

PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2013-00110-EST
Issue Date: June 11, 2013
Expiration Date: July 11, 2013

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: United Water New York, Inc.
360 West Nyack Road
West Nyack, NY 10994

ACTIVITY: Installation of intake structure for water treatment facility.

WATERWAY: Hudson River

LOCATION: Town of Haverstraw, Rockland County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

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. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a

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public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agencies to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. New York State Department of State is currently reviewing the applicant's certification. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at:
<http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey> .

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8533 and ask for Leo Strogach.

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For more information on New York District Corps of Engineers programs, visit our website at
<http://www.nan.usace.army.mil>



Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, United Water New York, Inc., has requested Department of the Army authorization for installation of intake structure for a water treatment facility in and along Hudson River, in the Town of Haverstraw, Rockland County, New York.

The proposed project would incorporate the following scope of work:

1. **Dredging** of an estimated 3,850 cubic yards of material from the bottom of a **cofferdam** that would be installed to house a **Water Intake Structure**. Dredged materials would be disposed of off-site, at a state approved disposal site or a dredged materials recycling facility for upland beneficial reuse. Approximately 3,830 cubic yards of fill, consisting of 3,560 cubic yards of flowable fill, 95 cy of mud mat, and 175 cy of concrete mat, would be placed within the limits of the excavation (see Figure C-3). Additional fill, not placed within the limits of the excavation, include approximately 2,400 cubic yards of grout for the tunnel seal grout curtain and bottom grout plug and 490 cubic yards of concrete within the steel piles.
2. Construction of a **Water Intake Structure**, approximately 900 feet from the shoreline (see Figure C-1 and Figure C-2) and approximately 2,330 feet from the federal navigational channel. The Intake Structure would consist of three (3) cylindrical wedge-wire screens (see Figure C-2). The screens would each be 36 inches in diameter and up to 144 inches in length (see Figure C-3). The screens would be supported by concrete and steel structure installed below the river bottom. The concrete and steel structure would occupy the approximate 2,400 square foot area within the cofferdam used to construct the Intake Structure. It would have a pile-supported foundation extending an estimated 120 to 130 feet below the river's mudline to bedrock (see Figure C-3). The pile-supported foundation would have up to 61 steel pipe piles. An estimated 490 cubic yards of concrete would be poured inside these piles below spring high water elevation. During operation of the Intake Structure, to minimize potential impingement and entrainment impacts to aquatic species, the Intake Structure's three wedge-wire screens would be equipped with 0.5-millimeter (mm) slot openings and water would be drawn at a through-slot velocity of 0.5 feet per second or less with an approach velocity of less than 0.25 feet per second. The average maximum flood current in the Hudson River in the vicinity of the proposed wedge-wire screens is 1.3 feet per second, and the average maximum ebb current is 2.3 feet per second. Thus, stream velocities over, around, and past the Intake Structure would exceed the ambient and through-slot velocities through the wedge-wire screens.
3. Installation of a 900-foot-long **Intake Tunnel**, to house the intake pipe and other appurtenant piping which would draw water from the Hudson River through the Intake Structure to the Project's intake pumping station on shore (see Figure C-2 and Figure C-4). The Intake Tunnel, consisting of steel casing up to 7 feet in diameter, would be installed beneath the river bed at an elevation of 62 feet below mean low water, approximately 46 feet below the mudline of the riverbed in soils suitable to support the pipe. It would be installed via trenchless technology (e.g., microtunneling). Approximately 1,500 cubic yards of material would be excavated for the Intake Tunnel site during construction. Tunnel-excavated spoils would be extracted by means of screw conveyor that would transport it to

the on-shore launch shaft. The spoils then would be lifted out of the shaft and loaded onto trucks for disposal or reuse. There would be no discharge of tunnel spoils to the river associated with installation of the Intake Tunnel.

