analyzed in the FEIS/ROD, the relocated pedestrian walkway and bikeway would be directly adjacent to construction activities in HRP. As such, the construction equipment in the staging area would be visible to pedestrians and runners, as well as users of non-motorized vehicles (e.g., bicycles, rollerblades, skateboards, etc.), in this portion of HRP. As described in the FEIS/ROD, while some views of construction activity could distract from the enjoyment of park activities, this effect would be momentary for the park user and the overall construction condition would be temporary. Construction barricades would be installed to limit views of the construction zone for park users. No other open spaces or aesthetic resources would be affected by the modifications of the pedestrian walkway and bikeway as part of the Proposed Project Modifications.

If vertical ground stabilization is progressed, the Twelfth Avenue/Route 9A travel lanes would be sequentially shifted into the West 30th Street Heliport portion of HRP as the Contractor advances ground stabilization (jet grouting) across the roadbed between HRP and the Twelfth Avenue Staging Area. With this approach, active construction along Twelfth Avenue/Route 9A would similarly be visible from HRP and the surrounding streets, though it would be an extension of the other construction activities occurring in the HRP construction staging area and the Twelfth Avenue Staging Area.

In addition, construction lighting would be visible during nighttime hours from nearby streets and residential uses. As noted in the FEIS/ROD, the Project Sponsor (GDC) will design construction lighting to minimize light pollution affecting adjacent residential areas, with targeted and downward-directed shielded lighting and minimal site lighting after construction hours.

4.9 Natural Resources (FEIS Chapter 11)

FRA requested Essential Fish Habitat (“EFH”) and Endangered Species Act (“ESA”) Section 7 consultation and concurrence from NOAA NMFS under the Magnuson-Stevens Fishery Conservation and Management Act, via letters dated May 11, 2017, and June 14, 2017, respectively, to address in-water construction activities associated with the Project (i.e., river-bottom stabilization and associated temporary cofferdam installation). Within the initial consultation request, NOAA NMFS indicated that the Hudson River is a migratory pathway for Atlantic and shortnose sturgeons.

In a letter dated March 15, 2024, FRA requested re-initiation of EFH consultation with NOAA NMFS Habitat and Ecosystems Services Division regarding the proposed obstruction removal activities both east and west of the pierhead line. On May 17, 2024, NOAA NMFS Habitat and Ecosystems Services Division provided FRA correspondence in which they concurred that the adverse effects of the obstruction removal activities on EFH will not be substantial. In a letter dated April 29, 2024, FRA requested re-initiation of ESA Section 7 consultation with NOAA NMFS Protected Resources Division. On July 15, 2024, NOAA NMFS Protected Resources Division provided FRA correspondence that the proposed obstruction removal activities are not likely to adversely affect any NMFS Protected Resources Division ESA-listed species or designated critical habitat and noted that no further consultation pursuant to Section 7 of ESA is required.

In letters dated May 27, 2025, FTA requested reinitiation of EFH consultation from NOAA NMFS Habitat and Ecosystems Services Division and ESA Section 7 consultation from NOAA NMFS Protected Resources

Division, respectively, regarding the installation of a temporary marine deck, casings, chiller barges, and trailer barge, as well as ground stabilization activities.

NOAA NMFS Habitat and Ecosystems Services Division

NOAA NMFS Habitat and Ecosystems Services Division requested additional information on June 2, 2025, including plans and cross sections of the planned work activities, dimensions, and duration of work elements that would shade the river more than 12 months.²⁶ A response was provided shortly thereafter, and in a letter dated July 8, 2025, NOAA NMFS Habitat and Ecosystems Services Division concurred with FTA that the adverse effects of the HTP on EFH will not be substantial based on the adoption of best management practices (“BMPs”) and provided that in-water work be limited to July 1 through January 20. NOAA NMFS Habitat and Ecosystems Services Division concurred with FTA’s response via email (dated July 17, 2025) and acknowledged FTA’s adoption of NMFS recommendations.

NOAA NMFS Protected Resources Division

NOAA NMFS Protected Resources Division responded to the reinitiation of consultation in a letter dated June 15, 2025, which requested certain revisions to align with a Biological Assessment. NOAA NMFS Protected Resources Division subsequently requested additional information on July 9, 2025, including a new acoustic analysis. A response to the additional information request was provided, and in response, NOAA NMFS Protected Resources Division provided a letter dated July 28, 2025 noting that no further consultation pursuant to Section 7 of the ESA is required.

NMFS consultations are included in **Appendix A, “Natural Resources.”**

NYSDEC Hardship Waiver Request

A hardship waiver request was submitted to NYSDEC on May 13, 2025, requesting that NYSDEC authorize in-water work for the Proposed Project Modifications during the period previously approved in the FEIS/ROD, rather than the modified in-water work window adopted after the issuance of the FEIS/ROD. A copy of the correspondence is included in **Appendix A, “Natural Resources.”** On September 5, 2024, NYSDEC confirmed that the seasonal restrictions adopted in the FEIS/ROD and incorporated into the NYSDEC permits for the Project would apply to in-water waterside ground improvement activities proposed as part of the Proposed Project Modifications.

Updated Consultations

Updated data was gathered regarding federally listed or proposed species under the jurisdiction of NMFS and rare or state-listed animals and plants under the purview of the New York Natural Heritage Program.

²⁶ NOAA NMFS Habitat and Ecosystems Services Division also requested additional information concerning a perimeter barrier (in the form of a curtain) that was contemplated to be installed to form a fish exclusion zone around the marine deck if the installation of the marine deck and casings were not completed between September 30, 2025 and January 20, 2026 (per seasonal work restrictions) in order to facilitate year-round in-water work. However, based on consultation with the NOAA NMFS Habitat and Ecosystems Services Division, all in-water work will be limited to July 1 to January 20 of each calendar year.

The NYNHP report identified the same rare or state-listed animals and plants and significant natural communities identified in the FEIS/ROD.

In addition, an updated list of EFH special was obtained from the NOAA Fisheries Essential Fish Habitat Mapper tool. The EFH species in the Project area are consistent with the species that were reviewed in the FEIS/ROD. The following ESA-listed species remain the same as past consultations with NMFS Protected Resources Division:

- Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*; threatened/endangered); and
- Shortnose sturgeon (*Acipenser brevirostrum*; endangered)

4.9.1 Aquatic Resources

Waterside

Components of the Proposed Project Modifications with the potential to impact aquatic resources include the installation of approximately 11 36-inch pipe piles to support the temporary marine deck that would measure approximately 180 feet parallel to the bulkhead and 110 feet perpendicular to the bulkhead, two approximately 195-foot by 40-foot chiller barges supported by six 36-inch spuds, an approximately 150-foot by 30-foot trailer barge supported by four 36-inch spuds, approximately 350 12-inch pipe casings, obstruction removal activities, and increased temporary construction barge vessel activity. The Proposed Project Modifications would result in increased sediment resuspension and underwater noise compared with those assumed in the FEIS/ROD, although these changes would not result in adverse effects to aquatic resources. A summary of the biological assessments and mitigations is provided below. See **Appendix A, “Natural Resources,”** for the detailed biological assessment.

Water Quality

The FEIS/ROD identified potential effects to water quality that may result with the installation and removal of the temporary cofferdam to facilitate ground stabilization. Like the impacts considered in the FEIS/ROD, the Proposed Project Modifications would result in sediment disturbance associated with pile driving, casing installation, dredging of sediment, and obstruction removal would be expected to result in minor, short-term increases in suspended sediment and re-deposition of sediments and associated contaminants. Minor loss of dredged material during removal may also result in short-term and temporary adverse surface water quality effects. However, the suspended sediment and contaminant concentrations generated by these activities are expected to be below the levels of physiological impact,²⁷ and the affected areas are expected to quickly return to ambient conditions. Further, as described in **Section 4.9.6, “Mitigations,”** mitigation measures would be implemented during in-water work whenever feasible. As such, water quality impacts with the Proposed Project Modification – both through increased suspended sediment and potential exposure to contaminants – are anticipated to be temporary and localized.

²⁷ Concentrations of total suspended solids (“TSS”) shown to have adverse effects on fish range from approximately 580 milligrams per liter (mg/L) for the most sensitive species, and up to approximately 1,000 mg/L for less sensitive species (Burton, 1993 as cited in NOAA Fisheries 2024a; Wilber and Clark, 2001) for durations of one or two days (USEPA, 1986).

Sediment Quality

As in most urban watersheds, sediments in the Lower Hudson River, including in the vicinity of the obstruction removal activities, are contaminated (Class B or Class C based on NYSDEC Sediment Quality Thresholds)²⁸ due to historical industrial uses. Therefore, as with the in-water work described in the FEIS/ROD, the Proposed Project Modifications may result in temporary increases in suspended sediment containing moderate to high levels of contamination. Any sediments and associated contaminants resuspended during pile driving, installation of casings, or obstruction removal activities would be expected to be localized and would dissipate quickly with tidal currents. Resuspended sediments would be expected to settle out over undisturbed sediment with similar levels of contamination, and thus would not result in adverse impacts to sediment quality. As described in **Section 4.13, "Soils (FEIS Chapter 15) and Contaminated Materials (FEIS Chapter 16),"** *in situ* sediment sampling will be performed to verify sediment quality prior to dredging operations and sediment that would remain after dredging and while pile pulling and casing work is underway; the sampling results will inform the management and disposal of dredged sediment.

Aquatic Biota

The in-water construction activities associated with the Proposed Project Modifications would have the potential for temporary adverse impacts to fish and invertebrates in a localized area surrounding the construction due to the increase in suspended sediments in the water column from pile driving, casing installation, obstruction removal, and/or dredging. As with the in-water work described in the FEIS/ROD, although each barge would be moored in place for more than 12 months and would cast a shade of less than approximately one acre, shading impacts from the barges associated with this work would be minimal in comparison to the vast area of the river left unshaded.

Suspended Sediment

As described in the FEIS/ROD, life stages of estuarine and anadromous fish and macroinvertebrate species are generally tolerant of elevated suspended sediment concentrations and have evolved behavioral and physiological mechanisms for dealing with variable and potentially high concentrations of suspended sediment. Any sediment re-suspension that could occur during in-water work would be temporary, minimal, and localized, and would be well below physiological impact thresholds of larval and adult fish and invertebrates. Because fish are mobile and generally avoid unsuitable conditions such as high suspended sediment concentrations, the effects of habitat avoidance would not significantly affect their condition, fitness, or survival. Most shellfish are adapted to naturally turbid estuarine conditions and can tolerate short-term exposures by closing valves or reducing pumping activity.

While permanent and long-term adverse effects are not anticipated, the presence of suspended sediments in the water column due to pile driving, casing installation, obstruction removal, and/or dredging may result in short-term and localized impacts to aquatic life, including fish and invertebrates

²⁸ See NYSDEC's Technical & Operational Guidance Series ("TOGS") 5.1.9, *In-Water and Riparian Management of Sediment and Dredged Material*, Section III, "Evaluation of Results." The sediment classifications are Class A - No Appreciable Contamination (No Toxicity to aquatic life), Class B - Moderate Contamination (Chronic Toxicity to aquatic life), and Class C - High Contamination (Acute Toxicity to aquatic life).

that may be present in the vicinity of the turbidity plume. Impacts to EFH and ESA species due to sedimentation or resuspension of sediment, which would be partially controlled through implementation of BMPs described in **Section 4.9.6, "Mitigations,"** are expected to be minor to negligible and below any threshold that would warrant mitigation.

Underwater Noise

As with the in-water construction described in the FEIS/ROD, the Proposed Project Modifications would result in temporary increases in underwater noise. Vibratory pile hammering – the construction activity expected to produce the largest acoustic effect – would result in temporary increased underwater noise levels that would not be expected to exceed the threshold for physiological injury to fishes.

