PUBLIC PARTICIPATION PLAN

Construction Site Dewatering for Replacement of the Kosciuszko Bridge

Boroughs of Brooklyn and Queens

Contract No. D900011

Prepared by: New York State Department of Transportation – Region 11
Hunters Point Plaza
47-40 21st Street
Long Island City, New York 11101

April 2013
TABLE OF CONTENTS

1.0 INTRODUCTION AND PURPOSE 1
2.0 PROJECT DESCRIPTION AND PROPOSED ACTIONS 1
3.0 PUBLIC INFORMATION MEETING 4
4.0 PROJECT MAILING LIST 5
5.0 DOCUMENT REPOSITORIES 5
6.0 SUBMITTALS 6
7.0 REPORTING ON PUBLIC PARTICIPATION PLAN ACTIVITIES 7
8.0 CERTIFICATION 7

Figures

1a. Project Location Map
1b. Project Location Map
2a. Dewatering Locations in Queens
2b. Dewatering Locations in Queens

Appendices

A. Kosciuszko Bridge Project: Synopsis of Community Outreach Program & Project Milestones (September 2012)
B. Public Information Meeting Materials
   1. Public Notice
   2. List of Publications
   3. January 17, 2013 Mailing
   4. Meeting Agenda
   5. Attendance Sign-In Sheet
   6. Minutes of Meeting
C. Mailing List
D. Notice of Complete Application
E. Proof of Publication & Affidavit of Publication
Public Participation Plan

1.0 INTRODUCTION AND PURPOSE

This Public Participation Plan (PPP) has been prepared by the New York State Department of Transportation (NYSDOT) in compliance with the New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29, Environmental Justice and Permitting (CP-29).

The purpose of this PPP is to address environmental justice concerns and provide opportunities for public participation in the NYSDEC environmental permit review process by potentially impacted communities. Specifically, the PPP provides information on the State Pollutant Discharge Elimination System (SPDES) permit application process for temporary dewatering during construction of bridge foundations in Queens for a new Kosciuszko Bridge. The Plan describes the proposed processes for treatment and discharge of groundwater in support of NYSDOT Construction PIN X731.24 (Contract No. #D900011) and the public outreach and information program that is being developed to facilitate understanding of and participation in the SPDES permit application process.

Public participation for the Kosciuszko Bridge Project has been ongoing since 2001. (See Appendix A for a synopsis of outreach activities.) The PPP outlined in this document builds upon the outreach and information program established at the start of the project. The Final Environmental Impact Statement (EIS) for the project, issued in December 2008, noted that the project would have no impacts on environmental justice populations (as defined by the 2000 census). In addition, based upon environmental documentation submitted to date, the U.S. Coast Guard’s pending permit application states that “it appears that the proposed bridge project will have no adverse environmental justice impacts upon minority and low-income populations.”

For the purposes of this PPP, the environmental justice area is defined in accordance with NYSDEC county maps (2000 census data). To fully engage all potentially affected publics, the PPP for the SPDES dewatering permit expands outreach, notification and opportunities for participation to communities in the entire project area. (See Figures 1a and 1b for Project Location Maps.)

2.0 PROJECT DESCRIPTION AND PROPOSED ACTIONS

The Kosciuszko Bridge Project will replace the existing Kosciuszko Bridge, which carries a 1.1-mile segment of the Brooklyn-Queens Expressway (BQE, Interstate 278) over Newtown Creek between

NYSDOT Contract No. D900011  
Kosciuszko Bridge Project
Morgan Avenue in Brooklyn and the Long Island Expressway (LIE, Interstate 495) Interchange in Queens. The bridge is a vital link in the region’s transportation network and is one of New York City’s few north-south interstates serving commuter and local traffic, as well as a significant amount of commercial traffic that is prohibited from neighboring parkways.

The existing bridge, which is over 70 years old, carries six lanes of traffic, three eastbound (or Queens-bound) lanes and three westbound (or Brooklyn-bound) lanes. Currently, over 160,000 vehicles use the bridge each day.

The existing bridge has a number of safety and operational problems, including narrow lane widths, steep grades, lack of shoulders and short merge/weave distances that do not meet current design standards. Its high traffic volumes, lack of shoulders and non-standard vertical profile result in high accident rates and excessive traffic delays.