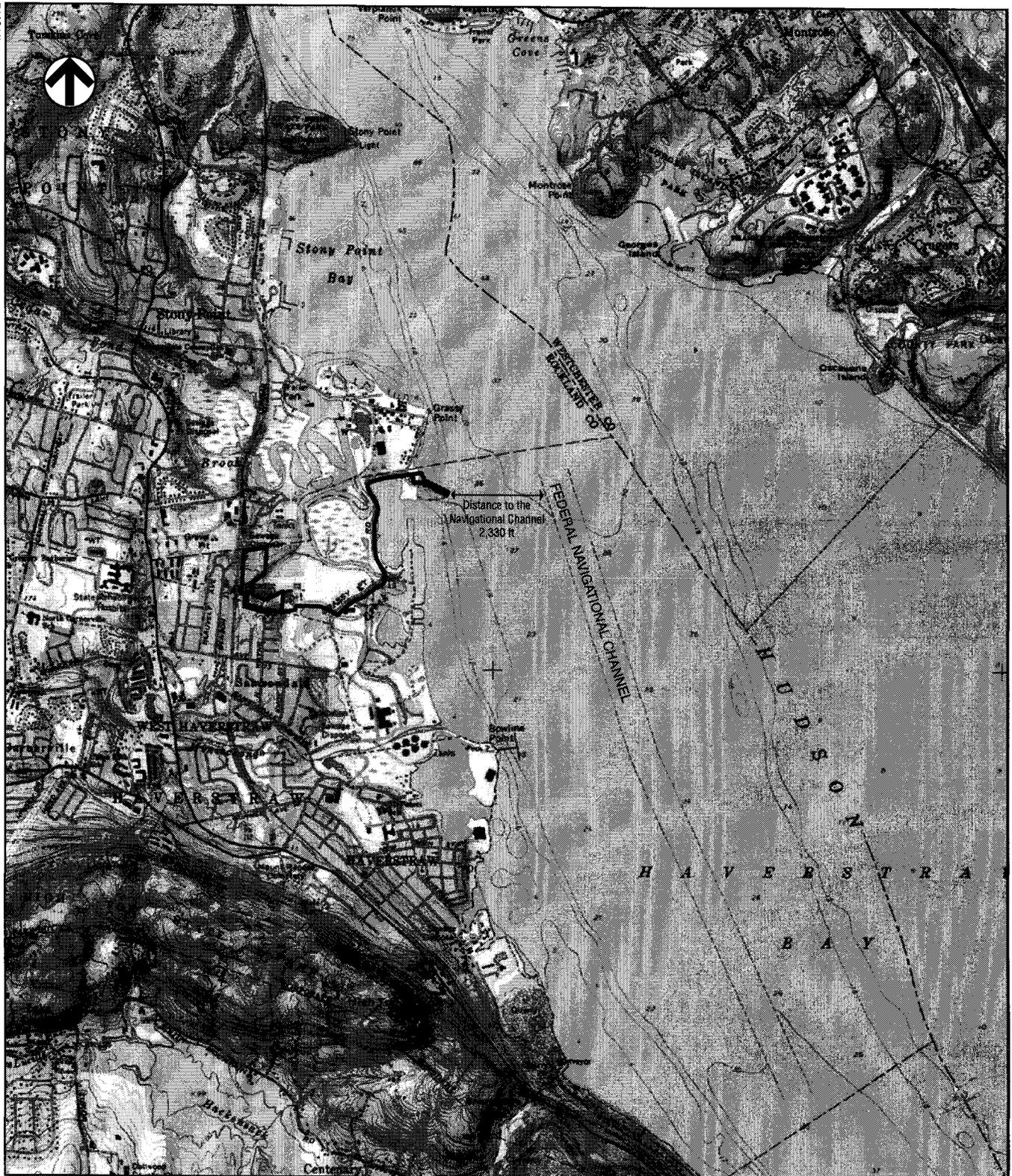
4. Construction of utility pipeline within a **Storm Water Drainage Easement**: Approximately 700 linear feet of 18-inch raw water transmission main would be constructed within an existing stormwater drainage easement. The raw water transmission main would be placed in a shallow trench with a minimum 3 foot of cover, creating a berm. An estimated 1,290 cubic yards of fill would be placed in the stormwater drainage easement. To maintain positive drainage in this area, a catch basin and drainage piping system would be installed beneath the raw water transmission main (see Figure C-11). No change in the management of stormwater in this area is anticipated as a result of the construction of the raw water transmission main within the existing drainage easement.

For completeness of the proposed scope of work description the following non-jurisdictional activities are proposed:

5. Construction of a utility (raw water) pipeline over **Minisceongo Creek**: During operation of the Project, water withdrawn from the Hudson River would be pumped from an intake pumping station on shore to the water treatment plant through an 18-inch **Raw Water Transmission Main** (see Figure C-5 through Figure C-11). The 8,000-foot-long raw water transmission main would run predominantly beneath public road rights-of-way, along Beach Road and a storm drainage easement that runs parallel to Ecology Lane within a minimum of three feet of cover. It would be installed within the roadbed through open cut construction except where Beach Road crosses Minisceongo Creek on a bridge, at which point the utility line would cross the creek using an aerial crossing located on the underside of the existing Beach Road bridge (see Figure C-5 and Figure C-9). No excavation or fill within the creek would be required, and no surficial disturbance would occur within the creek. The water main would be added to the other pipes already located on the underside of the bridge.
6. Construction of utility lines over the **Stream B**: A portion of the raw water transmission main route would cross jurisdictional waters of the U.S., including a wetland area of approximately 1.32 acres and two intermittent streams, identified as Stream A and Stream B (see Figure 2), consisting of 906 linear feet and 565 linear feet within the property boundary, respectively (USACE permit No. NAN-2006-00418). In this segment, the raw water main and two other utility lines (reverse osmosis concentrate line and thickened sludge line) that would transmit wastewater from the Project's water treatment plant (**Wastewater Discharge Line**) would cross over Stream B using an aerial crossing or "pipe bridge" designed to avoid impacts to the wetland (see Figure C-7 and Figure C-10). The Project would not affect either stream or the wetland. This aerial crossing would consist of an overhead pipe bridge or pipe sleeve(s) approximately 50 to 100 feet in length that would extend at least 10 feet beyond the mapped wetlands boundary. The bridge would have a concrete abutment at either end to support a platform with steel beams or trusses. Foundation piles may be required for the abutments. The clear height beneath the pipe bridge would be a minimum of 10 feet from the stream bed to the underside of the structure. No excavation or fill will take place in the regulated wetland or streams.

The applicant has stated that impacts to aquatic species associated with construction would be minimized through the use of water quality protection measures (i.e., silt curtains, a cofferdam, and best management practices during dredging). In addition, timing of the sheet pile driving for the cofferdam construction and the installation of foundation piles would avoid periods, if any, that might be identified by the National Marine Fisheries Service, U.S. Fish and Wildlife Service, and/or NYSDEC as sensitive to aquatic resources. Sheet-pile driving for the cofferdam (which would occur for approximately one to two weeks) and installation of foundation piles (which would occur for approximately three to four weeks) would take place during the period of September 1 through November 15. The length of time for driving each pile or pile section is expected to be short and the sound generated intermittent, so individual fish would not be exposed to potentially dangerous sound pressure levels long enough to result in mortality.

