



**US Army Corps
of Engineers®**

New York District
Albany Field Office
1 Bond Street
Troy, N.Y. 12180
ATTN: CENAN-OP-A

Public Notice

In replying refer to:

Public Notice No. HR-AFO-NGR

Published: March 13, 2012 Expires: April 11, 2012

HUDSON RIVER, NEW YORK NORTH GERMANTOWN REACH FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, US Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the federal navigation project: Hudson River, North Germantown Reach, New York (see Enclosures 1 thru 3); with subsequent placement of the dredged material in the federally owned upland dredged material placement site on Houghtaling Island, New Baltimore, New York.

ACTIVITY: Maintenance dredging of the following federal navigation project: Hudson River, North Germantown Reach, NY, with subsequent placement of the dredged material in the federally owned upland dredged material placement site on Houghtaling Island, New Baltimore, New York.

WATERWAY: Hudson River

LOCATIONS: North Germantown, New York.

The Hudson River federal navigation project was authorized by the Rivers and Harbors Acts of 1910 to 1930; and modified in 1934, 1935, 1938 and 1954, in accordance with the recommendations contained in the following Congressional Documents: House Document (HD) No. 719, 61st Congress, 2nd Session (Jun 1910) and modified by HD No. 350, 68th Congress, 1st Session (Mar 1925); HD No. 210, 70th Congress, 1st Session (Jul 1930); Senate Document No. 155, 72nd Congress, 2nd Session (Aug 1935); HD No. 572, 75th Congress, 3rd Session (Jun 1938); and Public Law No. 780, 83rd Congress, 2nd Session (Sep 1954).

The existing navigation project authorizes a channel 600 ft. wide, New York City to Kingston, thence 400 ft. wide to 2,200 ft. south of the Mall Bridge (Dunn Memorial Bridge)

at Albany with a turning basin at Albany and anchorages near Hudson and Stuyvesant, all with depths of 32 ft. in soft material and 34 ft. in rock; thence 27 ft. deep and 400 ft. wide to 900 ft. south of the Mall Bridge (Dunn Memorial Bridge); thence 14 ft. deep and generally 400 ft. wide, to the Federal Lock at Troy; and thence 14 ft. deep and 200 ft. wide, to the southern limit of the State Barge Canal at Waterford; with widening at bends and widening in front of the cities of Troy and Albany to form harbors 12 ft. deep. The total length of the existing navigation project (NYC to Waterford) is about 155 miles.

This activity is being evaluated to determine that the proposed dredging with placement of dredged material in the federally owned upland site on Houghtaling Island will not unreasonably degrade or endanger human health, welfare, economic potential, recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

ALL COMMENTS REGARDING THIS ACTIVITY MUST BE PREPARED IN WRITING AND MAILED TO REACH THE ALBANY FIELD OFFICE AT THE ADDRESS ON THE FRONT PAGE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person who has an interest which may be affected by the placement of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps has received a water quality certificate (WQC) from the New York State Department of Environmental Conservation (Permit ID 4-9904-00001/00012, Modifications #1 thru #5, Expiration Date: 8/31/2013), in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps will submit a determination that

the proposed project is consistent with the State CZM program to the maximum extent practicable. The Corps will request the State's agreement with that determination. For activities within the coastal zone of the State of New York, project information is available from the Coastal Zone Management Program, New York State Department of State, Division of Coastal Resources, 41 State Street, Albany New York 12231, telephone (518) 474-3642.

The proposed work is being coordinated with the following federal, state and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, First District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, you may contact the Albany Field Office at (518) 273-0870 and ask for Mr. Robert D. Berrian. Comments or questions may be FAXED to (518) 273-3772 ATTN: Mr. Robert D. Berrian.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers, New York District proposes to perform maintenance dredging of the Hudson River federal navigation project, at North Germantown Reach (River Mile 108), New York. The North Germantown Reach was last dredged in 2001 with the removal of 101,361 CY of sediment. Based on condition surveys performed during September 2011 the proposed maintenance dredging would involve the removal of approximately 150,000 to 200,000 CY of material from the North Germantown Reach.