As described in detail in FTA's consultation with NOAA NMFS, underwater noise levels would be below levels that would cause behavioral effects at distances more than a maximum of 71 feet from each pile being removed. It is anticipated that any fish that enter the area within 71 feet of the pile being removed would detect the elevated noise levels and modify their behavior by moving away. It is unlikely that these movements would adversely affect fish spawning, foraging, resting, and migration, given that the Hudson River is sufficiently wide (approximately 4,500 feet) to allow fish to avoid the ensonified area while continuing to forage and migrate. Given the availability of alternate foraging areas and migration pathways, the temporary nature of proposed in-water construction activities, and the fish species' transient presence in the vicinity of the construction activities, the effects of underwater noise on aquatic biota would be insignificant.

For these reasons, the Proposed Project Modifications are not anticipated to result in new significant adverse impacts to water quality or aquatic biota, nor would there be any significant adverse impacts from suspended sediments or underwater noise.

Landside

As described above, the landside Proposed Project Modifications are not expected to result in any change to the aquatic resources analysis in the FEIS/ROD.

4.9.2 Essential Fish Habitat

Waterside

For the reasons described above, the Proposed Project Modifications would not result in adverse impacts to Hudson River water quality or aquatic biota. With respect to the obstruction removal activities, based on bathymetric and sonar survey data, it appears that most pier piles in this area are buried under the mudline and thus do not provide potential aquatic habitat. Therefore, the habitat loss associated with removal of existing pier piles would be insignificant.

Impacts on benthic prey are expected during pile driving and casing installation due to the direct disturbance and removal of sediments, as well as indirect effects from turbidity and suspended sediments. Benthic communities occurring within the footprint of the work area would be at risk of direct mortality and/or temporary loss of habitat, resulting in short-term localized disturbance. However, benthic communities are expected to recolonize the impacted area following in-water construction activities.

While the removal of the existing benthic community and establishment of a new community may influence local distributions of fish that feed on this prey within the Project area, no population-level effects are expected since the Project area is a *de minimis* portion of the homogenous habitat within the entire Lower Hudson River.

In letter dated May 27, 2025, FTA requested reinitiation of EFH consultation from NOAA NMFS Habitat and Ecosystems Services Division regarding the installation of a temporary marine deck, casings, chiller barges, and trailer barge, as well as ground stabilization activities.

A summary of the biological assessments and mitigations is provided below and included in **Appendix A, “Natural Resources.”** See **Section 4.9, “Natural Resources (FEIS Chapter 11),”** and **Appendix A, “Natural Resources,”** for NMFS consultation history.

Landside

As described in **Section 4, “Construction-Related Impacts,”** the landside Proposed Project Modifications are not expected to result in any change to the EFH analysis in the FEIS/ROD.

4.9.3 Wildlife

Waterside

The temporary loss of open water habitat during the proposed in-water work would not adversely affect waterbirds foraging within this portion of the Hudson River due to the availability of similar foraging habitat in the immediate vicinity of the construction area. As described in the FEIS/ROD, any individuals affected by any temporary increase in boat activity or other human activity would be expected to avoid the area and use suitable available habitat nearby. Therefore, the Proposed Project Modifications would not result in adverse impacts to wildlife using the Hudson River.

Landside

As described in **Section 4, “Construction-Related Impacts,”** the landside Proposed Project Modifications are not expected to result in any change to the wildlife analysis in the FEIS/ROD.

4.9.4 Threatened, Endangered, or Special Concern Species

Waterside

As described above, the NOAA NMFS Protected Resources Division lists the following ESA-Federally listed species within the area of the Proposed Project Modifications:

- Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*; threatened/endangered); and
- Shortnose sturgeon (*Acipenser brevirostrum*; endangered)

In letter dated May 27, 2025, FTA requested reinitiation of consultation with NOAA NMFS Protected Resources Division regarding the installation of a temporary marine deck, casings, chiller barges, and trailer barge, as well as ground stabilization activities.

A summary of the biological assessments and mitigations is provided below and included in **Appendix A, “Natural Resources.”** See **Section 4.9, “Natural Resources (FEIS Chapter 11),”** and **Appendix A, “Natural Resources,”** for NMFS consultation history.

A review of the NYSDEC Environmental Resource Mapper (“ERM”) was conducted to determine if any state-listed threatened or endangered species are in or near the Project area. The Project area does occur within a state-identified significant natural community and may contain rare plants and animals. As such, a formal database review was requested from the NYNHP. The NYNHP response letter was received on March 20, 2025 (see **Appendix A “Natural Resources”**). The NYNHP identified six threatened or endangered species with potential to occur in or near the project area. The remaining State-listed species are presented below in **Table 3, “NYNHP State-Listed Species.”** No new federal or state listed species have been added since the FEIS/ROD.

Table 3: NYNHP State-Listed Species

Common Name	Scientific Name	State Status	Suitable Habitat Presence
Loggerhead	<i>Caretta caretta</i>	Threatened	No
Kemp’s or Atlantic Ridley	<i>Lepidochelys kempii</i>	Endangered	No
Green Turtle	<i>Chelonia mydas</i>	Threatened	No
Leatherback	<i>Dermochelys coriacea</i>	Endangered	No

Source: GTHP, 2025.

No plants that are listed as Endangered or Threatened in New York State, and/or are considered rare by the NYNHP are known to occur within or near the Project area. Therefore, state-listed plants are not included in subsequent impact assessments.

Given that the proposed obstruction removal and ground stabilization activities would be limited to in-water work within the Hudson River, construction activities would not adversely affect existing plant communities. As described below, because any impact to water or sediment quality associated with the Proposed Project Modifications would be localized and temporary, the deep channel habitat typically used by shortnose and Atlantic sturgeons is unlikely to be adversely affected during construction.

Critical Habitat

As with the in-water construction described in the FEIS/ROD, Proposed Project Modifications would be located within designated Atlantic sturgeon critical habitat. However, the proposed obstruction removal and ground stabilization activities would not occur in the vicinity of hard-bottom substrate in low-salinity waters and would not comprise the removal of any soft substrate used for juvenile foraging and physiological development of Atlantic sturgeon.

Further, obstruction removal and ground stabilization activities would not significantly alter river salinity. Although the Project area contains physical and biological features necessary to support the unimpeded movement of adults to and from spawning sites, seasonal movement of juveniles, and staging, resting, or holding of subadults or spawning-condition adults, Atlantic sturgeons are not expected to be found in significant numbers at this location. Transient subadults may be present as they move through shallower marine waters along the Atlantic coast, and adults may be present as seasonal migrants in the deeper

waters of the river channel, adjacent to the construction zone. However, the Proposed Project Modifications would not result in significant impacts to sturgeon movement. Because the obstruction removal and ground stabilization activities, like the in-water construction described in the FEIS/ROD, would produce only minimal increases in suspended sediment, and the effects of sediment resuspension would be minimized through the use of BMPs described in **Section 4.9.6, “Mitigations,”** the Proposed Project Modifications would not result in significant impacts to water flow, dissolved oxygen, salinity, or water temperature.

Landside

Review of the United States Fish and Wildlife Service (“USFWS”) Information for Planning and Consultation (“IPaC”) system was completed on January 23, 2025. The IPaC query identified one formally listed species with the potential to occur in or proximate to the Proposed Project Modifications: Monarch butterfly (*Danaus Plexippus*). Although critical habitat for this species does not occur in or proximate to the Project area, it is expected that animals would avoid the Project area during the short period of work; however, should any animal enter the work zone, it would be able to leave on its own. Additionally, the Proposed Project Modifications would not permanently disturb any species' habitats.

The yellow bumble bee, while not listed by New York State as endangered or threatened, is of conservation concern to the state, and is considered rare by NYSDEC NYNHP. The bumble bee was observed at the High Line in Manhattan and the Proposed Project Modifications would not remove significant vegetation from the HRP or otherwise permanently disturb potential habitat for the bumble bee. Accordingly, the Proposed Project Modifications would not impact the yellow bumble bee.

As described in **Section 4, “Construction-Related Impacts,”** the landside Proposed Project Modifications are not expected to result in any change to the threatened, endangered, or special concern species analysis in the FEIS/ROD. No additional threatened, endangered, or special concern species have been identified since the issuance of the FEIS/ROD.

4.9.5 Significant Coastal Fish and Wildlife Habitat

Waterside

The in-water work area for the Proposed Project Modifications (i.e., obstruction removal and ground stabilization activities) would affect a small (approximately 2.5-acre) area of the river bottom within the Lower Hudson River. As described in the FEIS/ROD, this portion of the river is a designated Significant Coastal Fish and Wildlife Habitat, largely based on its provision of wintering habitat for young-of-the-year and yearling-or-older striped bass.

Given that striped bass spawning and larval habitat occur in freshwaters well upriver of the construction area, and that striped bass juveniles and adults are widely distributed throughout the estuary, these life stages would not be adversely affected by the Proposed Project Modifications. Likewise, the Proposed Project Modifications would not have adverse effects on aquatic habitat for other fish and invertebrate species, or on migratory birds that use the region. The Proposed Project Modifications would have the potential to result in minor, short-term increases in suspended sediment and associated contaminants

that would be localized and expected to dissipate quickly and would not result in adverse impacts to aquatic biota.

Vibratory pile hammering would result in temporary increased underwater noise levels that would not be expected to exceed the threshold for physiological injury to fishes. Fish would likely avoid portions of the river near the in-water activity. The in-water activities associated with the Proposed Project Modifications would be conducted between July 1 and January 20, which is in accordance with the moratorium on in-water construction activities from January 21 through June 30, as modified by the hardship waiver issued by NYSDEC. Therefore, potential impacts to overwintering striped bass and the spring migration of striped bass and other anadromous species to upriver spawning grounds would be minimized.

The temporary loss of open-water habitat in the construction area, when compared to the amount of suitable habitat that would still be available within the Lower Hudson River, would not result in adverse impacts to striped bass or other aquatic biota.

Given the limited potential for in-water construction associated with the Proposed Project Modifications to affect water quality, and the limited potential for vibratory hammering to result in adverse impacts to fish, the Proposed Project Modifications would not result in adverse impacts to fish, including the striped bass, or wildlife species, or adversely affect the designation of this portion of the Hudson River as a Significant Coastal Fish and Wildlife Habitat.

Landside

As described in **Section 4, “Construction-Related Impacts,”** the landside Proposed Project Modifications are not expected to result in any change to the Significant Coastal Fish and Wildlife Habitat analysis in the FEIS/ROD.

4.9.6 Mitigations

The proposed Project’s in-water work would involve the use of the BMPs to minimize potential impacts on the natural environment. The BMPs include:

- **SEASONAL RESTRICTION.** Conform to the NOAA NMFS Habitat and Ecosystems Services Division seasonal restrictions of no in-water work from June 30 to January 20 of each calendar year.
- **PILE REMOVAL.** Strike or vibrate the pile prior to removal to break the bond between the sediment and pile and to minimize the pile breakage, if necessary. Crane operator shall be experienced in pile removal. Remove piles from the water column slowly to reduce sediment sloughing off into the water column. Crane operator shall be trained to remove pile from sediment slowly. This will minimize turbidity in the water column as well as sediment disturbance. Removed piles will be placed in a containment basin to capture any adhering sediment. This will be done immediately after the pile is initially removed from the water. Piles will be removed with the least energy necessary dependent upon site conditions as determined by the Contractor.
- **DISPOSAL OF PILING, SEDIMENT AND CONSTRUCTION RESIDUE.** Piling, sediments, construction residue, debris, and obstructions shall be placed into containment area for disposal at an approved facility.