A Draft EIS, published in March 2007, summarized the need for improvements to the Kosciuszko Bridge and evaluated the potential social, economic, environmental, and transportation impacts associated with the No Build and Build Alternatives. A Final EIS and Record of Decision (ROD) identified a selected alternative (BR-5) and documented specific strategies and enhancements to mitigate the environmental impacts associated with this alternative. The Final EIS was signed by the Federal Highway Administration (FHWA) on November 25, 2008, and the ROD was signed on March 9, 2009.

After completion of the Final EIS, four different bridge structure types (Box Girder, Deck Arch, Through Arch, and Cable-Stayed) were selected as possible replacement structures for the Main Span of the new Kosciuszko Bridge. Several factors were identified as requiring further study to determine if the structure type chosen would have impacts that were not previously identified in the Final EIS. These factors included visual impacts, impacts to aviation, and avian impacts. An avian impact study was conducted to evaluate potential for increased bird mortality associated with the Cable-Stayed option, since it would extend higher than the top of the existing bridge main span and thereby possibly pose an increased risk to birds that reside in or migrate through the project area.

Following completion of these additional studies, NYSDOT prepared a Reevaluation Statement that examined specific impacts associated with the different structure types and modifications to the
selected alternative since the Final EIS and ROD. The FHWA approved the Reevaluation Statement in June 2011, concluding that the proposed changes would not be substantially different from the selected alternative in the ROD, that they would not result in any new significant adverse impacts requiring new mitigation measures, and that the environmental analysis in the Final EIS was still valid, up-to-date and complete.

The new Kosciuszko Bridge will include a cable-stayed main span. Construction will involve building a new eastbound (Queens-bound) structure that is parallel to and on the eastbound side of the existing bridge, then demolishing the existing bridge and building a new westbound (Brooklyn-bound) structure within the footprint of the existing bridge. The new bridge will be built at a lower elevation to allow for reduced grades, which will significantly improve traffic flow. It will include auxiliary lanes in both directions, carrying five lanes of eastbound traffic and four lanes of westbound traffic. The new roadway will have standard lane and shoulder widths. A new bikeway/walkway will be included on the westbound portion of the new bridge.

The project will be progressed as a Design-Build project, on an accelerated schedule that will allow construction to begin in 2013. Additional information on the Kosciuszko Bridge Project can be found on the project website (www.dot.ny.gov/kbridge).

Construction of the new bridge will require a temporary dewatering system for treatment and discharge of groundwater at several proposed foundation locations in Queens. These foundations are the bridge footings that are closest to Newtown Creek, a designated Superfund site. They are adjacent to and within the Laurel Hill Site, a NYSDEC Class 2 Inactive Hazardous Waste Site. Dewatering will also be required for a portion of a utility trench in Queens that will be located under the existing bridge, between 56th Road and Newtown Creek. Groundwater that is pumped from the excavations beneath these areas contains contaminants at levels that require treatment prior to discharge to Newtown Creek under a SPDES permit.

Based on available data, the primary contaminants of concern in the groundwater that will be pumped from the excavations are suspended solids and heavy metals, including lead, arsenic, copper, nickel, barium, chromium, mercury, and selenium. It is possible, however, that petroleum-related compounds could be encountered in the excavations, if prolonged pumping is required.
The proposed mobile groundwater treatment system can treat a maximum of 100 gallons per minute (gpm) of water generated from the dewatering operations, well above the maximum of 30 gpm that is anticipated. The on-site treatment system will consist of the following major components:

- Settling tank
- Submersible pump
- Clarifier with settling tube media
- Duplex pump skid with controls
- Multi-bag filters, parallel operation
- Cartridge filters, parallel operation
- Ion exchange vessels containing cation exchange resin, series operation
- Ion exchange vessels containing anion exchange resin, series operation
- Flow meter with totalizer

The dewatering will take place within cofferdams, temporary enclosures that will be built to allow for excavation below grade and the pumping required to establish a dry work environment. Concrete may be used to seal the base of the cofferdams and to limit the amount of dewatering required. After treatment, the groundwater will be discharged to Newtown Creek through a new outfall located along the Queens shoreline below the bridge. (See Figures 2a and 2b.)