The Corps of Engineers originally solicited and responded to comments for this project through Public Notice No. HR-AFO-09 (dated March 11, 2009 – April 09, 2009). The North Germantown Reach dredge area was removed from the original maintenance dredging plan due to a lack of funding for the work.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe and economical use of the Hudson River by shipping interests.

Maintenance dredging of the Hudson River federal navigation projects will be accomplished by hopper dredge, mechanical dredge or other similar plant. The entire channel will generally not require maintenance dredging; only areas where shoaling has reduced the depth of the channel will require dredging. No in-water work will occur during the following environmental windows for shortnose sturgeon (*Ascipenser brevirostrum*): March 1 to August 15 from RM 124 to RM 92.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement (EIS) was prepared by the U.S. Army Engineer District, New York in January 1983. Environmental Assessments (EA) updating this EIS were prepared by the New York District for similar maintenance dredging projects performed in calendar years 1986, 1988, 1990, 1992, 1995, 1998, 2001, 2003, 2007 and 2010. It was determined then that maintenance dredging of the Hudson River federal navigation project, with placement of the dredged material on the federally owned upland placement site on Houghtaling Island has no significant adverse environmental impacts on water quality, marine resources, fish, wildlife, recreation, aesthetics and flood protection

An update of the EA and a 404 (b) evaluation as required by the Clean Water Act 40 CFR 230 will be finalized prior to the implementation of the proposed work. A copy of the draft EA is available upon request by contacting the Albany Field Office.

PLACEMENT SITE:

The dredged material from this project is proposed to be placed in the federally owned upland placement site on Houghtaling Island, New Baltimore, New York. This site is located at River Mile 127. The dredged material will be transported by hopper dredge and deposited at the designated site, as shown on the attached map (Enclosure 3).

MATERIAL DESCRIPTION:

The average grain size characteristics of the proposed dredged material are:

Sample ID NG-1 thru NG-11: 0.0% Gravel, 76.2% Sand, 17.2% Silt, 6.6% Clay

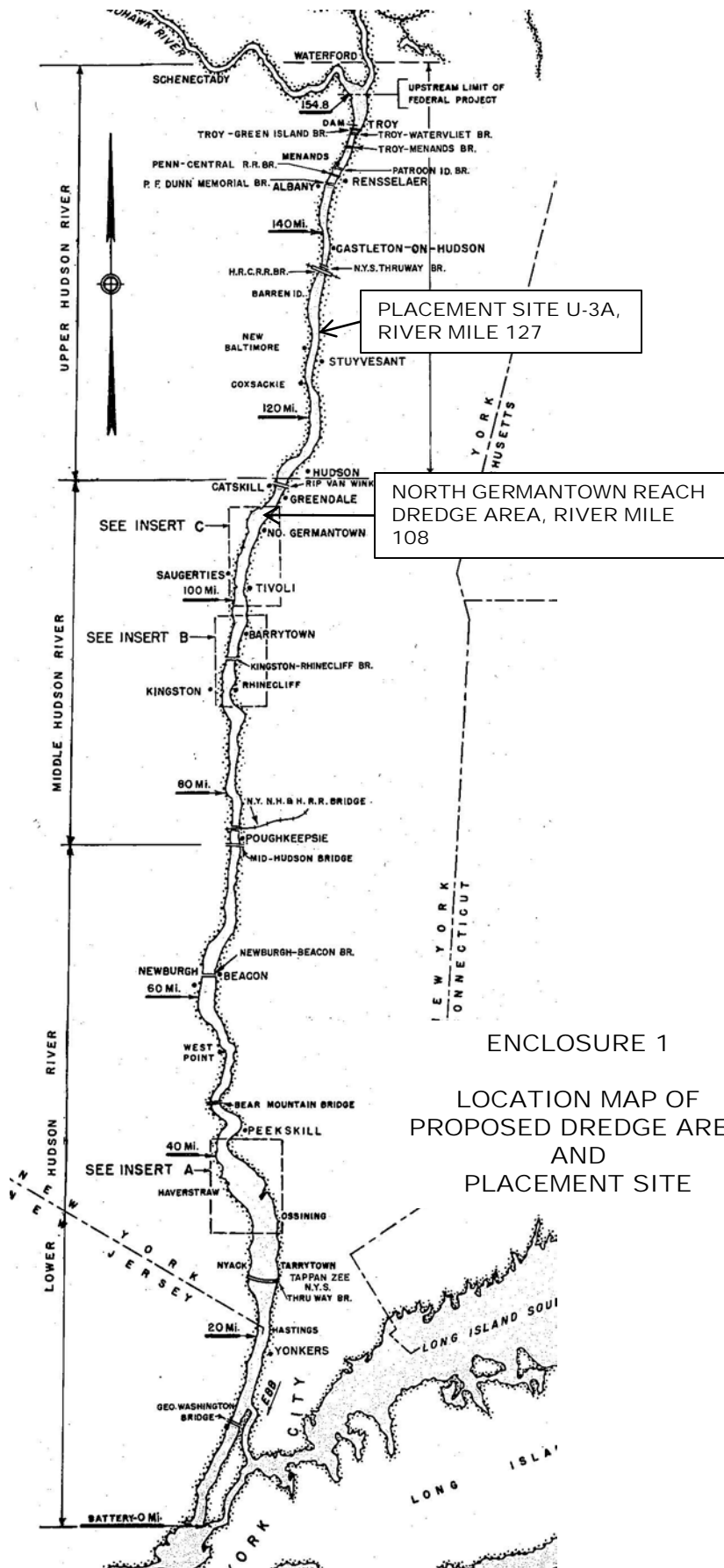
See Enclosure 2 for sample locations and Enclosure 4 for grain size distribution, % moisture and TOC. The full chemistry data report entitled “Data Report, Hudson River – Albany Turning Basin & Germantown Reach (Upland)” dated January 5, 2009 is available for review at the Albany Field Office.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.