The stated purpose of this project is to supply water to facilitate the operation of a water treatment plant in the Town of Haverstraw, Rockland County, New York to meet the need for increased water supply beyond 2015.



Background Topo Map: National Geographic Society, U.S. Geological Survey

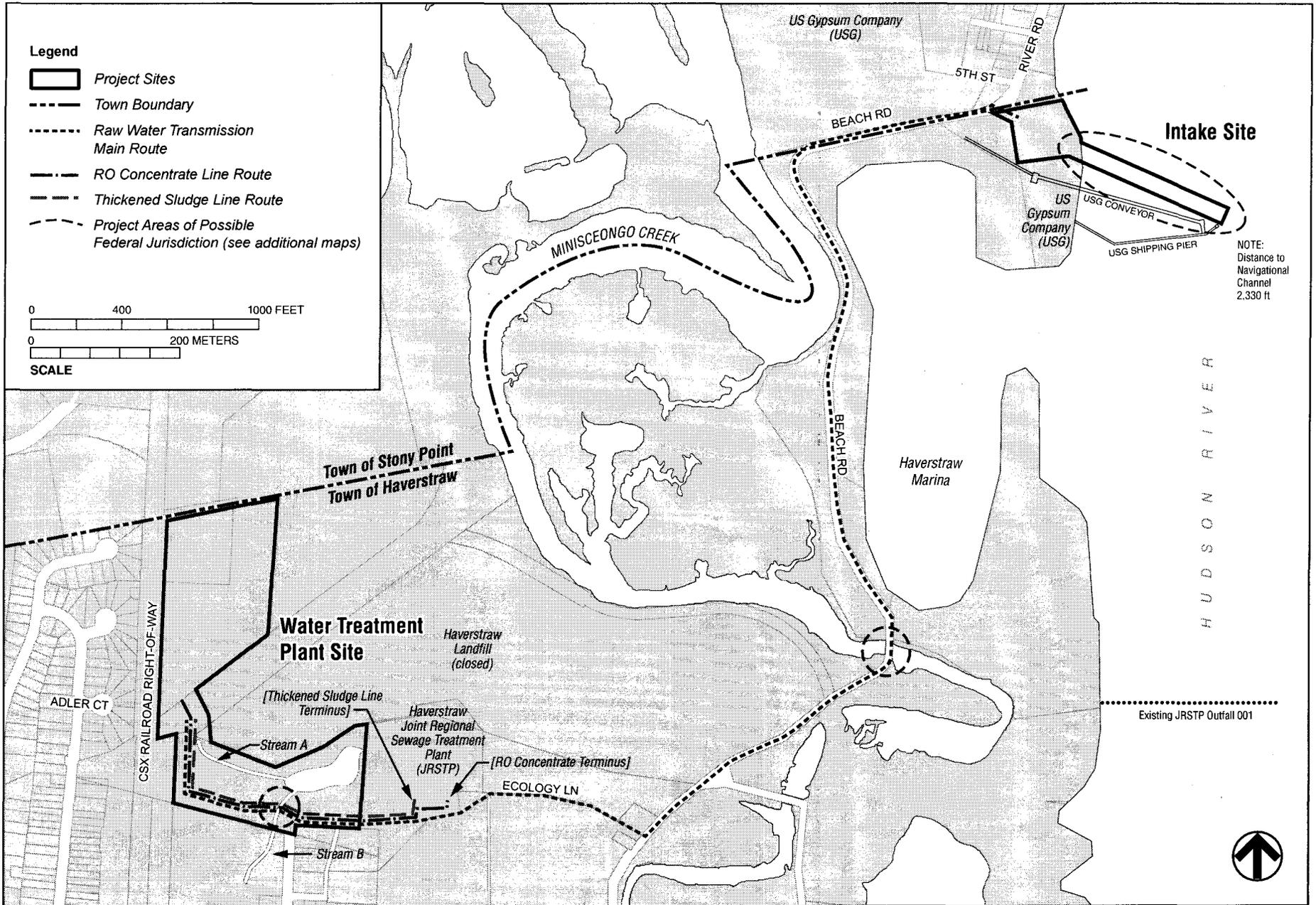
 Project Sites

0 1/2 1 Mile

0 1 Kilometer

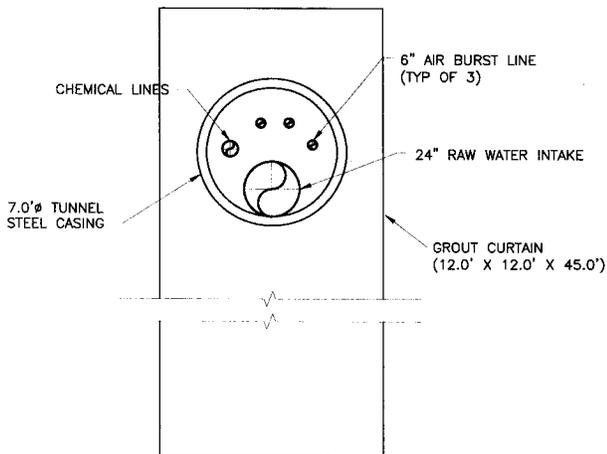
SCALE

April 2013-00110-ESJ



Approved 2/20/13 - 02/10/13 - ESI

Figure 2
Project Sites



SECTION 2
 NTS C-3

- NOTE:
1. DIMENSIONS ARE FOR ESTIMATION PURPOSES ONLY AND WILL BE REFINED BASED ON RESULTS OF THE CURRENT TEST BORING PROGRAM DURING DESIGN DEVELOPMENT.
 2. WATER SURFACE ELEVATIONS AT INTAKE LOCATION BASED ON NOAA TIDAL STATION (ID NO. 8518924) FOR 1983-2001 TIDAL EPOCH ARE AS FOLLOWS:

TIDAL ELEVATIONS AT INTAKE (Haverstraw Bay Tidal Station)		
	MLW DATUM (Feet)	NAVD88 DATUM (Feet)
Highest Observed Water Level (3/19/1983)	5.54	7.18
Mean High Water (MHW)	3.40	1.75
Mean Low Water (MLW)	0.17	-1.47
Mean Lower Low Water (MLLW)	0.00	-1.64
Lowest Observed Water Level (4/7/1982)	-2.60	-4.25

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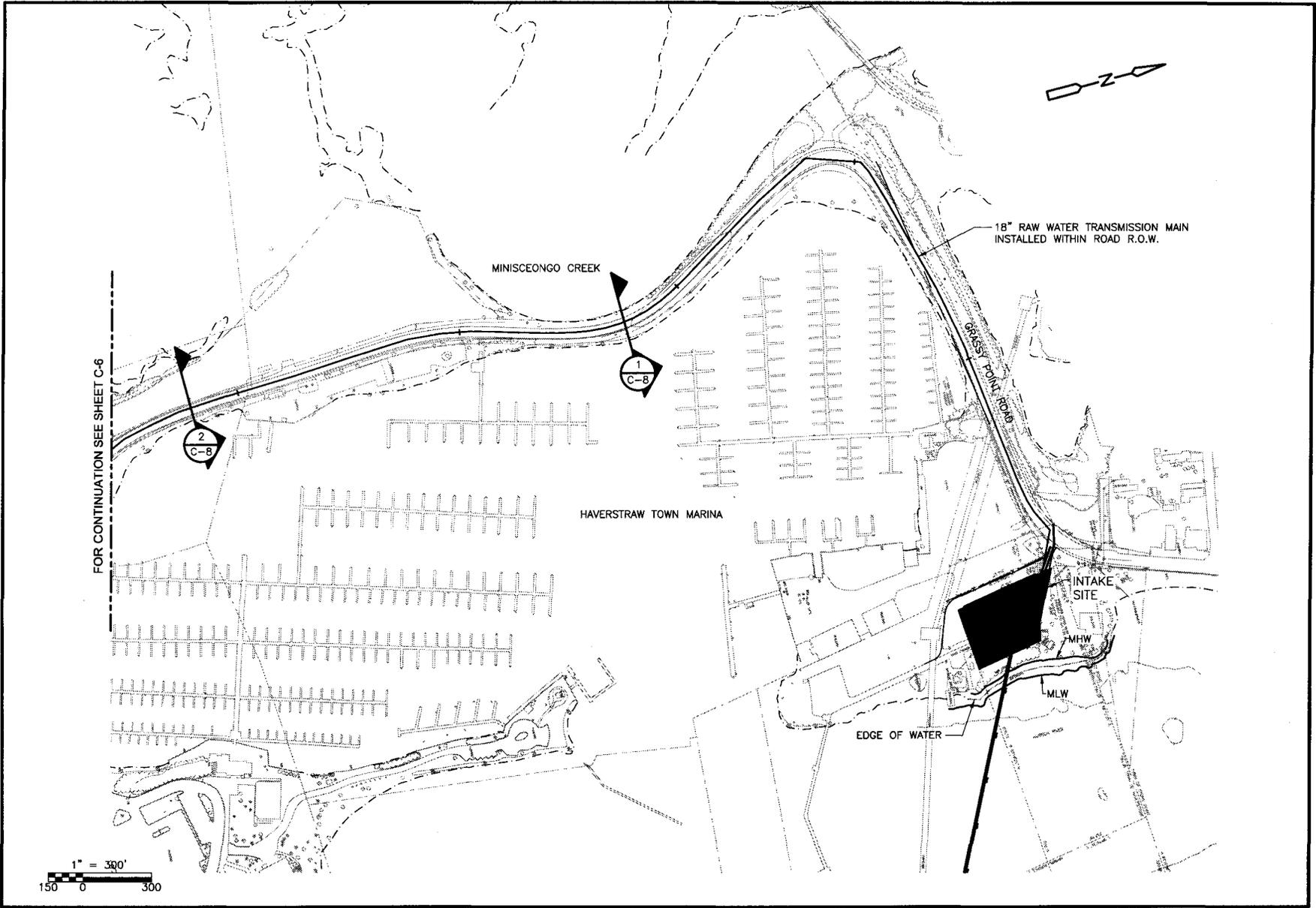