NYSDOT has obtained a Notice of Complete Application (NOCA) from NYSDEC for a SPDES dewatering permit for the temporary discharge of groundwater related to construction of a new Kosciuszko Bridge. (See Appendix D.) The notice, published in the New York Daily News on Monday, February 4, 2013, began a 30-day public comment period on NYSDOT’s application. Comments were required to be submitted to Steve A. Watts, New York State Department of Environmental Conservation – Region 2, 47-40 21st Street, Long Island City, N.Y. 11101-5407 by March 8, 2013. The proof and affidavit of publication of the NOCA is included as Appendix E.

3.0 PUBLIC INFORMATION MEETING
NYSDOT held a Public Information Meeting to provide an overview of the Kosciuszko Bridge construction project; detail the SPDES dewatering permit application process; describe NYSDEC’s
Environmental Justice Policy (CP-29); and offer an opportunity for the public to ask questions and submit comments on the permit application. Available handouts included a meeting agenda, the project fact sheet, the public notice for the SPDES permit and information on submitting written or emailed comments on the application (see Appendix B). The meeting was held on Thursday, January 31, 2013, from 6:30 p.m. – 8:30 p.m. at NYSDOT – Region 11, 47-40 21st Street – Room 834, Long Island City, NY.

Public notices to announce the Public Information Meeting were submitted to five (5) local and three (3) foreign language newspapers (see Appendix B for copy of public notice and list of publications). The notice, along with a fact sheet, was also distributed to all persons on the project mailing list.

4.0 PROJECT MAILING LIST
The Kosciuszko Bridge Project mailing list of over 800 interested and affected groups and individuals will be used for informational and notification purposes throughout the SPDES permit application process. This will include notifying stakeholders and constituencies of the required timeframes and activities involved in SPDES permitting and of NYSDEC’s Environmental Justice Policy. In addition, all persons on the mailing list were invited to the January 31, 2013 Public Information Meeting that was scheduled to provide detailed information on the application, along with an opportunity for the public to ask questions and offer input. The meeting invitation included the public notice announcing the meeting and a fact sheet on the project. As part of the PPP, the mailing list was updated to include public meeting attendees, persons who submitted written/emailed comments on the application, and others expressing interest in the SPDES process or overall Kosciuszko Bridge Project. The revised mailing list is included as Appendix C.

5.0 DOCUMENT REPOSITORIES
Document repositories have been established at accessible centrally located facilities to provide opportunities for review of information on the SPDES permit application process for the Kosciuszko Bridge. Available materials include:

- NYSDOT’s NY-2C Permit Application
- Public Participation Plan for Construction Site Dewatering
Public Participation Plan

- January 17, 2013 Mailing (including invitation to the January 31, 2013 Public Meeting, SPDES Permit Fact Sheet, and Public Notice of Meeting)
- NOCA
- NYSDEC’s Draft SPDES and Tidal Wetlands Permits
- NYSDEC’s Industrial Fact Sheet (for Temporary Construction Site Dewatering)
- January 31, 2013 SPDES Public Information Meeting Materials
  o PowerPoint Presentation
  o Attendance List
- ENB Region 2 Completed Application – Environmental Notice Bulletin (February 6, 2013)

Additional materials will be placed in the repositories, as they become available. The repository locations are listed below. (Please call to confirm hours before visiting.)

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Contact</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYSDOT – Region 11</td>
<td>Hunters Point Plaza 47-40 21st Street Long Island City, NY 11101</td>
<td>Robert Adams Project Manager</td>
<td>(718) 482-4683</td>
</tr>
<tr>
<td>Brooklyn Community Board #1</td>
<td>435 Graham Avenue Brooklyn, NY 11211</td>
<td>Gerald Esposito District Manager</td>
<td>(718) 389-0009</td>
</tr>
<tr>
<td>Queens Community Board #2</td>
<td>43-22 50th Street, 2nd Floor Woodside, NY 11377</td>
<td>Debra Markell-Kleinert District Manager</td>
<td>(718) 533-8773</td>
</tr>
<tr>
<td>Queens Community Board #5</td>
<td>61-23 Myrtle Avenue Glendale, NY 11385</td>
<td>Gary Giordano District Manager</td>
<td>(718) 366-1834</td>
</tr>
</tbody>
</table>