- **PILE INSTALLATION.** The installation of piles to support temporary marine deck and chiller barges shall be driven or hammered to minimize impacts to water quality. Vibratory hammer methods should be prioritized over impact hammer methods, where feasible.
- **BARGE OPERATIONS, WORK SURFACE, CONTAINMENT.** The work surface on the temporary marine deck and chiller barges and upland staging area shall include secondary containment basin to prevent any release from entering the water. Creosote shall be prevented from re-entering the water.
- **FLOATING BOOM WITH ABSORBANT PADS.** Floating booms with absorbent pads will be made available in the event there is a need to capture floating surface debris and any visible sheen. The boom shall stay in its original location until any sheen present has been absorbed by the boom or removed utilizing absorbent material.
- **MONITORING FOR RESUSPENSION, TURBIDITY, AND WATER QUALITY PARAMETERS.** A Water Quality Monitoring Plan will be prepared to detail procedures for sampling and analysis by parameter for work activities. Continuous *in situ* water quality parameters at fixed monitoring locations will be monitored when installation of the temporary marine deck, casing, and chiller barges, as well as pile pulling and dredging work, is being performed. Monitoring will provide timely and accurate water quality data to evaluate if activities are impacting water quality. Results of the monitoring will determine if actions are needed to reduce the action levels by optimizing techniques and approaches to minimize water quality impacts during in-water work, including additional BMPs.
- **RESUSPENSION/TURBIDITY.** During dredging, the construction area will be protected by a turbidity curtain that will include a one-foot gap between the curtain and sediment to avoid curtain dragging on the bottom of the river and causing turbidity. The crane operator will be experienced to remove piles slowly from the sediment. This will minimize turbidity in the water column as well as sediment disturbance.

Additional BMPs presented in NYSDEC's Technical & Operational Guidance Series ("TOGS") 5.1.9, *In-Water and Riparian Management of Sediment and Dredged Material*, Section IV, "General Guidelines for Dredging and In-Water and Riparian Management of Dredged Material," will be implemented for dredging, depending on the method selected to move sediment away from the pile to enable access to its sound portions and its subsequent extraction.²⁹

4.10 Noise (FEIS Chapter 12A)

A detailed noise assessment was conducted to assess potential impacts of the Proposed Project Modifications at the nearest noise-sensitive receptors between 2025 and 2028. This assessment was conducted using the same procedures and methodology as those utilized in the FEIS/ROD. Updates to the equipment assumptions and modeling adjustments were applied in accordance with guidance from FTA's *Transit Noise and Vibration Impact Assessment Manual* (September 2018). As shown on **Figure 6, "Noise- and Vibration-Sensitive Receptors,"** four FEIS/ROD noise- and vibration-sensitive receptors were identified in the immediate vicinity of the Proposed Project Modifications.

²⁹ https://extapps.dec.ny.gov/docs/water_pdf/togs519.pdf

Several Project construction activities would occur concurrently, resulting in higher overall noise levels than would result were the activities to be conducted sequentially. The highest noise levels are predicted to occur in the third quarter of 2026 due to the confluence of proposed construction activities occurring simultaneously. Noise impacts were assessed using the same FTA criteria that were used in the FEIS. However, for disclosure purposes, the noise limits from the New York City *Noise Code* were also evaluated.

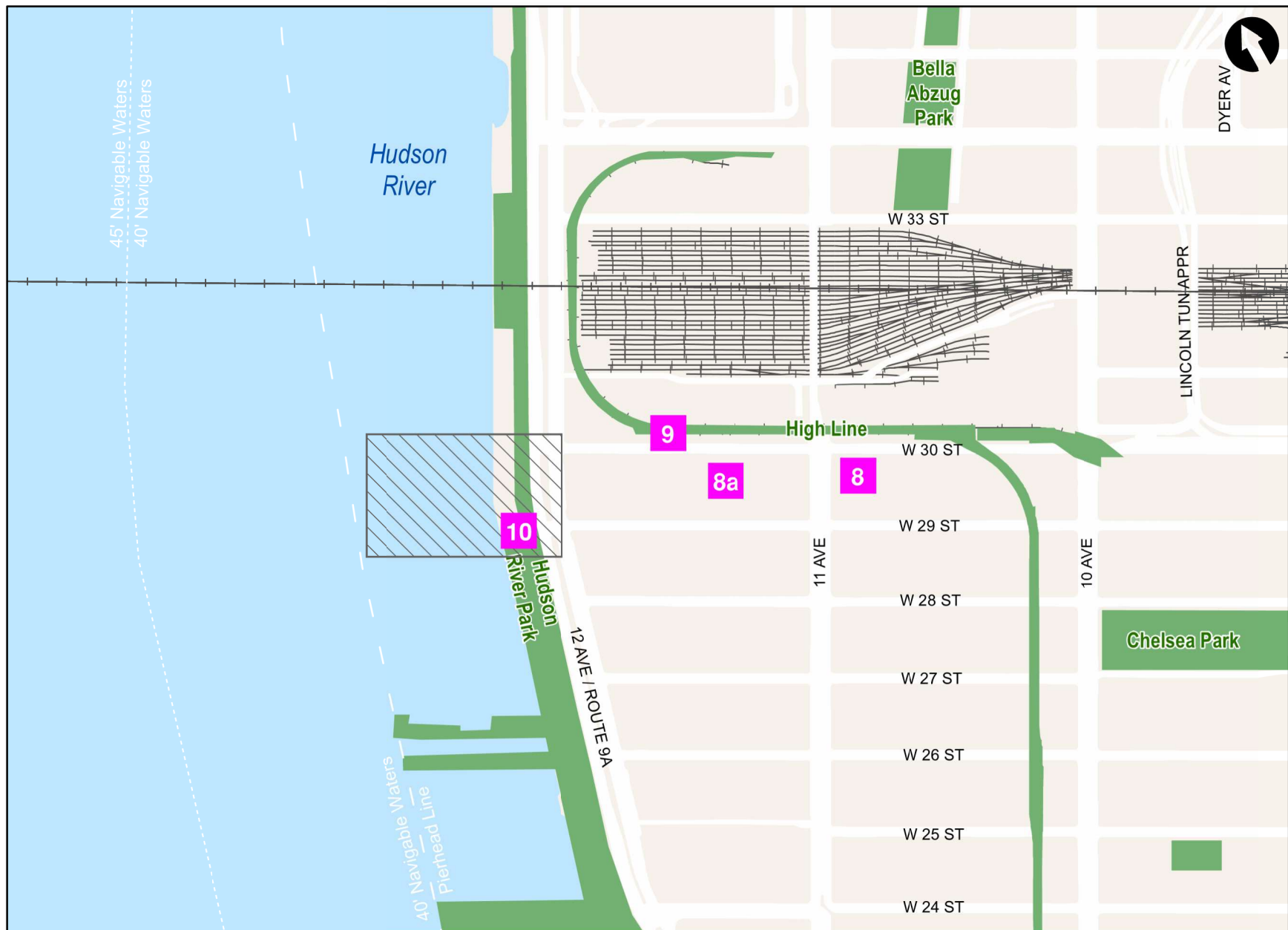
As shown in **Table 4, “Summary of Noise Impacts at the Closest Receptors (dBA),”** day-night noise levels (“Ldn”) at the closest residences are predicted to range from 69 dBA at Site 8 (located at 312 Eleventh Avenue almost 500 feet from the Twelfth Avenue shaft center) to 79 dBA at Site 8a (located at 606 West 30th Street immediately adjacent to the Twelfth Avenue construction staging area). Average daytime noise levels are predicted to range from 68 dBA at Site 8 to 84 dBA at Site 9 (High Line Park) immediately adjacent to the Twelfth Avenue construction staging area. Finally, nighttime noise levels are predicted to range from 61 dBA at Site 8 to 72 dBA at Site 8a. Given that these noise levels reflect maximum or worst-case conditions, typical noise levels are predicted to be lower during most construction activities.

Table 4: Summary of Noise Impacts at the Closest Receptors (dBA)

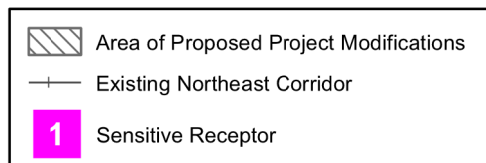
FEIS/ ROD Site	Location	Land Use	Existing Noise Level	8-Hour Leq–Day (7AM to 10PM)		8-Hour Leq–Night (10PM to 7AM)		30-Day Average Ldn		NYC Noise Code	
				Impact Criterion ¹	Project Level ¹	Impact Criterion ¹	Project Level ¹	Impact Criterion ¹	Project Level ¹	Day	Night
8	312 Eleventh Ave	RES	78	80	68	70	61	75	69	85	75
8a	606 W. 30th St	RES	78	80	78	70	72*	75	79*	85	75
9	High Line Park	Park ²	71	85	84	--	--	--	--	85	75
10	Hudson River Park	Park ²	73	85	83	--	--	--	--	85	75

Notes:
¹ Noise levels for residential receptors (sites 8 and 8a) are in Ldn; noise levels for recreation receptors (sites 9 and 10) are in 24-hour Leq.
² For the recreational use, the impact criteria for commercial uses were used.
* Exceedances of the FTA construction noise impact thresholds are shown in bold with an asterisk (*).

Source: GTHP, 2025.



Source: ESRI, Maxar, Earthstar Geographics; Gateway Trans-Hudson Partnership (GTHP), 2025; Gateway Development Commission, 2025.



Noise- and Vibration-Sensitive Receptors

Figure 6

Predicted noise from the cumulative construction activities associated with the Proposed Project Modifications are not predicted to exceed the FEIS/ROD impact criteria at HRP, the High Line or any of the residences during the daytime period. However, at Site 8a, noise levels from cumulative construction activities are predicted to exceed the FEIS/ROD 75-dBA 30-day Average Ldn impact criterion and the nighttime impact criteria of 70 dBA. However, in accordance with FEIS/ROD Table 12A-3, which reflects adjustment of the allowable criteria to reflect high urban ambient conditions, construction noise is not predicted to exceed the background-adjusted impact criteria at any of the residential receptors because the average existing ambient day-night noise levels measured at nearby residences range from 72 to 77 dBA.

Unlike the FTA construction noise criteria, which were used as the impact criteria in the FEIS/ROD, the NYC *Noise Code* includes a maximum daytime limit of 85 dBA from 7AM to 6PM. After 6PM, the NYC *Noise Code* limit is set to seven dBA above the ambient background level. Average background noise level at the closest residences after 6PM is 68 dBA (57-78 dBA). The average Leq noise levels during the daytime would range from 70 to 78 dBA at Site 8a adjacent to the construction site, which is well below the NYC *Noise Code* of 85 dBA. After 6PM, however, these noise levels are predicted to exceed the NYC *Noise Code* of 75 dBA at Site 8a. This range of noise levels is expected for a period of approximately 18 months, from 2025 Quarter 4 to 2027 Quarter 1.

In recognition of the planned construction associated with the HTP on the same block as the new residential buildings represented by Site 8a and in the approval of the zoning change that permitted these new buildings, the New York City Planning Commission required that these buildings be constructed with contemporary façade construction techniques. Accordingly, these new buildings were required to include insulated glass windows that would provide approximately 30-dBA noise reduction, resulting in substantially lower noise levels inside the residential units than typical buildings. In addition, GDC requires its contractors to apply noise control measures whenever possible (e.g., use of electric-powered equipment rather than diesel-powered equipment, limit use of impact devises like jackhammers, use of acoustical noise tents and/or enclosures surrounding pavement breakers) and to be mindful of adverse noise effects at nearby residences. All GDC contractors will be required to implement noise mitigation measures identified in the FEIS/ROD. Accordingly, the Proposed Project Modifications would not result in any new adverse noise impacts.

4.11 Vibration (FEIS Chapter 12B)

A detailed vibration assessment was conducted to assess potential impacts of the Proposed Project Modifications at the nearest sensitive receptors between 2025 and 2028. This assessment was conducted using the same procedures and methodology as those utilized in the FEIS/ROD. Updates to the equipment assumptions and modeling adjustments were applied in accordance with guidance from FTA's *Transit Noise and Vibration Impact Assessment Manual* (September 2018). As shown on **Figure 6, "Noise- and Vibration-Sensitive Receptors,"** four FEIS/ROD noise- and vibration-sensitive receptors were identified in the immediate vicinity of the Proposed Project Modifications.