Figure No. C-5
RAW WATER TRANSMISSION MAIN ALIGNMENT PLAN I

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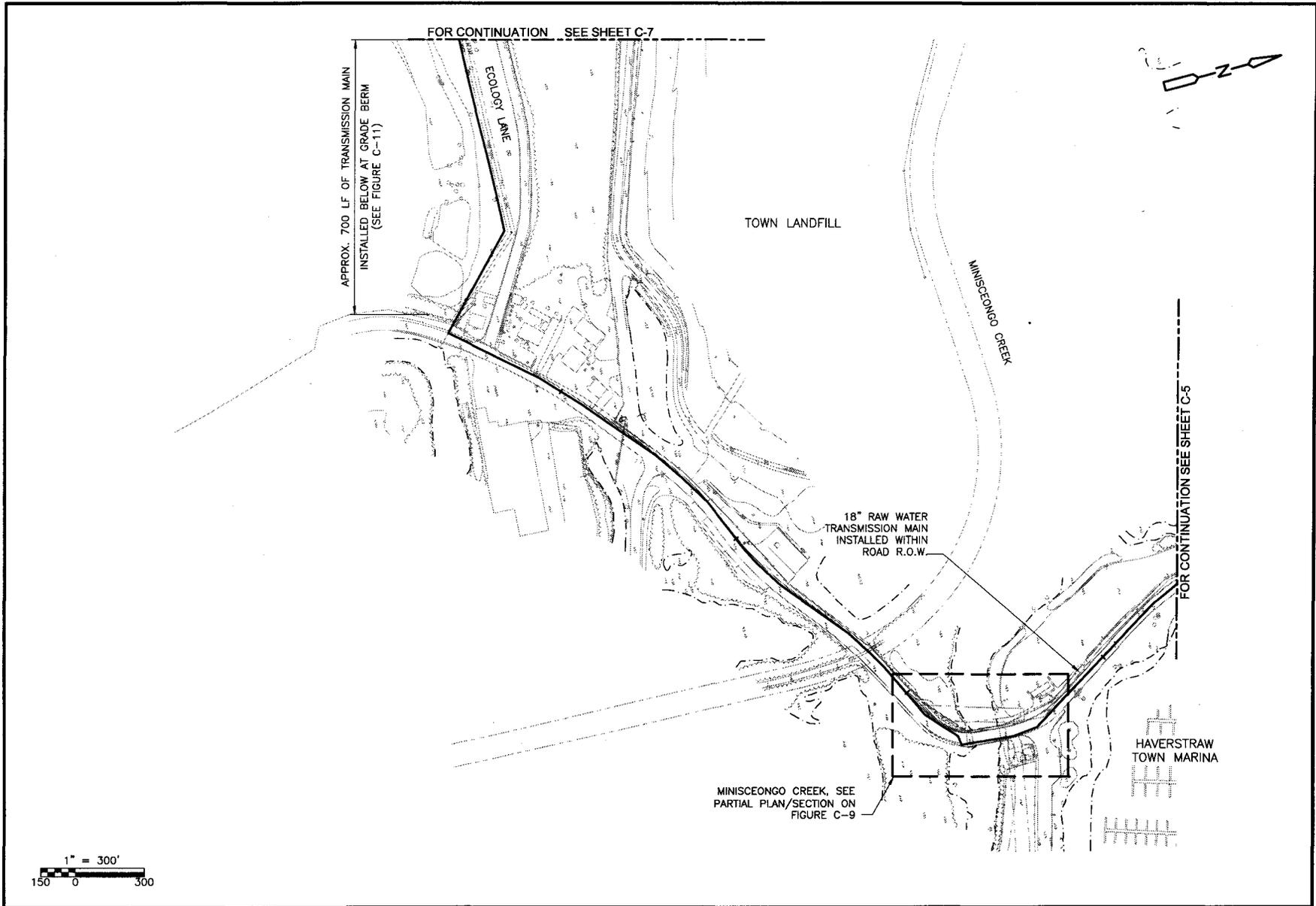
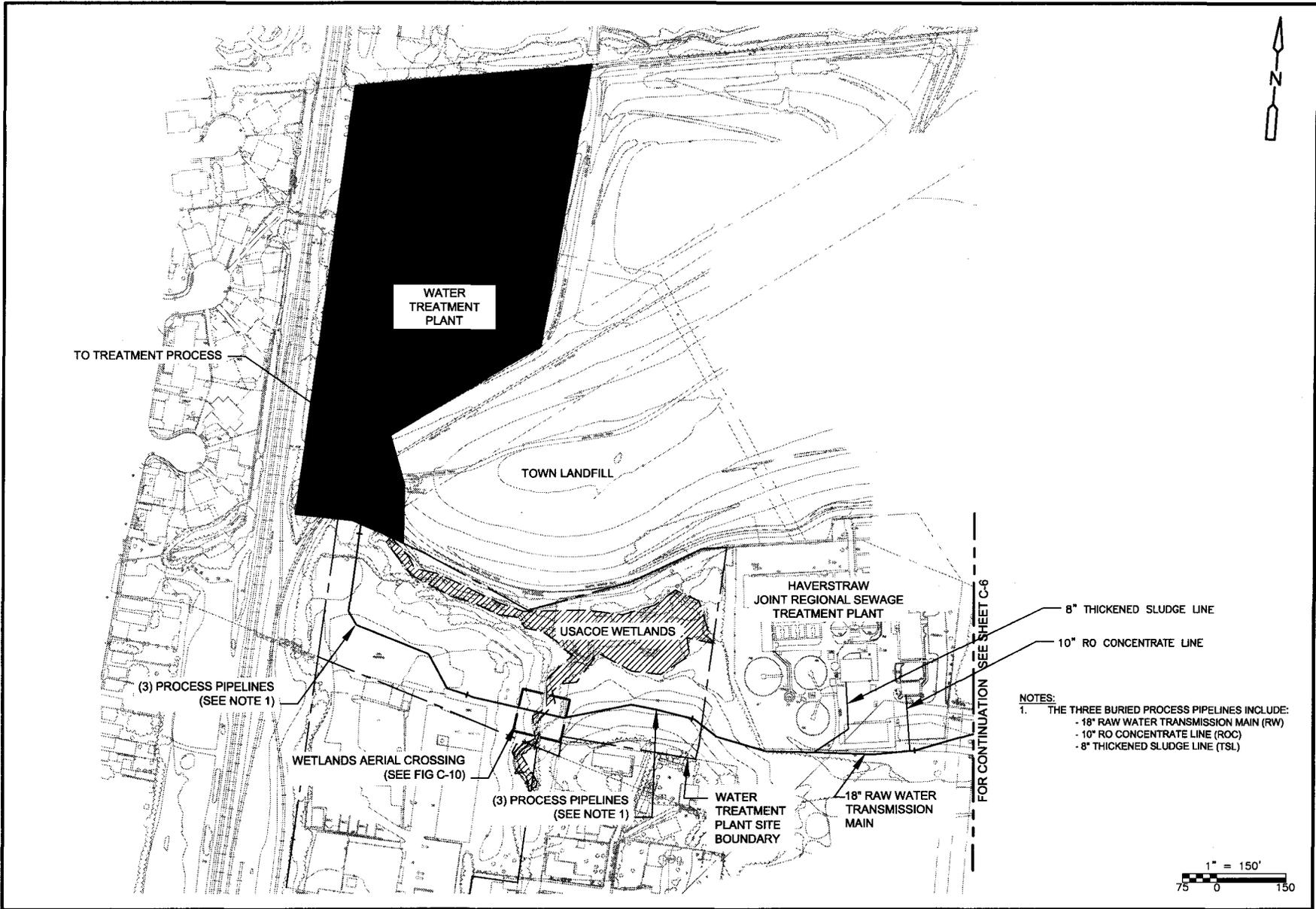
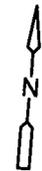