6.0 SUBMITTALS

This Report to NYSDEC summarizes all PPP activities, including documentation of the Public Information Meeting. It provides a recap of the presentation, along with a compilation of questions and issues raised by the public. In addition, it includes comments received prior to the conclusion of the public comment period on March 8th, along with responses to these comments. It also includes NYSDOT’s written certification that it has complied with all requirements of the PPP, in accordance with CP-29.
Public Participation Plan

7.0 REPORTING ON PUBLIC PARTICIPATION PLAN ACTIVITIES
The Public Information Meeting was held on Thursday, January 31, 2013 at NYSDOT’s Region 11 Office in Long Island City. The Meeting Minutes, along with the attendance list, are provided in Appendix B.

8.0 CERTIFICATION
"I hereby certify that NYSDOT understands and agrees to comply with all requirements of the PPP in accordance with DEC issued Commissioner Policy-29 Environmental Justice and Permitting (CP-29), to address environmental justice concerns and ensure community participation in the DEC environmental permit review process. NYSDOT also understands that the owner or operator must also comply with the terms and conditions of the New York State Industrial Pollutant Discharge Elimination System (SPDES) permit for groundwater discharges during construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, NYSDOT understands that certifying false, incorrect or inaccurate information is a violation of CP-29 and of the referenced permit."

[Signature]
Signature of Responsible Party

Robert L. Adams, PE.
Name of Signatory

[Signature]
Project Manager
Title of Signatory

(718) 482-4694
Telephone

[Signature]
Certification Date

47-40 21st Street, Room 501
Mailing Address

47-40 21st Street, Room 501
NYS Dept. of Transportation Agency

Long Island City, NY 11101
City, State, Zip Code

NYSDOT Contract No. D900011
Kosciuszko Bridge Project

Page 7

April 2013
FIGURE 1a

PROJECT LOCATION MAP
FIGURE 1b

PROJECT LOCATION MAP
Figure II-10
Kosciuszko Bridge Project Traffic Study Areas
FIGURE 2a
DEWATERING LOCATIONS IN QUEENS
FIGURE 2b

DEWATERING LOCATIONS IN QUEENS
APPENDIX A

KOSCIUSZKO BRIDGE PROJECT: SYNOPSIS OF COMMUNITY OUTREACH PROGRAM & PROJECT MILESTONES
(SEPTEMBER 2012)
Kosciuszko Bridge Project
Synopsis of Community Outreach Program & Project Milestones
SEPTEMBER 2012

Open Houses (11)
(5 sets)

Purpose: to introduce the project to the public.
Queens Open House (Long Island City) February 21, 2002
Brooklyn Open House February 27, 2002
Queens Open House (Woodside) March 21, 2002

Purpose: to provide an update on the project through Level 1 screening.
Queens Open House November 20, 2003
Brooklyn Open House December 2, 2003

Purpose: to provide an update on the project through Level 2 screening.
Queens Open House October 19, 2004
Brooklyn Open House October 27, 2004

Purpose: to provide an update on the project, including review of alternatives and status of Draft Environmental Impact Statement (EIS) studies.
Brooklyn Open House November 30, 2005
Queens Open House December 5, 2005

Purpose: to provide an update on Final Design activities and receive input on Main Span Bridge design options under consideration.
Queens Open House February 18, 2010
Brooklyn Open House February 24, 2010

Scoping Meetings (2)
Purpose: earliest opportunity for the public to be involved in preparation of the Draft EIS. Scoping meetings included presentations on the project and its goals, and allowed the public to comment on the project’s goals and objectives; help determine the scope of issues to be considered in the Draft EIS; and review and recommend alternatives.

Queens Scoping Meeting May 14, 2002
Brooklyn Scoping Meeting May 21, 2002

Public Hearings (2)
Purpose: to provide a summary of the alternatives presented in the Draft EIS, review their comparative impacts, and receive public testimony.

