



PUBLIC NOTICE

In Reply Refer to: Jun Yan
Email: Jun.Yan@usace.army.mil
Phone: 917-620-1519
Dam and Levee Safety Program
Date: 6/11/2024
Comment Period Closes: 6/26/2024

**ALTERATION OF A U.S. ARMY CORPS OF ENGINEERS CIVIL WORKS
PROJECT PURSUANT TO 33 USC 408:
I-90 OVER MOHAWK STREET BRIDGE REPLACEMENT PROJECT
MOHAWK RIVER LEFT BANK LEVEE EMBANKMENT
(SEGMENT ID 4504000011)
VILLAGE OF HERKIMER, NEW YORK**

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New York District (USACE) is evaluating plans under 33 U.S.C. 408 (Section 408) to allow for New York State Thruway Authority (NYSTA) construction of the I-90 Bridge Replacement Project located within the US Army Corps of Engineers' Federally Regulated Mohawk River Left Bank Levee Embankment (Segment ID 4504000011) at Herkimer, NY. Although the proposed bridge replacement project will temporarily impact the levee, the flood line will be maintained throughout the duration of construction and measures to reduce seepage through the embankment surrounding the bridge have been incorporated into the project plans; therefore, the proposed project will result in a positive impact to the Mohawk River Left Bank Levee.

This Notice is being issued pursuant to 33 U.S.C. 408, USACE Engineering Circular (EC) 1165-2-220, Executive Order 11988 – Floodplain Management, and Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500- 1508) for implementing the procedural provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et. seq.) and the USACE Procedures for Implementing NEPA (33 CFR 230). Section 408 allows USACE to grant permission for the alteration, occupation, or use of a USACE civil works project if it is determined that the activity will not be injurious to the public interest and will not impair the usefulness of the Federal project. USACE has made the preliminary determination that the construction of the NSYDOT's I-90 Bridge Replacement Project will not have a negative impact on public interest, use, or our ability to maintain the Mohawk River Left Bank Levee Embankment. The public is invited to provide comment associated with this Section 408 evaluation. To request more information contact: Jun Yan, by phone at 917-620-1519, or by email at jun.yan@usace.army.mil. The comment period will end on June 26, 2024. Emails should be sent by this date.