Ground-borne vibration levels at the closest residences are predicted to range from 51 VdB at Site 8 (located at 312 Eleventh Avenue almost 500 feet from the Twelfth Avenue shaft center) to 60 VdB at Site

8a (located at 606 West 30th Street, immediately adjacent to the Twelfth Avenue construction staging area) (see **Table 5, “Summary of Vibration Impacts at the Closest Receptors”**). Similarly, vibration levels at the closest non-residential receptors are predicted to range from 66 VdB at Site 10 (HRP) to 72 VdB at Site 9 (High Line), immediately adjacent to the Twelfth Avenue construction staging area. No exceedances of the annoyance criteria for residences (72 VdB) or for parks (75 VdB) are predicted.

Table 5: Summary of Vibration Impacts at the Closest Receptors

FEIS/ROD		Land Use	FTA	Damage, PPV (in/sec) ¹		Annoyance, RMS (VdB) ²	
Site	Location		Category	Criteria	Project	Criteria	Project
8	312 Eleventh Avenue	Residential	2	0.5	0.0014	72	51
8a	606 West 30 th Street	Residential	2	0.5	0.0041	72	60
9	High Line Park	Park	3	0.5	0.0161	75	72
10	Hudson River Park	Park	3	0.5	0.0081	75	66

Notes:

¹ Damage is assessed in peak particle velocity (“PPV”) in inches per second (in/sec).

² Annoyance is assessed in root-mean square (“RMS”) velocity levels relative to 1 micro-inch per second (VdB).

Source: GTHP, June 2025.

Regarding potential damage to structures from impact equipment, ground-borne vibration levels at the closest residences are predicted to range from 0.0014 inches per second (“in/sec”) at Site 8 to 0.0041 in/sec at Site 8a immediately adjacent to the Twelfth Avenue construction staging area. The highest ground-borne vibration levels at nearby parks would be 0.0161 in/sec at the High Line. Due to the large distances between the equipment and receptors, no exceedances of the FTA damage criteria of 0.5 in/sec for the closest receptors are predicted.

4.12 Air Quality (FEIS Chapter 13)

A detailed air pollutant emissions analysis was conducted using equipment inventories planned and provided by the Contractor to estimate emissions between 2025 and 2028.

The results of the emissions analysis for the Proposed Project Modifications are summarized in **Table 6, “Summary of Emissions for the Proposed Project Modifications.”** Emissions for all the nonattainment or maintenance criteria pollutants (including volatile organic compounds [“VOC”], nitrogen oxides [“NO_x”], carbon dioxide [“CO”] and particulate matter with an aerodynamic diameter of less than or equal to 2.5 micrometers [“PM_{2.5}”] and 10 micrometers [“PM₁₀”]) associated with the Proposed Project Modifications would be well below their respective *de minimis* thresholds. Therefore, a formal general conformity determination is not required for the Proposed Project Modifications.

Table 6: Summary of Emissions for the Proposed Project Modifications

Pollutant	Pollutant Emissions (tons/year)				
	2025	2026	2027	2028	<i>de minimis</i>
VOC	0.6	1.3	0.7	0.2	50
NO _x	14.4	29.4	12.6	3.7	50
CO	6.8	13.9	5.6	2.4	100
PM ₁₀	0.5	1.2	0.6	0.1	100
PM _{2.5}	0.5	1.2	0.6	0.1	100

Source: GTHP, July 2025.

These emissions reflect use of generators to supply all the electrical power to the HRP construction staging area that is required to maintain the ground-freezing operations during the last quarter of 2026 (October to December). Although the Contractor has requested grid power from Con Edison, a firm commitment of its access and availability have not yet been confirmed at the time of this NEPA re-evaluation. Therefore, if grid power becomes available or if the ground freeze operations are shifted into 2027, total cumulative emissions in 2026 and 2027 would decrease approximately 10 percent below those shown in **Table 6**.

In addition to the emissions resulting from the Proposed Project Modifications, the cumulative emissions for other activities (including those subject to previously approved NEPA re-evaluations for the Project) were also evaluated for compliance. As summarized in **Table 7, “Summary of Cumulative NO_x Emission for the Proposed Project Modifications and Other Activities (by Contract Package and Re-evaluations, as Noted),”** cumulative NO_x emissions are also not predicted to exceed the threshold of 50 tons per year for any of the calendar years. Given that NO_x is the only pollutant for which emissions even remotely approach the *de minimis* limits, the cumulative NO_x emissions were reviewed. Emissions for the work associated with Re-Evaluation #9, the New Jersey Surface Alignment Construction (Package 3) and the Hudson River Tunnel Contract (Package 1C) were determined based on preliminary estimates of the potential equipment and activities that could be reasonably expected for these modifications. Estimates for the Palisades Tunnel (Package 1A), as well as the work in and near the Hudson River, were estimated using contractor-provided equipment inventories.

Table 7: Summary of Cumulative NO_x Emission for the Proposed Project Modifications and Other Activities (by Contract Package and Re-evaluations, as Noted)

Re-Evaluation	Activity	Pollutant Emissions (tons/year)				
		2025	2026	2027	2028	<i>de minimis</i>
3	Hudson River Obstructions West of Pierhead Line ¹	5.3	0.0	0.0	0.0	50
8	HRGS Weeks Crane Barge Emissions ²	13.4	13.4	0.0	0.0	50

Table 7: Summary of Cumulative NO_x Emission for the Proposed Project Modifications and Other Activities (by Contract Package and Re-evaluations, as Noted) (cont.)

Re-Evaluation	Activity	Pollutant Emissions (tons/year)				
		2025	2026	2027	2028	<i>de minimis</i>
7	Manhattan Tunnel Waterside/Landside Modifications (Package 1B) as modified and analyzed herein (Re-evaluation 7)	14.4	29.4	12.6	3.7	50
9	Hudson Tunnel Waterside/Landside Modifications (Package 1C) as modified and analyzed per Re-evaluation #9 ³	0.0	2.3	2.0	0.0	50
--	Palisades Tunnel Construction (Package 1A)	2.2	1.9	0.5	0.0	50
--	Hudson River Tunnel Construction (Package 1C)	0.0	0.0	3.4	1.7	50
--	NJ Surface Alignment Construction (Package 3)	<u>0.0</u>	<u>0.0</u>	<u>9.1</u>	<u>8.9</u>	50
Sum		35.3	47.0	27.6	14.3	50

Notes:

¹ HTP NEPA Re-evaluation #3, "Proposed Hudson River Obstruction Removal Activities to Support HRGS Work," approved April 2025.

² HTP NEPA Re-Evaluation #8, "Hudson River Ground Stabilization Contract: Request for Crane Barge Use of Tier 0 Engines," approved January 2025.

³ HTP NEPA Re-evaluation #9, "Proposed Modifications to Project Construction in the City of Hoboken and Township of Weehawken, New Jersey," is currently in development.

Source: GTHP, July 2025.

4.13 Soils (FEIS Chapter 15) and Contaminated Materials (FEIS Chapter 16)

Waterside

Given that the Project is in navigational waters of the United States, NYSDEC requires sampling and analysis of proposed excavated sediment pursuant to its Protection of Waters permitting program. Characterization of the sediment would allow NYSDEC to determine appropriate management, upland disposal, and/or reuse options, along with controls that might be required to minimize potential environmental impacts during excavation/dredging.

Prior to the start of dredging operations to facilitate obstruction removal activities, *in situ* sediment sampling and analysis will be performed to evaluate and recommend appropriate management, upland disposal, and/or reuse options, along with BMPs that might be required to minimize potential environmental impacts during excavation/suction dredging. Treatability testing will be performed to simulate dewatering of the sediment and generate representative filtrate water for chemical analyses and subsequent water treatment system design. Filtrate water will be collected and sent to the analytical laboratory for measurement of the same analyte list as the bulk sediment. A Sediment Sampling and Analysis Plan ("SSAP") was submitted for review and approval to both NYSDEC and New Jersey Department of Environmental Protection ("NJDEP"). NYSDEC approved the SSAP on January 16, 2025, concurring that the number of samples and analytical parameters are consistent with NYSDEC TOGS 5.1.9. NJDEP approved the SSAP on February 24, 2025, thereby allowing potential placement of excavated

material in permitted facilities in New Jersey (see **Appendix A, “Natural Resources”**). The results of the sediment analysis will identify potential upland placement locations.

Sediments and water displaced by suction dredging associated with obstruction removal activities would be placed or discharged into hopper barges. The excavated material would be allowed to settle in the barges, assisted using flocculants where required. Dependent upon water quality sampling results, excess water may need to be tested and treated before discharge. Materials would be dewatered prior to transport to an approved disposal location.

The Hudson River is a National Priorities List (“NPL”) site (also known as a Superfund site), and sediment may be contaminated with elevated levels of polychlorinated biphenyl (“PCB”). Therefore, the Project Team will test material prior to excavation pursuant to the SSAP to determine beneficial reuse or off-site disposal options. The sediment sampling and analysis results will determine appropriate management of excavated material, including whether the material can be considered for reuse. In New York, the Project Team will conduct any beneficial use determination (“BUD”) of the excavated material in accordance with NYSDEC requirements in 6 NYCRR Part 360, which sets out conditions under which excavated materials can be reused. If materials are considered for disposal in New Jersey, an Acceptable Use Determination (“AUD”) will be sought from NJDEP Office of Dredging and Sediment Technology for the reuse of excavated material. Where material is surplus, or not suitable for reuse in New York or New Jersey, the results of laboratory analysis of samples (collected either before or after excavation) will be used to determine appropriate disposal facilities.

Creosote piles encountered during obstruction removal activities will be removed and disposed of at a licensed and approved disposal facility in accordance with applicable law. Creosote piles that are not removed for tunnel construction would remain in place, consistent with applicable law. During obstruction removal activities, the Contractor will implement control measures to avoid, minimize, or mitigate impacts related to soil conditions, consistent with measures described in the FEIS/ROD.

Landside

A Phase II Environmental Site Assessment of the southern portion of the West 30th Street Heliport, located at Marginal Street and Twelfth Avenue/Route 9A, extending from the Hudson River Bulkhead east to Twelfth Avenue/Route 9A and from West 29th Street north to West 32nd Street, was undertaken for the Project on April 5, 2022 (see **Appendix D, “Hazardous Materials”**). This investigation identified petroleum-contaminated soil at the location of former underground storage tanks (“UST”), though the results generally indicate low- to mid-level concentrations. However, borings were collected along the perimeter of the tank field; if the tanks were removed, additional higher-level contamination may be encountered on the interior of the tank field.

As with the temporary construction access shaft described in the FEIS/ROD, if horizontal ground stabilization is progressed with the Proposed Project Modifications, the use of a temporary construction access shaft(s) within the HRP construction staging area, regardless of its configuration, would also result in subsurface disturbance. Similarly, if vertical ground stabilization is progressed, jet grouting and ground freezing would also result in subsurface disturbance to generally the same area of HRP and Twelfth Avenue/Route 9A as would have been affected with the vertical ground stabilization contemplated in the

FEIS/ROD. As described in the FEIS/ROD, the Contractor will be required to comply with a Materials Management Plan (“MMP”) and a Site-Specific Health and Safety Plan (“HASP”) during construction. These documents will outline requirements for managing contaminated materials at the construction staging areas and off-site disposal requirements, as well as any health and safety monitoring that may be required (air monitoring, personnel training, etc.). As such, the Proposed Project Modifications would not result in adverse impacts related to contaminated materials.

4.14 Utilities and Energy (FEIS Chapter 17)

Waterside

As described in **Section 4, “Construction-Related Impacts,”** the Proposed Project Modifications in the Hudson River are not expected to result in any change to the utilities and energy analysis in the FEIS/ROD.

Landside

As described in the FEIS/ROD, the new fan plants at Tenth and Twelfth avenues would require the installation of new feeder lines and transformers to meet their power needs. The electrical service for these fan plants would be provided from four feeder lines provided by Con Edison.

With the Proposed Project Modifications, if Con Edison does not provide the new feeder lines and transformers to serve construction activities in the Manhattan waterfront area prior to the start of ground stabilization activities, three 1,200-hp diesel generator sets would be used temporarily to provide the power necessary to support ground stabilization activities. The generators would be located within the HRP construction staging area and would power construction activities within HRP (both landside and waterside), across Twelfth Avenue/Route 9A, and at the Twelfth Avenue construction staging area at Block 675, Lot 1. The generator sets would be in use for approximately one year to support ground freezing operations and would run for approximately 16 hours per day. This temporary use of generator sets to provide supplemental power during construction activities would not cause any adverse long-term impacts to energy supply or consumption.