Brooklyn Public Hearing April 19, 2007
Queens Public Hearing April 26, 2007
Small Group Community Meetings (53)

Queens Community Board #2 (w/ District Manager) November 13, 2001
Queens Community Board #5 (w/ District Manager) November 15, 2001
Brooklyn Community Board #1 (w/ 2 Board Members and local resident) November 19, 2001
Newtown Creek Community Liaison Office December 5, 2001
Public Officials Presentation (representatives of city, state and federal-level agencies; Assemblywoman Catherine Nolan; Congresswoman Nydia Velazquez; Queens & Brooklyn Borough Presidents’ Offices; United Forties Civic Association)
Maspeth Chamber of Commerce January 16, 2002
West Maspeth Local Development Corporation January 24, 2002
Brooklyn Community Board #1 February 5, 2002
Brooklyn Community Board #1 District Service Cabinet February 21, 2002
Queens Community Board #2/United Forties Civic Association March 19, 2002
Queens Community Board #5 Transportation Committee March 26, 2002
Assemblyman Joseph Lentol/Brooklyn Community Board #1 March 28, 2002
Queens Community Board #2 Transportation Committee April 9, 2002
April 13, 2004
April 11, 2007
April 20, 2010
Queens Borough Cabinet April 16, 2002
Brooklyn Community Board #1 (w/District Manager) April 18, 2002
Assemblywoman Margaret Markey April 18, 2002
Councilman David Yassky April 26, 2002
Residents of Cooper Park Houses May 15, 2002
Central Williamsburg Coalition May 23, 2002
Organizations United for Trash Reduction and Garbage Equity (OUTRAGE) June 12, 2002
Brooklyn Borough Board October 1, 2002
Greenpoint Waterfront Association for Parks and Planning (GWAPP) Annual Meeting October 2, 2002
Newtown Creek Alliance June 26, 2003
July 7, 2003
September 3, 2003
July 25, 2006
January 14, 2009
Councilwoman Diana Reyna February 17, 2004
Annette LaMatto February 18, 2004
Assemblywoman Catherine Nolan, Assemblyman Joseph Lentol, Assemblywoman Margaret Markey June 9, 2004
Councilwoman Diana Reyna, OUTRAGE and East Williamsburg Valley Industrial Development Corporation (EWVIDCO) August 26, 2004
Bruce and Madeline Donach and neighbors November 12, 2004
Meetings and Site Visits to Businesses (37) [Official Business Contacts During Final Design Coordinated by NYSDOT – Real Estate]

Meeting with EWVIDCO
Site visit to Acme Architectural Products
Meeting with EWVIDCO and Brooklyn businesses
Site visits to Brooklyn businesses
Site visits to Queens businesses
Meetings with Philip Galasso, Sagres Partners/Phelps Dodge
Brooklyn Business Survey

Queens Business Survey
Meeting with EWVIDCO and Acme Architectural Products
Meeting with Maspeth Industrial Commercial Owners
Local Development Corporation
Meeting with Sass Sheena
Meetings with Astoria Carting/Brooklyn Processing
Meetings with Waste Management

Meeting with EWVIDCO and Cherry Street businesses
Meetings with IESI Corporation
Meeting with Marly Building Supply
Meeting with Upgrade Contracting/Emil Realty
Meeting with Milgo/Bufkin
Meeting with Conch Umbrella
Meeting with Dry Ice Corporation/American Compressed Gases  May 24, 2005
Meeting with Mobil Gas Station  June 14, 2005
Meeting with Stone Depot  June 23, 2005
Meeting with Techno Acoustics  July 13, 2005
Meeting with Castle Sanitation Corporation  July 13, 2005
Meeting with McDonald’s  August 3, 2005
Meeting with KeySpan  August 11, 2005
Meeting with Premier Poultry  March 28, 2006
Meetings with Karp Associates  April 11, 2006
November 6, 2006  May 22, 2007
Meeting with Midwood Management  August 2, 2006
Meeting with Affected Property Owners, Business Owners, and Tenants  July 14, 2009

Meetings with Agencies (39) through April 2010 [NYSDOT is providing ongoing coordination with critical public agencies and private utilities throughout Final Design]