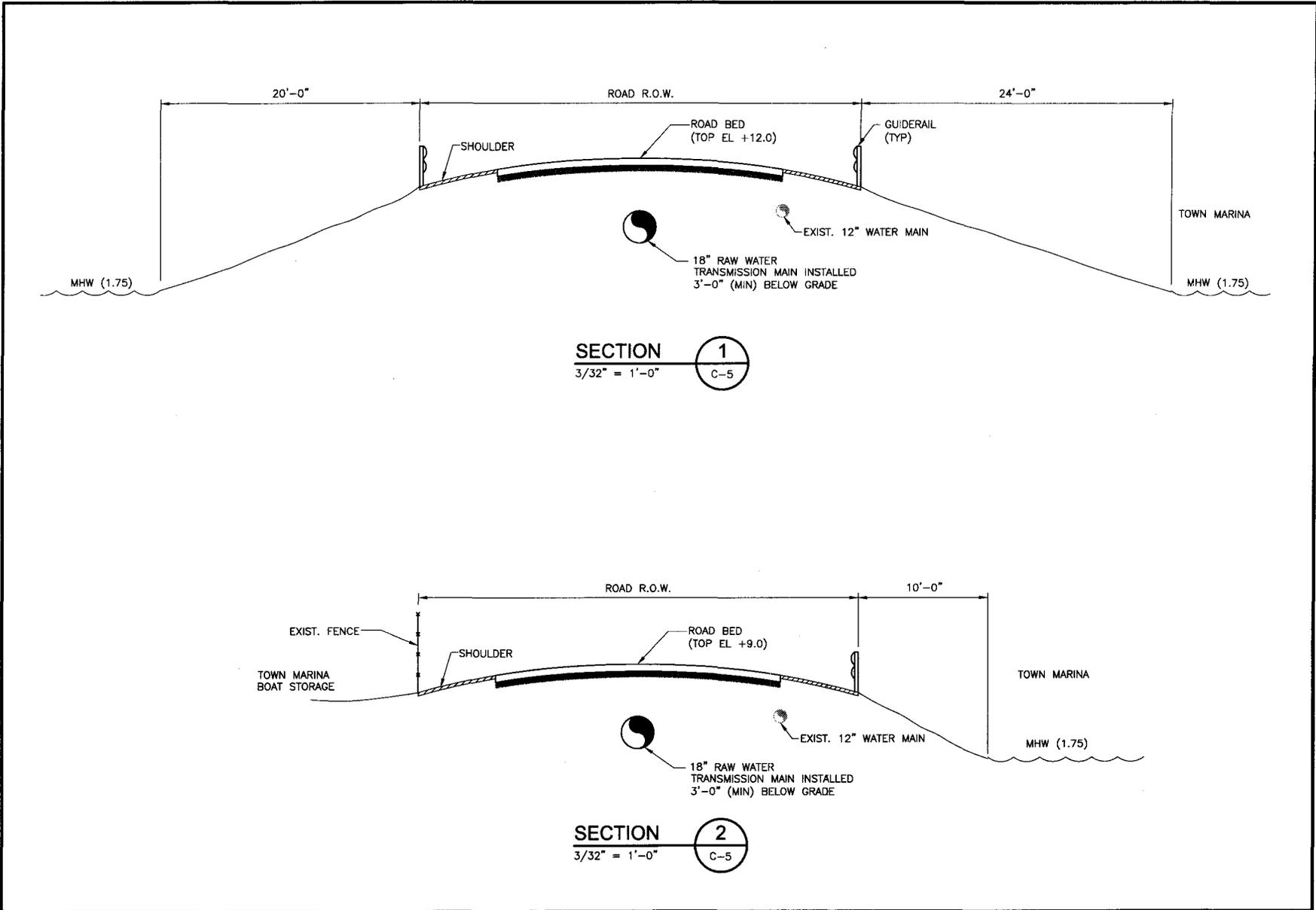
Figure No. C-6
RAW WATER TRANSMISSION MAIN ALIGNMENT PLAN II
JAN. 2013