4.15 Safety and Security (FEIS Chapter 18)

Waterside

As described in **Section 4.2, “Transportation Services (FEIS Chapter 5B),”** a number of measures would be implemented during construction to warn maritime traffic, including recreational boaters, of the in-water construction and to ensure the continued safety of boaters. Additionally, given the proximity of barge-mounted cranes to the West 30th Street Heliport, crane boom tips would be outfitted with an orange-and-white checkered air traffic warning flag, approved lighting/strobe, and any other requirements per FAA guidelines. With these measures in place, the Proposed Project Modifications would not result in adverse safety and security impacts to Hudson River maritime traffic or to the West 30th Street Heliport operations.

Landside

The FEIS/ROD describes measures to ensure safety and security at construction sites, including passive security measures such as fencing, security lighting, and concrete bollards as well as active security measures such as security personnel, cameras, and intrusion detection systems. It also describes procedural security measures, including entry protocols into construction sites and inspection of materials.

As described in **Section 4.1, “Traffic and Pedestrians (FEIS Chapter 5A),”** the proposed reconfiguration and expansion of the construction layout within HRP as part of the Proposed Project Modifications would include various safety measures, including the following:

- Plastic delineators would separate the pedestrian walkway from the bikeway.
- Sliding gates would be installed in front of the construction gates at construction area access points to regulate when vehicles could enter and exit the construction area and traverse the crosswalk.
- Flaggers and pedestrian managers would be provided to direct pedestrians using the crosswalk in front of the gates at the construction area entrance and exit.
- Security bollards and concrete blocks would be provided at the portions of the walkway and bikeway adjacent to all vehicular entry points to prevent errant vehicular movement into the walkway and bikeway.
- Pedestrian and bicycle signals would regulate the movement of vehicular, pedestrian, and bicycle traffic at the intersection of the temporary pedestrian walkway and bikeway with both the West 30th Street Heliport parking area and the HRP construction staging area.
- Signage would be posted prior to shifting the pedestrian path and bikeway to alert pedestrian and cyclists to future changes.

As described in **Section 4.1.2, “Pedestrians and Bicyclists,”** if the vertical ground stabilization option is progressed, the existing traffic signal timing plans would continue to provide safe pedestrian crossing times. A pedestrian refuge that meets the NYCDOT Street Design Manual standards would be maintained on Twelfth Avenue/Route 9A throughout the construction period.

With the implementation of these measures, the Proposed Project Modifications would not create conditions that would adversely affect the safety and security of residents, workers, or construction areas, and no impacts would occur.

4.16 Public Health (FEIS Chapter 19)

The Proposed Project Modifications would not result in any new significant adverse impacts regarding water quality, noise, air quality, or contaminated materials. As such, the Proposed Project Modifications would not result in any new impacts to public health.

4.17 Coastal Zone Consistency (FEIS Chapter 21)

As with the in-water construction activities and those in the Manhattan waterfront area analyzed in the FEIS/ROD, the Proposed Project Modifications would be located within the coastal zone. The New York State Department of State (“NYSDOS”) issued a determination, dated January 2, 2019, that the Project is consistent with the New York Coastal Management Program.

A request to NYSDOS and NYCDP for a coastal consistency determination was prepared on August 16, 2024 for obstruction removal associated with former piers 68 and 69 and the following previously proposed landside activities: temporary reconfiguration of the pedestrian walkway and bikeway within HRP, reconfiguration of the temporary construction access shaft within HRP, implementation of a temporary utility crossing over Twelfth Avenue/Route 9A, and an increase in the duration of construction activities within HRP. NYCDP issued a response finding that the actions will not substantially hinder the achievement of any Waterfront Revitalization Policy (“WRP”) and provided its finding to NYSDOS. NYSDOS issued a determination on March 13, 2025, that the Project is consistent with the New York Coastal Management Program.

A new request for a coastal consistency determination was submitted to NYSDOS and NYCDP regarding the revised landside activities and the new waterside activities (i.e., ground stabilization). Correspondence has been prepared identifying the proposed changes described herein and their consistency with applicable policies in the NYSDOS Coastal Management Program Federal Consistency Assessment Form and NYCDP Waterfront Revitalization Program Consistency Assessment Form (see **Appendix E, “Coastal Consistency Assessment”**).

On August 7, 2025, NYCDP completed the review of the Proposed Project Modifications for consistency with the policies and intent of the WRP, determined that the actions will not substantially hinder the achievement of any WRP policy, and provided its finding to the NYSDOS. On August 8, 2025, NYSDOS provided its consistency determination and confirmed that it has no objection to authorization of the Proposed Project Modifications.

4.18 Section 4(f) (FEIS Chapter 24)

As an agency of the U.S. Department of Transportation (“USDOT”), FTA is required to comply with Section 4(f) of the USDOT Act of 1966 (23 CFR Part 774) (“Section 4(f)”). Section 4(f) provides that US DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites, with certain exceptions (e.g., *de minimis* impact), unless there is no feasible and prudent alternative to the use of property and the action includes all possible planning to minimize harm to the property resulting from its use.

There are two Section 4(f) properties in the Manhattan waterfront area that could be affected by the Proposed Project Modifications, both of which were described in the FEIS/ROD: the Hudson River Bulkhead (historic site) and HRP (publicly owned park). The Section 4(f) officials with jurisdiction are: HRPT for HRP, and NYSHPO, the Advisory Council on Historic Preservation (“ACHP”), and HRPT for the Hudson River Bulkhead.

4.18.1 Hudson River Bulkhead

As described in the FEIS/ROD, the Project would remove original components of the NRHP-eligible Hudson River Bulkhead, which would be an adverse effect under Section 106, and therefore would result in a use of this Section 4(f) property.

As described in in **Section 4.7, “Historic and Archaeological Resources (FEIS Chapter 9),”** following publication of the FEIS/ROD, HRPT prepared a Bulkhead Inspection Report (dated May 2024), which indicates that the Hudson River Bulkhead in the vicinity of the HRP construction staging area is in poor condition. Amtrak’s Long-Term Maintenance Agreement with HRPT will commit the Contractor to repair defects identified in the Contractor’s preconstruction inspection report of the Hudson River Bulkhead – other than those designated as minor – within a certain geographic area of the Hudson River Bulkhead. Additionally, as required in Stipulation V.C.2.a of the PA, the Contractor will be required to repair any damage sustained to the bulkhead due to construction. As required in the HTP BPP, developed pursuant to Stipulation V.C.2.c of the PA, repair and restoration activities would be undertaken in consultation with NYSHPO.

As described above in **Section 4.7, “Historic and Archaeological Resources (FEIS Chapter 9),”** NYSHPO, in a letter dated June 17, 2025, provided concurrence with FTA’s finding that the Proposed Project Modifications would result in no change to the Adverse Effect finding from the FEIS/ROD. Therefore, the Proposed Project Modifications would not change the Section 4(f) use finding for the Hudson River Bulkhead presented in the FEIS/ROD.

4.18.2 Hudson River Park

As described in the FEIS/ROD, the Project would require temporary construction activities within HRP, as well as additional temporary construction activities close to the park. Therefore, FRA determined that the temporary construction activities within HRP would result in a “use” of this Section 4(f) property. Similarly, the Proposed Project Modifications within both the waterside and landside portions of HRP would also constitute a “use” of park resources and would occur over a longer duration, but park users would enjoy continued, safe access to both waterside and landside portions of HRP.

While the in-water construction activities associated with the Proposed Project Modifications would pose an inconvenience to recreational boaters, who will need to navigate around the construction zone, they will still be able to use the Hudson River and access the sailboat moorings adjacent to Pier 66, and the impact to boaters would not be substantial. The Proposed Project Modifications would also improve mobility and safety for cyclists and pedestrians by providing a 12-foot-wide pedestrian walkway and separated 15-foot-wide bikeway for all or nearly all of the construction period (the original design described in the FEIS/ROD would have resulted in a more narrowed walkway and bikeway during construction). Therefore, the Proposed Project Modifications would not change the Section 4(f) use finding for HRP presented in the FEIS/ROD.

4.18.3 Section 4(f) Outreach and Coordination

In accordance with Section 4(f) and its public review and comment requirements, GDC presented an overview of the Proposed Project Modifications and the anticipated Section 4(f) impact determination at

the Manhattan Community Board 4 Waterfront, Parks & Environment Committee meetings on June 13, 2024, and April 10, 2025. Following both meetings, GDC made the presentations available online via the Hudson Tunnel Project website (hudsontunnelproject.com) and provided a 30-day comment period (which closed on July 15, 2024 and May 12, 2025, respectively) as a further opportunity for public review and comment concerning potential effects on the protected activities, features, and attributes of the affected portion of HRP and Hudson River Bulkhead. During the June 13, 2024 to July 15, 2024 comment period, GDC received three comments, including one from Manhattan Community Board 4 and two from individuals; during the April 10, 2025 to May 12, 2025 comment period, GDC received one comment from Manhattan Community Board 4. The text of the comments and responses are presented in **Appendix F, “Section 4(f) Coordination.”**

GDC submitted a letter to HRPT on July 17, 2025 stating that FTA believes that the Proposed Project Modifications would not adversely affect the activities, features, or attributes qualifying HRP or the Hudson River Bulkhead for protection under Section 4(f) in a different manner than what was approved in the FEIS ROD and that they would not change the FEIS/ROD Section 4(f) use finding. GDC subsequently received HRPT’s written concurrence with this finding (see **Appendix F, “Section 4(f) Coordination”**).

Similarly, as noted above, NYSHPO provided concurrence on June 17, 2025 with FTA’s finding that the Proposed Project Modifications would result in no change to the Adverse Effect finding for the Hudson River Bulkhead from the FEIS/ROD.

5 PUBLIC AND STAKEHOLDER OUTREACH

GDC, Amtrak, PANYNJ, and GTHP have been in coordination with Federal and State permitting agencies, HRPT and its tenants, Manhattan Community Board 4, other community organizations, and members of the public in order to solicit feedback on modifications to construction activities proposed in the Hudson River, Hudson River Park, and across Twelfth Avenue/Route 9A and inform the project changes described herein. Continued coordination efforts are underway with the following stakeholders:

- Air Pegasus (West 30th Street Heliport tenant)
- BLADE (West 30th Street Heliport tenant)
- HRPT
- Hudson River Community Sailing (“HRCS”)
- Manhattan Community Board 4 Waterfront, Parks & Environment Committee
- NOAA NMFS
- NYCDOT
- NYSDOT
- NYSDEC
- OPRHP (SHPO)
- USACE
- USFWS

Feedback from HRPT, NYSDOT, and NYCDOT on the configuration and sequencing of walkway/bikeway and travel lane relocations has been incorporated into the currently proposed staging plan. Refinements to construction activities within the Hudson River have been coordinated with HRPT and its tenants

(Hudson River Community Sailing, New York Outrigger, BLADE Urban Air Mobility (“BLADE”), and Air Pegasus), as well as Federal and State permitting agencies. Feedback from HRPT and its tenants as well as the Manhattan Community Board 4 Waterfront, Parks & Environment Committee has also been incorporated related to the sequencing, scheduling and safety measures implemented for waterside construction activities.

6 PERMIT REQUIREMENTS

The Proposed Project Modifications would require various permits or approvals and consultations from Federal (e.g., USACE, USFWS, NMFS), State (e.g., NYSDEC, NYSDOS, NYSDOT, NYS Office of General Services [“NYSOGS”]), and local agencies (e.g., HRPT, NYCDOP, NYCDOT). The Project Team continues to coordinate with permitting agencies to ensure that all necessary permits and approvals are obtained prior to construction activities, as appropriate.