New York City Economic Development Corporation  February 1, 2002
New York City Economic Development Corporation  June 26, 2002
New York City Economic Development Corporation  June 13, 2003
New York City Economic Development Corporation  September 16, 2003
New York City Economic Development Corporation  January 21, 2004
New York City Department of City Planning  August 23, 2004
New York City Department of Environmental Protection  August 24, 2004
New York City Department of Parks & Recreation  December 20, 2004
New York City Department of Parks & Recreation  January 4, 2005
New York City Department of Transportation  January 26, 2005
New York City Economic Development Corporation  February 3, 2005
New York City Department of Transportation  March 15, 2005
New York City Department of Sanitation  March 16, 2005
New York Metropolitan Transportation Council  April 14, 2005
New York State Department of Environmental Conservation  April 20, 2005
New York State Department of Environmental Conservation  May 6, 2005
U.S. Coast Guard/U.S. Army Corps of Engineers  May 12, 2005
New York State Department of Environmental Conservation  June 6, 2005
U.S. Environmental Protection Agency  June 21, 2005
New York City Mayor’s Office of Industrial and Manufacturing Businesses  July 26, 2005
New York City Department of City Planning  October 14, 2005
New York City Fire Department  November 3, 2005
New York City Department of Parks & Recreation  January 5, 2006
New York City Department of Transportation  April 10, 2006
New York City Mayor’s Office of Industrial and Manufacturing Businesses  November 6, 2006
New York City Department of Sanitation  December 14, 2006
U.S. Environmental Protection Agency  May 17, 2007
New York City Department of City Planning  June 6, 2007
New York State Department of Environmental Conservation – Community Presentation (Meeker Avenue Plume) February 26, 2009
New York City Department of Parks & Recreation – Brooklyn Field Meeting June 18, 2009
New York State Department of Environmental Conservation June 26, 2009
New York City Department of Parks & Recreation – Queens Field Meeting June 30, 2009
New York City Department of Parks & Recreation – Queens October 21, 2009
New York City Department of Parks & Recreation – Brooklyn November 18, 2009
U.S. Environmental Protection Agency – Public Meeting (Proposed Newtown Creek Superfund Designation) December 8, 2009
New York State Department of Environmental Conservation – Division of Fish, Wildlife & Marine Resources March 3, 2010
New York State Department of Environmental Conservation – Community Presentation (Greenpoint Oil Spill) March 18, 2010
New York City Department of Transportation April 8, 2010

**Bus Tours (3)**
Brooklyn Bus Tour April 24, 2002
Queens Bus Tour June 27, 2002
United Forties Civic Association Bus Tour July 15, 2002

**Stakeholders Advisory Committee (SAC)**
(Members include Queens Community Boards (CB) #2 and #5; Brooklyn CB #1; city, state and federal-level elected officials; residents; and representatives of business interests, civic groups, and regional transportation organizations.)
Formed July 2002
Number of members (organizations and residents): 40
1st meeting: September 2002
Number of meetings (through June 20, 2012): 41
  - Parks Subcommittee Meetings (8)
    December 4, 2005
    January 10, 2006
    March 28, 2006
    May 21, 2009
    June 17, 2009
    October 22, 2009
    March 7, 2011
    September 10, 2012

**Inter-Agency Advisory Committee (IAAC)**
(Established to facilitate coordination and information-sharing; members include city, state, regional and federal-level agencies and utilities.)
1st meeting: June 24, 2003
2nd meeting: June 16, 2004
3rd meeting: November 10, 2005
4th meeting: March 27, 2007
Disadvantaged Business Enterprise (DBE)/Local Workforce Events (20)
FHWA Diversity Workshop October 6 & 7, 2010
Webinar: DBE/Workforce Diversity Program February 1, 2011
DBE Contractors’ Clearinghouse March 10, 2011
DBE Program Meeting (with members of SAC) June 9, 2011
Meeting with Regional Alliance for Small Business Contractors June 14, 2011
Meeting with Nontraditional Employment for Women (NEW) June 22, 2011
Meeting with St. Nicks Alliance June 27, 2011
EWVIDCO Local Business Procurement Workshop September 27, 2011
Meeting with USDOT Small Business Transportation Resource Center October 31, 2011
and Maria Ramirez, NYSDOT – Region 11 Compliance Officer
EWVIDCO Procurement Technical Training Workshop February 23, 2012
Southwest Brooklyn Small Business & Procurement Expo March 9, 2012
Meeting with Elizabeth Perdomo, Director – USDOT April 25, 2012
Small Business Transportation Resource Center.
DBE Certification Workshops (morning and evening sessions) May 10, 2012
DBE Certification Workshop (morning session) May 15, 2012
GCA Networking Events (morning and evening sessions) May 16, 2012
Queens Small Business Procurement Workshop June 8, 2012
NEW meeting regarding recruiting for Community Workforce Training Program August 16, 2012