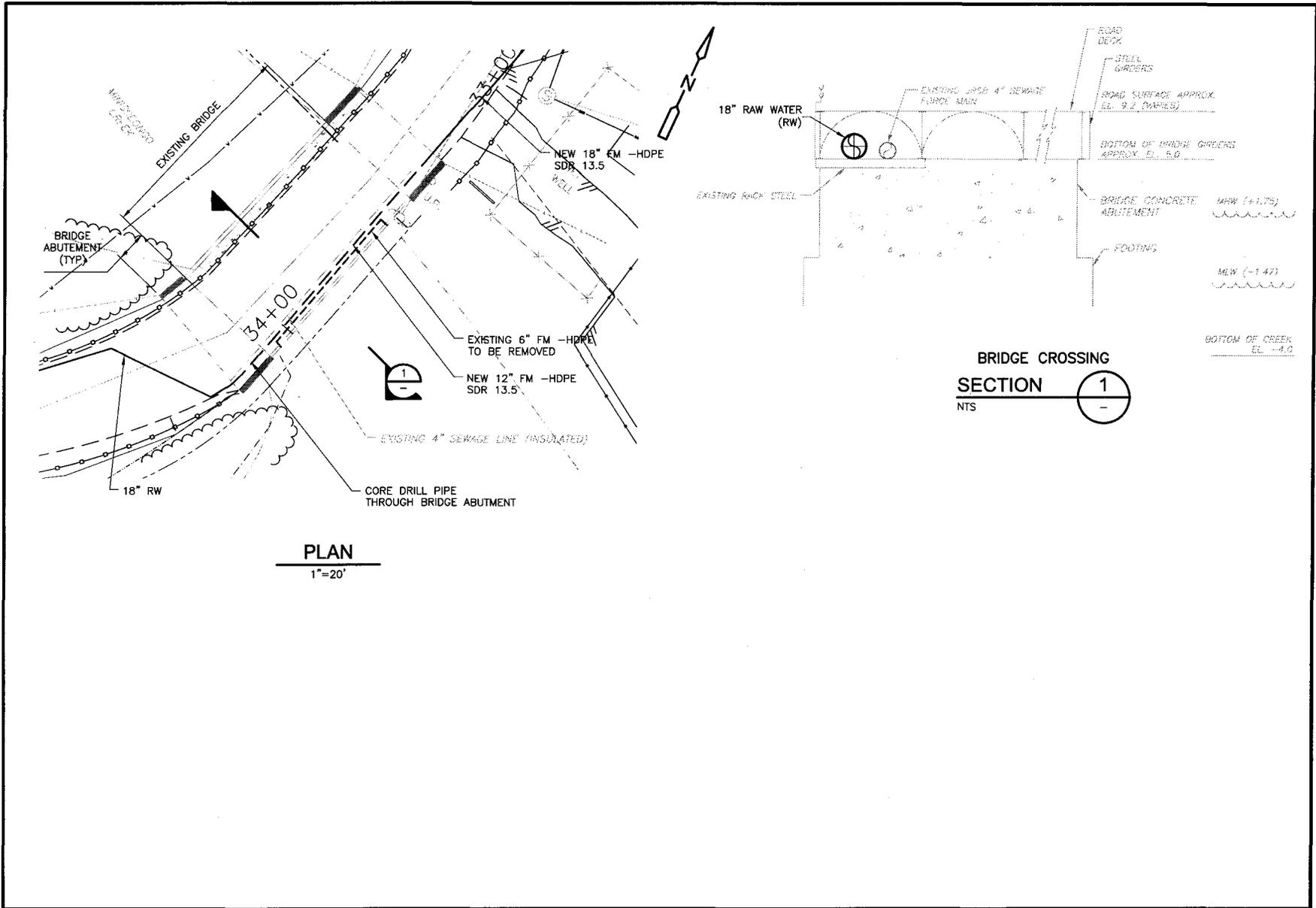
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Figure No. C-7
RAW WATER TRANSMISSION MAIN ALIGNMENT PLAN III
JAN. 2013