7 MITIGATION AND COMMITMENTS

Table 8, “Mitigation Measures and Commitments,” describes the commitments made to avoid potential environmental impacts, as well as any proposed mitigation measures to reduce adverse environmental impacts associated with the Proposed Project Modifications. Unless stated otherwise, mitigation and avoidance measures identified within the HTP FEIS/ROD, as well as previous NEPA re-evaluations, remain valid; this table identifies only those mitigation measures related to the Proposed Project Modifications and/or not previously disclosed in prior environmental documentation for the HTP.

Table 8: Mitigation Measures and Commitments

#	Subject Area	Mitigation or Commitment Description	Responsible Entity
1	Open Space and Recreational Resources	The temporarily relocated walkway and bikeway in the vicinity of the HRP construction staging area would be maintained as separate pathways and be a minimum of 12 feet wide and 15 feet wide, respectively, throughout construction, except possibly during a limited period (approximately four months) currently anticipated to start in January 2026, in which the width of the pedestrian walkway and bike path would be eight feet and 12 feet, respectively. The width of the walkway and bike path would not be reduced below the eight-foot-wide pedestrian walkway and 10-foot-wide bike path approved in the FEIS/ROD.	GDC and Construction Contractor(s)
2	Open Space and Recreational Resources	The art installation “Two Too Large Tables,” would be temporarily stored off-site and, following completion of construction activities in the HRP construction staging area, returned and re-installed at the direction of HRPT. Mitigation for the temporary removal of the art installation “Two Too Large Tables,” will be managed in coordination with HRPT.	GDC and Construction Contractor(s)

Table 8: Mitigation Measures and Commitments (cont.)

#	Subject Area	Mitigation or Commitment Description	Responsible Entity
3	Open Space and Recreational Resources	Following completion of construction within HRP, GDC will restore the affected area of HRP (i.e., heliport, walkway, bikeway, buffer medians, planters and trees, seating, security cameras, utility poles, appurtenances, etc.) in coordination with HRPT.	GDC and Construction Contractor(s)
4	Open Space and Recreational Resources	GDC will provide HRPT with a monetary contribution related to changes in construction activities and duration in HRP (to be used for programming related to HRP's estuarine sanctuary, for example).	GDC
5	Historic and Archaeological Resources	Per the Long-Term Maintenance Agreement required by Section 106 PA Stipulation V.C.2.a, the Contractor will repair defects identified in the Contractor's preconstruction inspection report of the Hudson River Bulkhead – other than those designated as minor – within a certain geographic area of the Hudson River Bulkhead.	GDC and Construction Contractor(s)
6	Natural Resources	In-water work activities (i.e., obstruction removal and ground stabilization) would be conducted between July 1 and January 20, per the NYSDEC seasonal work restriction.	GDC and Construction Contractor(s)
7	Natural Resources	Refer to Section 4.9.6, "Mitigations," for a list of mitigations identified during consultations with regulatory agencies that would involve the use of the BMPs during waterside work to minimize potential impacts to the natural environment.	GDC and Construction Contractor(s)

Source: GTHP, 2025.

8 CONCLUSION

For the reasons set forth above, and in view of the mitigation measures and commitments outlined herein, the Proposed Project Modifications would not result in new significant adverse effects beyond those identified in the FEIS/ROD. In conclusion, after comprehensive consideration of the Proposed Project Modifications' impact on the affected environment, the original FEIS/ROD remains valid. Supplemental NEPA analysis is not required.

Section 4(f) Comments and Responses

Comment and Responses

1.1 INTRODUCTION

Following the completion of the Hudson Tunnel Project (“HTP” or the “Project”) Combined Final Environmental Impact Statement (“FEIS”)/Record of Decision (“ROD”) in May 2021, the Project Sponsor, Gateway Development Commission (“GDC”), and the HTP Engineer, Gateway Trans-Hudson Partnership (“GTHP”), identified and developed proposed refinements to construction activities (the “Proposed Project Modifications”) in the Manhattan waterfront area and Hudson River, including within Hudson River Park (“HRP”). The potential impacts of the Proposed Project Modifications were assessed for their potential to impact the environment pursuant to the National Environmental Policy Act (“NEPA”) as part of NEPA Re-evaluation #7, “Proposed Hudson River Obstruction Removals & Modifications to Construction Layout and Duration in Hudson River Park and Across Twelfth Avenue/Route 9A.”

As agencies of the U.S. Department of Transportation (“DOT”), the Federal Transit Administration (“FTA”) and Federal Railroad Administration (“FRA”) are required to comply with Section 4(f) of the U.S. DOT Act of 1966 (49 USC §303) (“Section 4(f”). Section 4(f) provides (with certain exceptions) that U.S. DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless there is no feasible and prudent alternative to the use of property and the action includes all possible planning to minimize harm to the property resulting from its use.

In accordance with Section 4(f) and its public review and comment requirements, GDC presented an overview of the Proposed Project Modifications and the anticipated Section 4(f) impact determination at the Manhattan Community Board 4 Waterfront, Parks & Environment Committee meeting on June 13, 2024, and April 10, 2025. Following both the June 13, 2024 and April 10, 2025 meetings, GDC made available the presentations online via the Hudson Tunnel Project website (hudsontunnelproject.com) and provided a 30-day comment period (which closed on July 15, 2024 and May 12, 2025, respectively) as a further opportunity for public review and comment concerning potential effects on the protected activities, features, and attributes of the affected portion of HRP. During the June 13, 2024 to July 15, 2024 comment period, GDC received three comments, including one from Manhattan Community Board 4 and two from individuals; during the April 10, 2025 to May 12, 2025 comment period, GDC received one comment from Manhattan Community Board 4.

Per Section 4(f), the proposed activities within the waterside and landside portions of HRP would constitute a “use” of park resources but would allow for continued, safe enjoyment of both waterside and landside portions of HRP by park users. The Proposed Project Modifications would not change the Section 4(f) use finding for the Hudson River Bulkhead presented in the FEIS/ROD.

1.2 LIST OF COMMENTERS

1.2.1 Agencies and Governmental Organizations

1. Manhattan Community Board 4, letter dated July 12, 2024, signed by Jessica Chait, Chair, Manhattan Community Board 4, Maarten de Kadet, Co-chair, Waterfront, Parks & Environment Committee, Leslie Boghosian Murphy, Co-chair, Waterfront, Parks & Environment Committee (CB4 Manhattan, 2024)

2. Manhattan Community Board 4, letter dated May 19, 2025, signed by Jessica Chait, Chair, Manhattan Community Board 4, Maarten de Kadt, Co-chair, Waterfront, Parks & Environment Committee, Leslie Boghosian Murphy, Co-chair, Waterfront, Parks & Environment Committee (*CB4 Manhattan, 2025*)

1.2.2 Individuals

3. Davis, Janowski, email dated July 10, 2024 (*Davis*)
4. Boyd, Jim, email dated July 13, 2024 (*Boyd*)

1.3 RESPONSE TO COMMENTS

Comment 1a: The Manhattan Community Board 4 (MCB4) Waterfront, Parks and Environment Committee (WPE) at its June 13, 2024 meeting heard a presentation on the coming phase (Section 4f) of the more than 10 year, \$16 billion Hudson River Gateway Project tunnel boring. This part of the project will take three or so years and will affect the Hudson River Park, surrounding streets, and a chunk of our westside district. We thank you for sharing your plans as they currently stand and listening to our concerns as part of your commitment to inform our community. This is an historic project that will not only improve Amtrak's northeast corridor but will improve travel access in our community, as well. MCB4 shares the commitment to building a better, more accessible mass transportation infrastructure. (*CB4 Manhattan, 2024*)

Response 1a: Comment noted.

Comment 1b: But considering the size and budget of this colossal infrastructure project, we are dismayed there are no existing plans or considerations for any neighborhood amenities upon completion of the project.

[...]

Community Impact

MCB4 requests a commitment of supplementary funds for community improvement, outside the Gateway Project scope. Though we recognize and agree with the overall benefit of this welcome rail improvement, we cannot ignore the tremendous burden on our immediate neighborhoods.

We also will be living for years with a truncated version of our park - this in a district already deficient in green space. These auxiliary monies will partially compensate for the displacement and temporary appropriation of our streets and park by helping to provide neighborhood improvements aligned with our shared objectives. We hope the Gateway Development Commission recognizes the enormous disruption in our area and will strive to leave our neighborhood better off than where it was found. We will also be following up with our local elected representatives on this point. (*CB4 Manhattan, 2024*)

Response 1b: As part of a comprehensive, active, and responsive local community outreach program, GDC will continue to coordinate with the community and stakeholders to facilitate the Project and best serve the residents of Manhattan CB4.

All park features would remain open throughout construction but for the “Two Too Large Tables,” art installation, which would be temporarily removed during construction and re-installed at the direction of HRPT. During construction, mitigation for the temporary removal of the art installation will be managed in coordination with HRPT. Additionally, as with the FEIS/ROD, construction within the HRP Construction Staging Area would require the temporary closure of the West 30th Street Heliport fueling area and its two fueling pads, and two landing helipads. The pedestrian walkway and bikeway would be maintained throughout construction, as described further in response to Comment #1h. GDC will restore the area of Hudson River Park affected by construction in coordination with HRPT at no cost to HRPT.

Throughout construction, GDC will hold regular Manhattan Construction Task Force meetings to facilitate conversation between GDC and its selected contractors, Manhattan CB4, HRPT, elected officials, New York City Department of Transportation, and other community stakeholders. GDC will also hold regular coordination calls with HRPT and other recreational boating organizations. GDC will share Boater Safety Alerts and Construction Notices with relevant stakeholders and on its website in order to inform the public about new activities as the work progresses.

Comment 1c: At its July 11th Waterfront, Parks & Environment Committee meeting, the Committee voted to express its approval of this phase of the long-awaited Hudson River Tunnel Plan along with its concerns and suggestions contained in this letter.

Background

The Hudson Tunnel is being built to provide redundancy to the existing North River Tunnel (NRT) under the Hudson River, allowing for much needed repairs to the NRT resulting from the super storm Sandy and eventually will be used for increased capacity on Amtrak’s Northeast Corridor and for New Jersey commuters’ trains that would terminate in the planned Penn Station expansion. It is part of the Gateway program which includes multiple projects in New Jersey and New York to improve rail capacity in the Corridor.

The Tunnel alignment in New York City will go eastward from the Hudson River, the Hudson River Park, the block delimited by West 29th and West 30th Street and 12th Avenue (Block 675), Hudson Yards, 10th Avenue between West 31st and West 33rd Streets and merge with the Penn Station tracks. The sections under 11th Avenue and under the eastern portion of Hudson Yards have already been completed (circa 2018).

According to the Gateway Project’s update, the tunnel’s construction will require staging and the drilling of two shafts. Removal of the drilling spoils from these shafts is currently planned to be by truck primarily through the Lincoln Tunnel with considerable

vehicle workflow on the West Side Highway and our immediate local streets. Pedestrian and bike paths are planned to temporarily be relocated further to the west along the Estuary. A temporary bridge is planned for the movement of materials over the highway from the 12th Avenue construction staging area, Block 675, Lot 1. Recreational boat traffic will be directed away from the shoreline into the main channel to prevent boaters from moving through construction zones. The southern two pads of the existing heliport will be closed during the construction period. (CB4 Manhattan, 2024)

Response 1c: Comment noted. While not relevant to Section 4(f), we note that, as analyzed in the FEIS/ROD, material excavated for 12th Avenue Shaft and Manhattan Tunnel construction will be removed by truck. The previously contemplated placement of a temporary utility and material conveyor bridge across 12th Avenue is no longer proposed; utilities would now be placed underground across 12th Avenue/Route 9A, as contemplated in the FEIS/ROD.