Design-Build Meetings (1)
GCA/ACEC Briefing on Kosciuszko Bridge Design-Build Project June 25, 2012

Newsletters (4)
October 2003
September 2004
June 2009
January 2010

Other Informational Materials
● Fact Sheet – April 2002
● Project Website – posted July 2002
  - continuous updates, beginning in July 2003
  Website Address: www.dot.ny.gov/kbridge
● Repositories established – December 2002 [No Repositories during Final Design]
Locations:
 - Brooklyn Borough President’s Office, Borough Hall, 209 Joralemon Street, Brooklyn, NY 11201
 - Community Board #1, 435 Graham Avenue, Brooklyn, NY 11211-2429
 - Brooklyn Public Library - Greenpoint Branch, 107 Norman Avenue, Brooklyn, NY 11222
 - Brooklyn Public Library - Leonard Branch, 81 Devoe Street, Brooklyn, NY 11211
 - Parsons, 100 Broadway, New York, NY 10005
 - New York State Department of Transportation, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101
Letters and Frequently Asked Questions (FAQs) document to Brooklyn and Queens businesses – September and October 2003, respectively

Letter and FAQs to community and foreign language newspapers – March 2004

Letter with informational materials to residents/property owners in the Maspeth Industrial Area – March 2004

Letter and FAQs – nearly 1,000 copies hand-delivered to Greenpoint residents – April 2004

Letter, FAQs, and translation request form to Brooklyn and Queens businesses – July 2006

Letter with mailing list coupon to 1,700+ Greenpoint residents – January 2005

Letter with mailing list coupon to 700 Queens residents – January 2005

Draft EIS – published March 2007 – 200+ sent to agencies, elected officials, organizations and other interested parties

Public Hearing Letter of Invitation with Draft EIS Executive Summary, Flyer, and Sample Notice – sent to 850+ Brooklyn and Queens residents, businesses, agencies and organizations – March 2007

Certified letters with Draft EIS Executive Summary, Flyer, and Sample Notice – sent to 45 property owners in the vicinity of the bridge - March 2007

Letter extending Public Comment Period – sent to 850+ Brooklyn and Queens residents, businesses, agencies and organizations - May 2007

Postcard announcing availability of Final EIS – sent to 850+ Brooklyn and Queens residents, businesses, agencies and organizations – December 2008

Brooklyn Parks Survey – September 2009 - March 2010

SAC Updates on Final Design Progress – September 2009

SAC memo and Press Release announcing Governor Cuomo’s New York Works Program and Kosciuszko Bridge construction as a Design-Build Project - April 2012

SAC memo forwarding copy of letter inviting M/WBES to the DBE certification workshops - April 2012

NYSDOT Press Release announcing DBE certification workshops – May 2012

SAC correspondence regarding proposed TIP Amendment for Kosciuszko Bridge Project and announcing Public Comment Period - May 2012

**Project Milestones**

- Federal Register Notice of Intent: April 25, 2002
- Establishment of SAC: July – November 2002
- Alternatives Analysis Process: November 2002 – May 2004
- Draft Long List of Alternatives presented to SAC: March 2003
  (26 alternatives)
- Level 1 Screening with SAC: May and June 2003
  (12 alternatives, including No Build, at the end of Level 1 screening)
- Level 2 Screening with SAC: March and April 2004
  (6 alternatives, including No Build, at the end of Level 2 screening)
  ● Start of Draft EIS: Summer 2004
  ● Publication of Draft EIS: March 15, 2007
  ● New York State Department of Environmental Conservation Environmental Notice Bulletin
  ● Public Hearings: April 19 and 26, 2007
  ● Federal Register Amended Notice (Extension of Public Comment Period): May 11, 2007
  ● New York State Department of Environmental Conservation Environmental Notice Bulletin
    Amended Notice (Extension of Public Comment Period): May 16, 2007
  ● Publication of Final EIS: December 2008
  ● Federal Register Final EIS Notice of Availability: December 19, 2008
  ● New York State Department of Environmental Conservation Environmental Notice Bulletin
    (Acceptance of Final EIS): December 24, 2008
  ● Record of Decision (Approval by FHWA): March 9, 2009
  ● Start of Final Design: March 2009
  ● Governor Cuomo’s Press Release announcing Accelerated Schedule for Kosciuszko Bridge
    construction as a Design-Build Project – April 2012
  ● Earliest possible start of construction: 2013
APPENDIX B