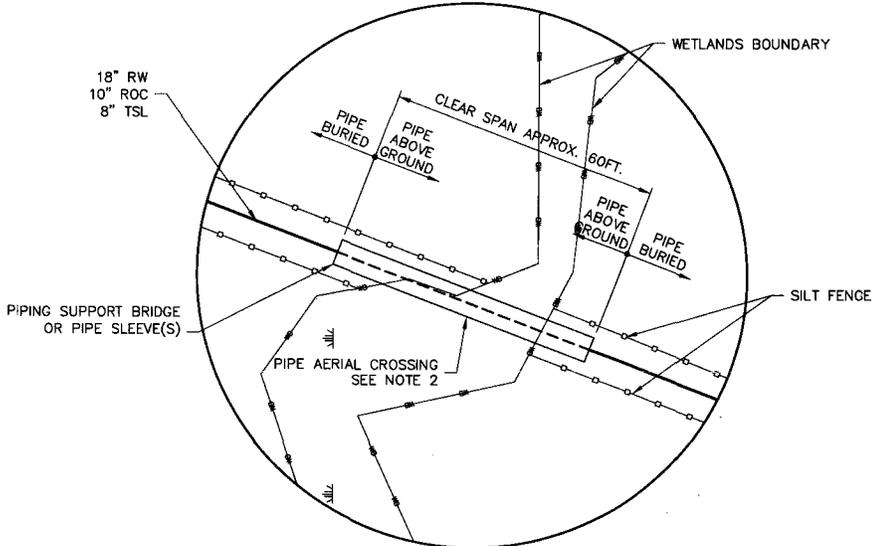


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App # 2003-00110-ES1

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PIPE AERIAL CROSSING PARTIAL PLAN
NTS

- NOTES:
1. WETLANDS BOUNDARY AS DELINEATED BY GHV ENGINEERING ON THE 11/9/07 BOUNDARY SURVEY MAP.
 2. PIPE AERIAL CROSSING TO CONSIST OF PIPE BRIDGE OR CARRIER SLEEVE(S) SUPPORTED ON FOUNDATION BLOCKS AT EITHER END.
 3. NO DISTURBANCE ALLOWED WITHIN 10 FEET OF WETLAND MAPPED BOUNDARY.



Figure No. C-10
WETLANDS AERIAL CROSSING
JAN. 2013

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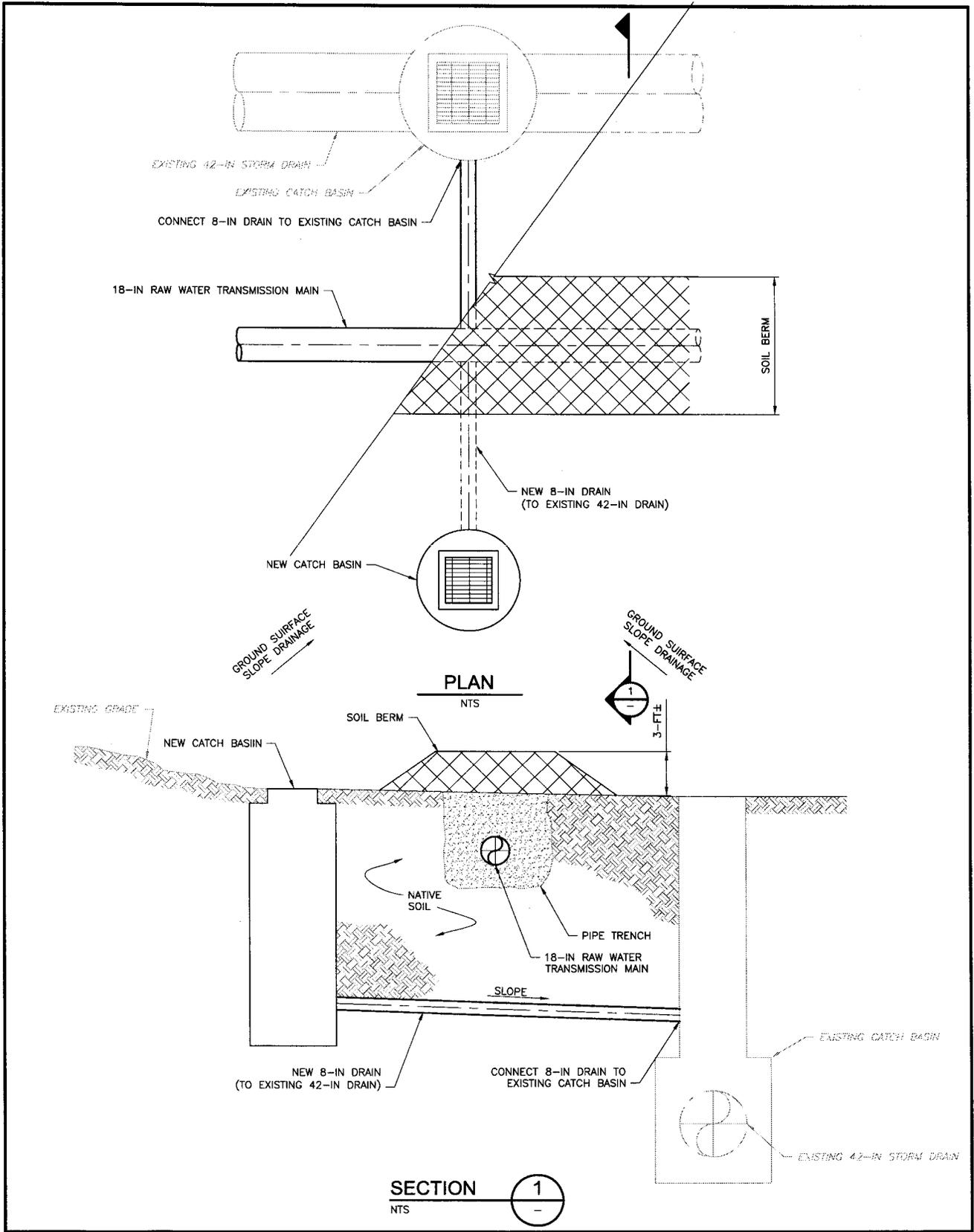


Figure No. C-11
BERMED PIPE INSTALLATION ALONG ECOLOGY LANE
WITHIN DRAINAGE EASEMENT
MAY 2013

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