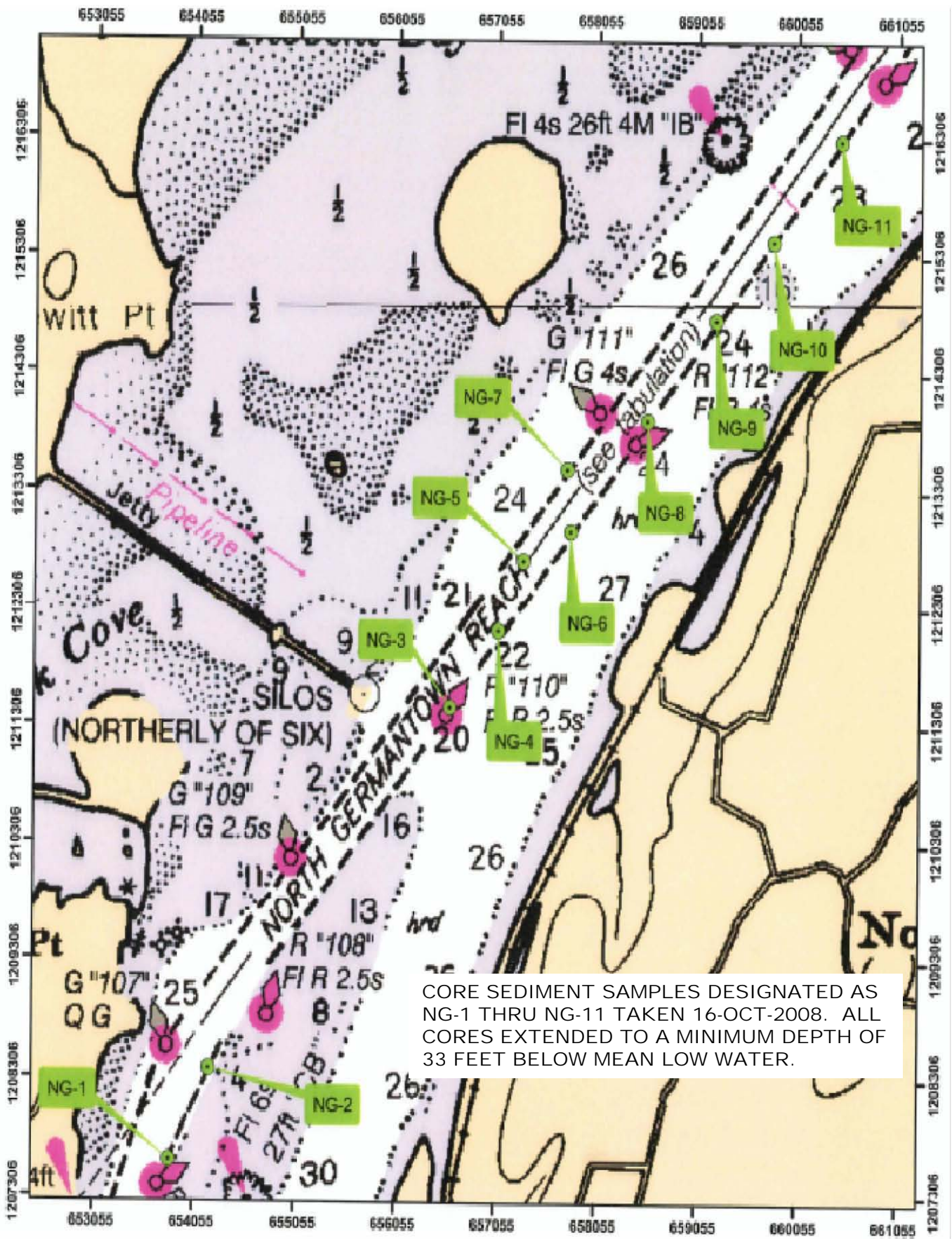
William Petronis
Chief, Albany Field Office