Comment 1d: Consider barging to transport materials to and from the above groundwork area. We were told that the boring comes from NJ so the boring spoils will move westward back towards NJ through the tunnel space. Other spoils coming from the two shafts on the NYC side planned to be moved on the streets and through the Lincoln Tunnel clogging our streets, burdening our neighborhood and adding dirty air emissions. Barging would avoid that incursion. (CB4 Manhattan, 2024)

Response 1d: The approved HTP Combined FEIS/ROD issued by FRA and FTA, developed in accordance with NEPA, dated May 2021, did not evaluate the possibility of utilizing marine barges for off-site disposal of muck materials generated from all landside Manhattan Tunnel excavation zones (e.g., access shafts and running tunnels). Instead, the FEIS/ROD evaluated using trucks to remove all muck materials from the Manhattan Tunnel construction zone and concluded associated impacts would not be significant and/or could be reasonably mitigated, during construction. The use of spoil barges for transporting materials has since been evaluated and determined not practicable, due to site constraints.

Comment 1e: Noise. No blasting is planned. However, construction hours are scheduled to extend to 11pm. We request no loud construction after 8pm and not include weekend construction. (CB4 Manhattan, 2024)

Response 1e: The GDC and its selected contractors will apply all reasonable control measures to ensure that the construction noise complies with established noise limits including those found in the NYC Noise Code. These noise limits are included in the contract specifications.

Comment 1f: Air emissions remain a concern for residents. Our district is listed as having the third worst air pollution area in the city. We request a comprehensive mitigation plan as work gets underway. (CB4 Manhattan, 2024)

- Response 1f:** As described in the FEIS/ROD, the HTP in its permanent operational condition would not result in air quality impacts. Both local and project-wide emissions are predicted to comply with the federal *de minimis* limits for all criteria pollutants including carbon monoxide and the precursors to ground-level ozone. The Proposed Project Modifications would not change these findings nor require new or additional mitigation measures. In addition, as described in the FEIS/ROD, construction activities at the Twelfth Avenue staging area, and construction-related vehicle and worker traffic on local roadways, would not result in any exceedances of Federal ambient air quality standards or U.S. Environmental Protection Agency (“USEPA”) Clean Air Act General Conformity Rule-defined pollutant emissions *de minimis* thresholds for regulated pollutants, though they would result in exceedances of New York City *Environmental Quality Review (“CEQR”) Technical Manual de minimis* criteria for 24-hour and Annual fine particulate matter (“PM_{2.5}”) concentrations. These construction-related exceedances would be reduced through the implementation of dust control measures, the use of ultra-low-sulfur diesel (“ULSD”) fuel, idling restrictions, best available tailpipe reduction technologies, utilization of newer equipment, and diesel equipment reduction. Additionally, a fugitive dust control plan would be implemented including watering, covering loose materials, vehicle rinsing, and a continuous perimeter air monitoring program at the staging areas to identify when additional dust management procedures are warranted. The Proposed Project Modifications would not change these findings, nor result in any new construction-period air quality impacts warranting mitigation. GDC remains committed to implementing all air quality mitigation measures outlined in the FEIS/ROD for construction activities. GDC has included all mitigation requirements identified in the FEIS/ROD to be met by the contractor(s) during construction as part of construction contract documents.
- Comment 1g:** Create opportunities for use of renewable energy when appropriate during construction i.e. solar electricity for lighting. (*CB4 Manhattan, 2024*)
- Response 1g:** Marker buoys with solar lighting would be used during obstruction removal activities in the Hudson River to delineate the restricted work zone for boaters and mariners.
- Comment 1h:** Always maintain bus, cyclist, and pedestrian passages as required per New York City law. Establish alternate routes for cars and trucks and use NYPD traffic agents, and construction watchmen and flagmen at negatively impacted areas. (*CB4 Manhattan, 2024*)
- Response 1h:** Construction activities in Hudson River Park would maintain continuous access to pedestrian and bike infrastructure. The Proposed Project Modifications would allow for a 12-foot-wide pedestrian walkway throughout construction, an improvement over the eight-foot-wide pedestrian walkway approved in the FEIS/ROD, while maintaining the existing 15-foot width of the bikeway, an improvement over the 10-foot-wide bikeway approved in the FEIS/ROD. Pavement markings and delineators would separate the park walkway from the Twelfth Avenue/Route 9A bikeway. Flaggers and pedestrian managers would be provided to direct pedestrians using the crosswalk in front of the

gates at the construction area entrance and exit. Security bollards and concrete blocks would be provided at the portions of the walkway and bikeway adjacent to all vehicular entry points to prevent errant vehicular movement into the walkway and bikeway. Pedestrian and bicycle signals would regulate the movement of vehicular, pedestrian, and bicycle traffic at the intersection of the temporary pedestrian walkway and bikeway with both the West 30th Street Heliport parking area and the HRP Construction Staging Area. Signage would be posted prior to and during the shifting of the pedestrian path and bikeway to alert pedestrian and cyclists of changes. Flaggers and pedestrian managers would be present to protect pedestrians and bikers given that trucks bringing materials and removing excavated materials would cross the park walkway and Twelfth Avenue/Route 9A.

Comment 1i: Establishing a construction task force with regular meetings to address any open issues, plan community communication and resolve conflicts with other projects (Bus terminal interim parking). Set up phone line and email communications with community members and businesses. (*CB4 Manhattan, 2024*)

Response 1i: GDC has established the Hudson Tunnel Project Manhattan Construction Task Force to coordinate construction plans with local agencies and stakeholders, and is in the process of establishing a Manhattan Community Engagement Center located at 249 Ninth Avenue for community education and feedback on the ongoing Hudson Tunnel Project Activities beginning the fourth quarter (Q4) of 2025. A full-time Manhattan Community Coordinator will staff the office and be available to address public feedback and distribute information and updates about the HTP as it advances. Questions or concerns regarding construction activities in the Hudson River and Hudson River Park can be submitted to the Manhattan Community Coordinator via email to info@gatewayprogram.org and/or ManhattanConstruction@gatewayprogram.org, or by phone by calling 1-800-239-9497. For further information, please see response to Comment #4a.

Comment 1j: Work with MCB4 to identify local artists to beautify the work and staging areas during construction. (*CB4 Manhattan, 2024*)

Response 1j: GDC and Amtrak will engage Hudson River Park Trust (“HRPT”), Manhattan CB4, and other local stakeholders to beautify the work and staging areas during construction.

Comment 1k: Continue to coordinate with Hudson River Park Trust and ensure rebuilding the park’s portion after work completion. (*CB4 Manhattan, 2024*)

Response 1k: GDC will restore the affected area of Hudson River Park in coordination with HRPT. This will include continued communication with HRPT regarding the restoration efforts after the completion of construction. Amtrak’s Long-Term Maintenance Agreement with HRPT will commit the Contractor to repair defects identified in the Contractor’s preconstruction inspection report of the Hudson River Bulkhead – other than those designated as minor – within a certain geographic area of the Hudson River Bulkhead.

- Comment 1l:** MCB4 appreciates the communications we have had about this phase of the Hudson River Tunnel project thus far. We hope to continue the open lines of conversation as we head into the work phases and explore further ancillary community benefits. (*CB4 Manhattan, 2024*)
- Response 1l:** Comment noted.
- Comment 2a:** The Gateway Project is a long-anticipated effort that we support. However, as outlined in our July 12, 2024 letter, key concerns persist. Our primary demand is clear and firm: the community must be substantially compensated with lasting benefits to fairly offset the many years of disruption it will have to endure during construction.
- [...]
- This project will have negative effects on our community for many years to come but certainly over the next three years for the current phase of the project. We urge that there be significant community benefits to offset the disruption. (*CB4 Manhattan, 2025*)
- Response 2a:** Please see response to Comment #1b
- Comment 2b:** The bridge over 12th Avenue has been removed from the plan and instead materials will be moved underground. (*CB4 Manhattan, 2025*)
- Response 2b:** Comment noted. While not relevant to Section 4(f), we note that, as analyzed in the FEIS/ROD, material excavated for 12th Avenue Shaft and Manhattan Tunnel construction will be removed by truck. The previously contemplated placement of a temporary utility and material conveyor bridge across 12th Avenue is no longer proposed; utilities would now be placed underground across 12th Avenue/Route 9A, as contemplated in the FEIS/ROD.
- Comment 2c:** The earlier plan included two large shafts to remove spoils to enable ground stabilization. The current plan offers two possibilities: some configuration of shafts that may be different than the earlier plan or no shafts at all with ground stabilization accomplished from the surface. The version with no shafts should reduce the volume of debris that needs to be removed. (*CB4 Manhattan, 2025*)
- Response 2c:** Comment noted.
- Comment 2d:** Pedestrian and bike lanes have been redirected and slightly widened to assure they remain unrestricted. (*CB4 Manhattan, 2025*)
- Response 2d:** Comment noted. As currently contemplated, a 12-foot-wide pedestrian walkway and 15-foot-wide bikeway (an improvement over the 10-foot-wide bikeway approved in the FEIS/ROD) would be provided adjacent to the HRP Construction Staging Area throughout construction.

Comment 2e: It is our understanding that 29th Street between 11th and 12th Avenues will be closed by the end of 2025. That closure is expected to be long term. (*CB4 Manhattan, 2025*)

Response 2e: Comment noted.

Comment 2f: We were pleased to learn that there are procedures to properly manage environmental “exceedances” (a moment when the construction process goes out of whack), should they occur, including “stop work” if necessary, implementation of recovery procedures from such an exceedance, use of “best practices” to assure yourselves and the community of non-recurrence of such events, and making the data from the monitoring of this project public. (*CB4 Manhattan, 2025*)

Response 2f: Comment noted. GDC has procedures to monitor the environmental commitments identified in the FEIS/ROD.

Comment 2g: Unfortunately, removal of debris by barge is still not being contemplated and will result in increased truck traffic through the Lincoln Tunnel further clogging our streets. (*CB4 Manhattan, 2025*)

Response 2g: Comment noted. Please see to the response to comments #1b and #1d.

Comment 2h: While the three years of 24/7 in water work should not cause undue noise affecting our community, the 42 months of 7 am to 11 pm on land work does present that possibility. The presentation did not make clear how that noise would be mitigated. (*CB4 Manhattan, 2025*)

Response 2h: Comment noted. Please see response to Comment #1e.

Comment 2i: Reducing and containing air emissions was not mentioned during your April presentation. In this project use of the most efficient, least polluting diesel engines for construction equipment should be required. In addition, “best practices” for noise reduction should be implemented. (*CB4 Manhattan, 2025*)

Response 2i: There will be temporary increases in emissions during construction activities from onsite construction equipment, as well as on-road construction sources (e.g., trucks and other construction vehicles). A multi-approach fugitive dust control plan including watering, covering loose materials, vehicle rinsing and continuous perimeter air monitoring program at the Twelfth Avenue construction staging area will be used to identify when additional dust management procedures are warranted.

Per the FEIS/ROD, project construction contracts require several measures to reduce air quality emissions:

- Use of ultra-low-sulfur diesel fuel for all diesel engines throughout the Project sites.
- Adherence to idling restrictions that limit on-site vehicle idle time to three minutes for all equipment and vehicles that are not using their engines to operate

a loading, unloading, or processing device (e.g., concrete mixing trucks) or are otherwise required for the proper operation of the engine.

- Implementation of best available tailpipe reduction technologies for reducing diesel emissions for non-road diesel engines with a power rating of 50 hp or greater and controlled truck fleets (i.e., truck fleets under long-term contract with the Project), including but not limited to concrete mixing and pumping trucks.
- Utilization of newer equipment. As described in the FEIS/ROD all equipment will comply with Tier 3 emissions standards or higher. To the extent practicable, equipment meeting the most stringent Tier 4 emissions standards will be utilized.
- Usage of electrically powered equipment rather than diesel-powered and gasoline-powered versions of that equipment, to the extent practicable. (Please also see response to Comment #1f)

Per the FEIS/ROD, a noise complaint procedure has been implemented to promptly address community concerns. GDC has also implemented a noise monitoring plan to conduct noise monitoring in areas near the construction staging. The plan includes spot noise emission level checks as needed of the most noise-intensive equipment and construction activities (e.g., pile installation, concrete operations, truck loading), inspections of noise control measures to ensure that they are implemented properly, and spot checks of noise levels at surrounding receptors during various phases of construction.

