

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

NOTICE OF APPLICATION AND PUBLIC HEARING

APPLICANT	NYS Department of Transportation (NYSDOT) NYS Thruway Authority (NYSTA)	
APPLICATIONS	DEC # 3-9903-00043/00012	Tidal Wetlands Permit
	DEC # 3-9903-00043/00013	Water Quality Certification
	DEC # 3-9903-00043/00014	Incidental Take Permit

PRIOR NOTICE

The Department posted a Notice of Complete Application and Public Hearing for these applications in its July 25, 2012 online *Environmental Notice Bulletin*. The notice was published in the *Westchester Journal News* on the same date. The notice announced complete applications and hearings for commenting on them. Those proceedings were postponed. This notice announces the rescheduled hearings.

PROJECT DESCRIPTION

Construction of a new bridge across the Hudson River, consisting of two structures, between Rockland County and Westchester County, to replace the existing Tappan Zee Bridge. The applications seek permits for the following components of the new bridge:

1. Construction of two parallel bridge structures extending from landings to be built in Rockland County and Westchester County. There will be a 1200-foot cable-stayed span over the Hudson River navigation channel. This work will require the installation of 931 piles, including 15 piles installed for a geotechnical investigation; pile caps; and other structures necessary to support the roadway. The test piles will be removed.
2. Dredging approximately 951,000 cubic yards of sediment over approximately 139 acres of the River. The dredging will create depth sufficient to allow barge access during construction and demolition.
3. Covering, or "armoring," approximately 107 acres of dredged river bottom. The armoring is intended to reduce construction vessel prop wash dispersal of bottom sediment into the surrounding water column.
4. Construction of approximately 2.44 acres of permanent and 6.69 acres of temporary pile-supported platforms over the River.
5. Demolition and removal of the existing Tappan Zee Bridge.

PROJECT LOCATION

The new bridge will cross the Hudson River just north of the existing Tappan Zee Bridge, from the Village of Nyack in Rockland County to the Village of Tarrytown in Westchester County.

PERMITS

Tidal Wetlands permit pursuant to NYS Environmental Conservation Law Article 25 and its implementing regulations at 6 NYCRR Part 661.

Incidental Take permit pursuant to NYS Environmental Conservation Law Article 11 and its implementing regulations at 6 NYCRR Part 182.

Water Quality Certification under Section 401 of the Clean Water Act, U.S. Public Law 95-217, and 33 USC 1341; and its NYS implementing regulations at 6 NYCRR Part 608.

STATE ENVIRONMENTAL QUALITY REVIEW ACT

Pursuant to the State Environmental Quality Review Act (SEQRA; ECL Article 8 and 6 NYCRR Part 617), the project was defined as Type I action. A Draft Environmental Impact Statement was prepared under the National Environmental Policy Act of 1969, for which the Federal Highway Administration was the lead agency and NYSDOT and NYSTA joint lead agencies. In accordance with 6 NYCRR §617.15, the NEPA and SEQRA procedures were coordinated.

A Final Environmental Impact Statement (FEIS) was signed by the FHWA, NYSDOT and NYSTA on July 25, 2012 and was published in the Federal Register on August 3, 2012.

On September 25, 2012, the applicants issued a Joint Record of Decision (ROD) and SEQRA Findings Statement. On December 14, 2012, a formal Reevaluation Statement (RS) was issued. The RS evaluated the environmental impact of the selected builder's design

The RS concluded that existing environmental assessments (the FEIS, the ROD and SEQRA Findings Statement) were sufficiently comprehensive to obviate the need for further environmental review.

Accordingly, the Department may make its permit decision after it has issued the findings required by 6 NYCRR §617.11.

TENTATIVE DEPARTMENT POSITION AND DOCUMENT AVAILABILITY

As described above, in July 2012 the Department determined that the applications were complete pursuant to 6 NYCRR Part 621. It concluded then that all statutory and regulatory criteria could be met through the imposition of permit special conditions.

The applicants have since selected a final project design. The selected contractor's initial project data alters or refines the general project information on which the July 2012 Notice was based.

These preliminary refinements indicate the project will result in a less significant impact on the Hudson and environment than indicated at the time of the July 25, 2012 Notice. Even so, the

draft permit's required mitigation plan is unchanged; compensatory mitigation for the originally identified adverse environmental impacts will be undertaken. A revised draft permit based on the contractor's information will be posted no later than January 23, 2013 on the Department's *Environmental Notice Bulletin* and at www.dec.ny.gov/enb/enb.html.

Application documents may be viewed online at
<http://www.newnybridge.com/documents/dec-permit/index.html>.

Hard copies of the application documents may be reviewed during normal business hours at the following sites:

NYS Department of Environmental Conservation (9am to 4pm)
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, New York

NYS Department of Environmental Conservation (9am to 4pm)
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY

The Warner Library
121 N Broadway
Tarrytown, NY 10591-3299

The Nyack Library
59 South Broadway
Nyack, NY 10960

After February 1, 2013 the documents can also be seen at:

The New NY Bridge Westchester Outreach Center
303 South Broadway
Tarrytown, NY

The New NY Bridge Rockland Outreach Center
142 Main Street
Nyack, NY

PUBLIC HEARINGS

The public is invited to comment on the application at the following hearings:

Wednesday, February 6, 2013, at 2:00 PM and 6:00 PM
Comfort Inn and Suites, Regency Ballroom

425 East Route 59
Nanuet, New York

Thursday, February 7, 2013, at 2:00 PM and 6:00 PM
Westchester Marriott, Tarrytown Grand Ballroom
670 White Plains Road
Tarrytown, New York

All persons, organizations, corporations, or government agencies that may be affected by the proposed project are invited to attend the hearing and to give oral or written comments specific to the applications. Lengthy comments should be made in writing.

Equal weight will be given to both oral and written statements. The Administrative Law Judge presiding over the hearing may limit oral statements to less than five minutes to accommodate as many speakers as possible. The hearing facility is reasonably accessible to the mobility impaired.

Translator services shall be made available, at no charge, upon written request to the ALJ at least 10 days prior to the hearing. All requests must be made to the NYSDEC Office of Hearings and Mediation Services, ALJ Molly T. McBride, 625 Broadway, First Floor, Albany, New York, 12233-1550. (518) 402-9003. The request must be received no later than 4:00 p.m. on January 23, 2013. Interpreter services shall be made available to deaf persons, at no charge, upon written request to the ALJ at the address listed above at least 10 days prior to the hearing.

WRITTEN COMMENTS

All written application comments must be submitted to the DEC Contact Person below. Mailed comments must be postmarked no later than February 18, 2013. Emailed or faxed comments must be received by DEC by 5 PM February 18, 2013.

All comments on the application will be considered by the Department to determine if they raise substantive and significant issues relating to any findings or determinations required of the Department under the Environmental Conservation Law.

DEC CONTACT PERSON

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