Enclosures
As stated



ENCLOSURE 1

LOCATION MAP OF
PROPOSED DREDGE AREA
AND
PLACEMENT SITE

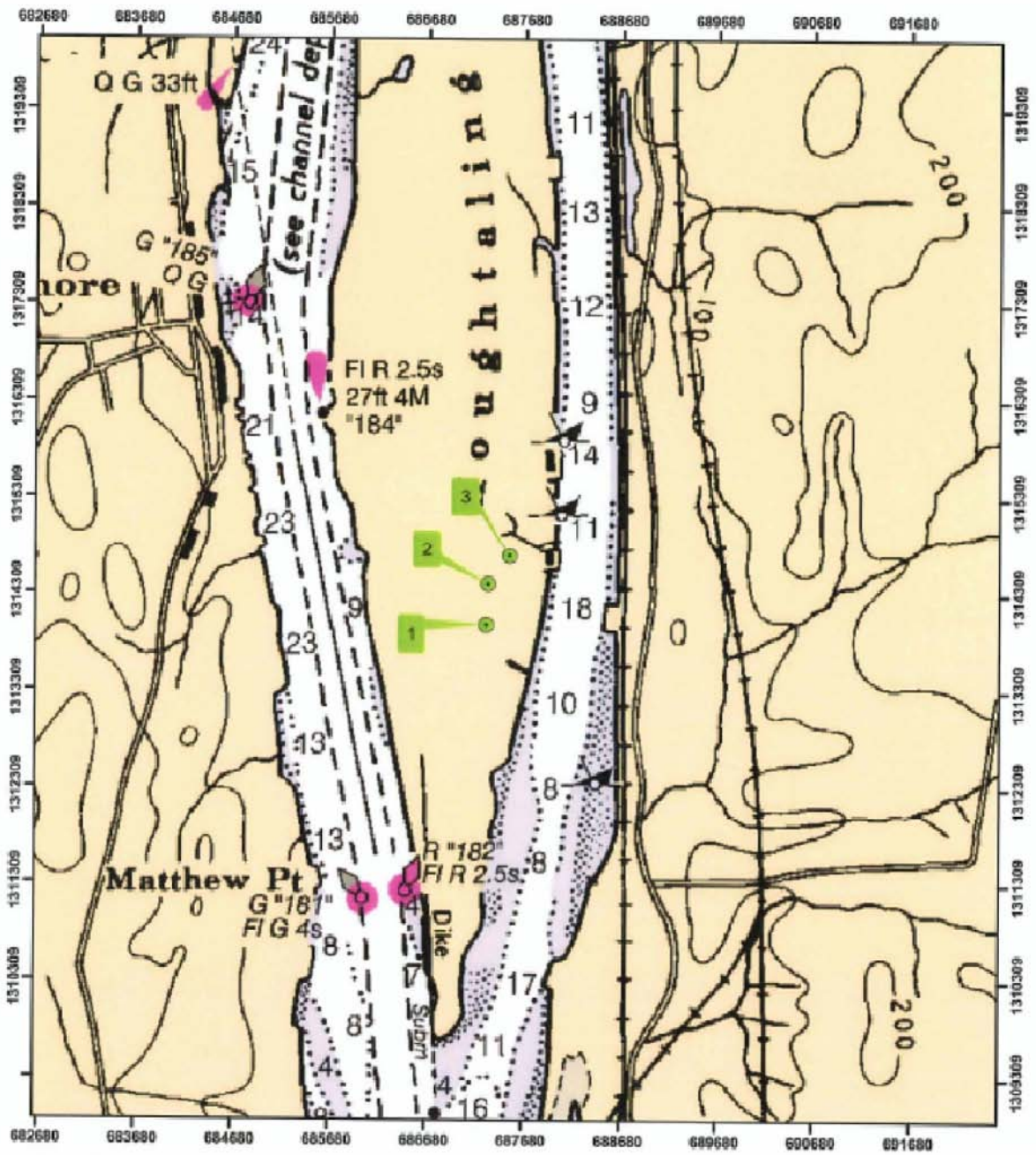


CORE SEDIMENT SAMPLES DESIGNATED AS NG-1 THRU NG-11 TAKEN 16-OCT-2008. ALL CORES EXTENDED TO A MINIMUM DEPTH OF 33 FEET BELOW MEAN LOW WATER.

ENCLOSURE 2

NORTH GERMANTOWN REACH DREDGE AREA
HUDSON RIVER, NY

NEW YORK EAST STATE PANE (FEET), NAD 83 - NOT TO SCALE



ENCLOSURE 3

UPLAND PLACEMENT SITE U-3A (HOUGHTALING ISLAND
HUDSON RIVER, NY

NEW YORK EAST STATE PLANE (FEET), NAD 83 - NOT TO SCALE

Table 3 Grain Size Distribution, Percent Moisture, and TOC

Sample Name	ASI ID	Total % Gravel	Total % Sand	Total % Silt	Total % Clay	% Moisture	TOC ppm	% TOC of Dry Weight
NG-1	20081328	0.0	77.7	16.4	5.9	22.9	1,231	0.12
NG-2	20081329	0.0	79.9	12.2	7.9	25.9	1,732	0.17