As described in the FEIS/ROD, construction contracts require the use of quieter equipment, acoustical noise tents and mufflers for loud equipment as much as practicable. Vehicles would be routed through construction sites to minimize the use of back up alarms.

Site enclosures and temporary noise barriers approximately 15 feet high would reduce noise levels. Please see response to Comment #1e.

Comment 2j: We highlight already raised concerns that a project of this magnitude does not contain accommodations for high-speed rail service. Our hopes are that the current project will pave the way for future upgrades to the Northeast corridor to allow for higher speeds. (*CB4 Manhattan, 2025*)

Response 2j: The track system in the new Hudson River Tunnel and rehabilitated North River Tunnel will significantly upgrade the existing conditions. A modern, direct-fixation system with integrated drainage will improve Amtrak and NJ TRANSIT's service reliability through the new tunnel and is designed to support the maximum throughput in the congested section of the Northeast Corridor into New York Penn Station. The track system, which will support all of Amtrak's current and planned future intercity passenger rail services, including the high-speed Acela, is one of many interrelated components and systems involved in the development and successful delivery of high-speed rail service.

- Comment 2k:** We understand such benefits must be placed within the footprint of the project itself. However, that is a rather large footprint including the on-water area of Piers 68 and 69 as well as the to-be-closed section of 29th Street, and portions of block 675. The footprint needs to be clearly defined and may go as far east as the train station itself. We understand you are working to inform us of the exact dimensions of the project's footprint in our district. (*CB4 Manhattan, 2025*)
- Response 2k:** As part of a comprehensive, active, and responsive local community outreach program, GDC will continue to coordinate with the community and stakeholders to facilitate the Project and best serve the residents of Manhattan CB4.
- Comment 2l:** What those benefits might be is certainly an open discussion and negotiation requiring a great deal of additional brainstorming. (*CB4 Manhattan, 2025*)
- Response 2l:** Please see response to Comment #1b.
- Comment 2m:** If long term funding of those benefits becomes an issue, we suggest considering charging passengers boarding or disembarking trains entering or leaving Penn Station \$1 each to sustain permanently supporting those community benefits. (*CB4 Manhattan, 2025*)
- Response 2m:** Comment noted. This is beyond the scope of the Section 4(f) evaluation of the Proposed Project Modifications. Please see response to Comment #1b regarding GDC's commitment to continuing coordination with Manhattan CB4.
- Comment 2n:** We know you have a separate agreement with the Hudson River Park Trust that includes restoration and long-term maintenance of the bulkhead you must breach, environmental examination of the water and river bottom around your work areas and of Piers 68 and 69 and restoration of the section of the Hudson River Park that you disturb. Improvements to other parks and services within the footprint should also be considered. (*CB4 Manhattan, 2025*)
- Response 2n:** Please see responses to comments #4b and #1b
- Comment 3:** How far out into the river will the coffer dams be built and will they present any obstacle to recreational boaters, especially human-powered kayakers and paddleboarders that frequently transit this area going upriver and downriver? (*Davis*)
- Response 3:** The cofferdam used to perform ground stabilization work on the bed of the Hudson River would be installed in phases between approximately 675 and 1,350 feet west of the U.S. Bulkhead Line (i.e., Manhattan shoreline). Per the guidance of the HRPT, recreational boaters operating out of nearby Pier 66 and other Manhattan piers, including kayakers, travel north to south along the U.S. Pierhead Line, in the Hudson River. The cofferdam would be located entirely west of the U.S. Pierhead Line and as such, would not interfere with these recreational boaters travelling along the Hudson

River. Other mariners travelling within the 45-foot-deep navigation channel would travel west around the cofferdam.

During obstruction removal activities in the vicinity of former Manhattan Piers 68 and 69 and ground stabilization at the Hudson River Bulkhead, there would be no access restrictions for boaters traveling between the navigation channel and the Pier 66 boathouse and nearby moorings, nor would these construction activities affect boaters' ability to travel south along the U.S. Pierhead Line. However, in order to travel north from the Pier 66 boathouse and moorings, boaters would need to avoid the construction work zones for obstruction removal and ground stabilization. Boaters would either travel along the pierhead line immediately west of the ground stabilization activities (following completion of the obstruction removal activities at former piers 68 and 69) or, given the proximity of the HRGS work, they would likely first travel directly west into the 45-foot-deep navigation channel, moving around the western edge of the cofferdam and continuing north along the U.S. Pierhead Line. As the cofferdam for the ground stabilization activities progresses west to east (i.e., toward former Piers 68 and 69), the distance that boaters would have to travel west into the 45-foot-deep navigation channel to maneuver around the cofferdam would gradually lessen.

Comment 4a: Thank you for the opportunity to comment on the project.

In the 'Ongoing Coordination' section, all 'stakeholders' listed have been granted access to the gateway plans. However, the General Public is limited to 2 minute comments and questions at CB4 meetings. The announced 'Manhattan Public Information Center' will be open too late for real Public participation. (*Boyd*)

Response 4a: In accordance with the public participation requirements of Section 4(f), the FRA and FTA directed GDC to provide public notice and an opportunity for public review and comment concerning potential effects on the protected activities, features, and attributes of the affected portion of the Hudson River Park. GDC published a PDF of the Hudson Tunnel Project Section 4(f) Coordination Presentation for the Proposed Changes to Project Work in Hudson River and Hudson River Park (Proposed Project Modifications) via hudsontunnelproject.com on June 13, 2024, and republished an updated presentation on April 10, 2025. The presentations were distributed to the following organizations and individuals serving as an invitation to participate in the coordination process and/or comment on the proposed activities in Hudson River Park:

- HRPT;
- HRPT Advisory Council;
- Manhattan Community Board 4;
- Representative Jerry Nadler, United States Congress District 12;
- Senator Brad Hoylman-Sigal, New York State District 47;
- Senator Liz Krueger, New York State District 28;
- Assemblymember Tony Simone New York State District 75;

- Mark Levine, Manhattan Borough President; and
- Erik Bottcher, New York City Council Member.

Additionally, GDC presented at the June 13, 2024, and April 10, 2025, MCB 4 Waterfront, Parks, and Environment Community public meetings, providing members of the public and other stakeholders an opportunity to learn about and provide testimony on the Hudson Tunnel Project activities within Hudson River Park. At each meeting, GDC disclosed the 30-day public comment period and provided specific guidance on ways for interested members of the public to provide comment on the proposed Project Modifications. Members of the public had multiple avenues to comment and were not limited to doing so during the CB4 meeting.

In addition, GDC's Manhattan Community Engagement Center and Manhattan Community Coordinator are intended to provide an opportunity for members of the public to comment on, report on, and/or voice concerns about ongoing construction activities associated with the Hudson Tunnel Project. The Manhattan Community Engagement Center located at 249 Ninth Avenue is anticipated to open in Q4 of 2025. Questions or concerns regarding construction activities in the Hudson River and Hudson River Park can be submitted to the Manhattan Community Coordinator via email to info@gatewayprogram.org and/or ManhattanConstruction@gatewayprogram.org, or by phone by calling 1-800-239-9497.

Members of the public have had other opportunities to comment on the Project. As described in the FEIS/ROD, public and stakeholder outreach has been conducted throughout the planning and environmental review process for the Hudson Tunnel Project. The Draft Environmental Impact Statement ("DEIS") was available to the public online and in print at viewing locations within New York, and it was published in a notice of availability of the DEIS, which was distributed to elected officials, interested organizations, stakeholders, Participating and Cooperating Agencies, other regulatory agencies, and members of the public. Interested parties were invited to provide public comments on the document. Three public meetings were advertised and held on August 1, 2017, August 3, 2017, and August 10, 2017, at which oral and written comments were accepted from members of the public.

In addition to the public meetings described above, the Project Sponsor has held numerous additional meetings among the Project team and stakeholders, elected officials, the local community board in New York, and property owners of properties that would be affected by the Hudson Tunnel Project.

For further information on public outreach and agency coordination undertaken, please refer to FEIS/ROD Chapter 25, "Process, Agency Coordination, and Public Involvement," and Appendix 25, "Process, Agency Coordination, and Public Involvement," available at <https://www.hudsonstunnelproject.com/Library/>.

Comment 4b: My specific concern is the toxic HRPT Heliport. Does the announcement 'After construction in Hudson River Park is completed in 2027, the area used would be fully restored' mean that the Heliport and it's 8,000 Gallon Jet Fuel Tank on the tarmac (where helicopters have crashed) will also be fully restored? (*Boyd*)

Response 4b: GDC will restore the affected area of Hudson River Park in coordination with HRPT. The continued operation of the West 30th Street Heliport activities within Hudson River Park after Hudson Tunnel Project construction is completed is not a GDC or FTA decision and beyond the scope of the Hudson Tunnel Project.

Comment 4c: Does the re-routing of the bike path eliminate the heliport tarmacs during Gateway construction? (*Boyd*)

Response 4c: During construction activities within Hudson River Park, the West 30th Street Heliport would be temporarily closed between approximately West 29th Street and West 30th Street, including: (i) closure of Helipads #1 and #2; (ii) closure of Heliport Fuel Deck (south of Helipad #1); (iii) removal of the above-ground storage tank ("AST") in the southwest corner of the Heliport; and (iv) closure of "tow-in" Fuel Deck north of the AST.

Comment 4d: Citizens have been fighting to close HRPT's VIP Heliport for 25 years. We have had many near victories including the 2007 NY Supreme CT Settlement against HRPT mandating the full closure of the elite heliport by 2014. One of the main successful plaintiffs was the then activist Friends of HRP which was there-after silenced and absorbed by HRPT's Diana Taylor and Madelyn Wils.

HRPT refuses direct communication with the Public, but some (off the record) members of its Board, plus Gale Bewer, Tony Simone, and Noreen Doyle repeatedly state that the Board is in favor of removing the Heliport, but that the jurisdiction does not lie with HRPT. This is disingenuous.

For years HRPT has Slow Walked the issue by saying they are seeking a new location for the heliport.

Now, they are saying its closure may happen with this Gateway project.

As it has for 25 years, Wealth will make sure that the Heliport remains, and that HRPT pimps out Public Health and Safety to grant Wealth the flight privileges they demand-not really for revenue.

It is used exclusively by the Park's Donor Class.

With unlimited legal fire power and controlling influence over HRPT, the toxic flight privileges in our park have always been aggressively protected by Bloomberg/Taylor and Barry Diller (2 private helicopter/jet/mega-yacht owners) along with Blade and Related.

What is the Commission's plan for the Heliport? HRPT and the powers mentioned above have been very involved in your plans thus far. (Boyd)

Response 4d: Please see response to Comment #4b.

Comment 4e: The Public is not actually heard through CB4, CB4 WPE Committee, or the Advisory Council.

I have appeared before them many times. WPE is particularly ill informed. CB4 as a whole, and all electeds, are unwilling to publicly challenge HRPT about its heliport, and the Advisory Board does not schedule public comments or questions at its meetings.

Can the Commission move forward with open Public participation given the extreme limits of what is called Representative Democracy?

Why hasn't the Project Team always provided fully Public ONGOING COORDINATION? (Boyd)

Response 4e: As described in response to Comment #4a, GDC has provided multiple opportunities for public comment on the proposed Hudson Tunnel Project construction activities within Hudson River Park to inform the Section 4(f) coordination process. Future questions or concerns regarding construction activities in the Hudson River and Hudson River Park can be submitted to the GDC Manhattan Community Coordinator via email to info@gatewayprogram.org and/or ManhattanConstruction@gatewayprogram.org, or by phone by calling 1-800-239-9497. In addition, GDC plans to open the Manhattan Community Engagement Center located at 249 Ninth Avenue in Q4 of 2025. Both the GDC Manhattan Community Coordinator and Manhattan Community Engagement Center are intended to provide an opportunity for members of the public to comment, report on, and/or voice concerns about ongoing construction activities associated with the Hudson Tunnel Project.

Comment 4f: By the way, the HRPT Board famously opens each meeting with "The Board does not entertain comments or questions from the Public." HRPT is a development corporation with no direct Public oversight. (Boyd)

Response 4f: Comment noted.