NG-3	20081330	0.0	78.7	13.4	7.9	25.4	3,175	0.32
NG-4	20081331	0.0	76.1	16.0	7.9	26.1	2,698	0.27
NG-5	20081332	0.0	73.9	18.2	7.9	25.8	3,728	0.37
NG-6	20081333	0.0	66.1	25.7	8.2	25.7	4,751	0.48
NG-7	20081334	0.0	77.9	16.2	5.9	25.9	1,809	0.18
NG-7	20081334 dup	0.0	79.8	14.3	5.9			
NG-7	20081334 trip	0.0	79.8	14.3	5.9			
NG-8	20081335	0.0	74.3	19.6	6.1	26.0	2,588	0.26
NG-9	20081336	0.0	72.1	21.7	6.2	27.4	3,402	0.34
NG-10	20081337	0.0	79.0	16.7	4.3	22.6	3,036	0.30
NG-11	20081338	0.0	82.5	13.6	3.9	25.1	2,154	0.22
Composite A	20081339	0.0	88.4	7.7	3.9	23.1	1,700	0.17
Composite A	20081339 dup					23.6		
Composite A	20081339 trip					23.5		
Composite B	20081340	0.0	77.0	16.6	6.4	23.4	2,717	0.27
Composite C	20081341	0.0	79.2	14.8	6.0	25.0	2,664	0.27
Composite C	20081341 dup	0.0	72.4	19.8	7.8			
Composite C	20081341 trip	0.0	72.4	19.8	7.8			

RF