PUBLIC INFORMATION MEETING MATERIALS

1. Public Notice
2. List of Publications
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4. Meeting Agenda
5. Attendance Sign-In Sheet
6. Minutes of Meeting
APPENDIX B

1. Public Notice

PUBLIC NOTICE

Construction Site Dewatering for Replacement of the Kosciuszko Bridge

The New York State Department of Transportation invites you to a Public Information Meeting to discuss its application for construction site dewatering permits for the Kosciuszko Bridge Project. This meeting will provide information on the State Pollutant Discharge Elimination System (SPDES) permit application for temporary dewatering during construction of bridge foundations in Queens. It will also address any environmental justice concerns related to the project in compliance with CP-29, the New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29, Environmental Justice and Permitting. The public will have opportunities to comment on and raise questions concerning all aspects of the permitting process.

Specifically, the meeting will present information in support of the need for a temporary dewatering system for treatment and discharge of groundwater at four (4) proposed bridge footings adjacent to and within the Laurel Hill Site, an NYSDEC Class 2 Inactive Hazardous Waste Site in Queens. Groundwater beneath this area contains contaminants at levels that require treatment prior to discharge to Newtown Creek under a SPDES permit. Details on the on-site treatment system that is being proposed will be presented at the meeting.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. - 8:30 p.m.
Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street - Room 834
Long Island City, N.Y. 11101

For additional information about the meeting, or to request a sign language interpreter, an assistive listening system, or any other accommodation to facilitate your participation, contact Helen Neuhaus & Associates at (212) 532-4175 or hna@luna1977.com.

Ad submitted for publication in the following papers during the week of January 14, 2013:

- El Especial
- Greenpoint Gazette
- Greenpoint Star/Queens Ledger
- NY World Journal
- Polish Daily News
- Queens Chronicle
- Queens Gazette

NYSDOT Contract No. D900011
Kosciuszko Bridge Project

April 2013
APPENDIX B

2. List of Publications

Local Newspapers

Greenpoint Gazette
Greenpoint Star
Queens Chronicle
Queens Gazette
Queens Ledger

Foreign Language Newspapers

El Especial
New York World Journal
Polish Daily News
APPENDIX B

3. January 17, 2013 Mailing

Invitation to January 31, 2013 Public Meeting
SPDES Permit Fact Sheet
Public Notice of Meeting
January 17, 2013

TO: Kosciuszko Bridge Stakeholders

FROM: Robert Adams, P.E.
Project Manager, Kosciuszko Bridge Construction

RE: State Pollutant Discharge Elimination System (SPDES) Permit for Temporary Dewatering during Construction of Kosciuszko Bridge

The New York State Department of Transportation (NYSDOT) has scheduled a Public Information Meeting to discuss its permit application to the New York State Department of Environmental Conservation (NYSDEC) for temporary dewatering during construction of the Kosciuszko Bridge in Queens.

The meeting will detail the SPDES dewatering permit application process, describe NYSDEC’s Environmental Justice Policy (CP-29) and offer an opportunity for the public to ask questions and submit comments on the permit application. (See attached Fact Sheet and Public Notice for additional information.)

Date: Thursday, January 31, 2013

Time: 6:30 p.m. - 8:30 p.m.

Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City

For further information about the January 31st meeting, or to request a sign language interpreter, an assistive listening system, or any other accommodation to facilitate your participation, contact Helen Neuhaus & Associates at (212) 532-4175 or hna@hna1977.com.
Kosciuszko Bridge Project
Proposed State Pollutant Discharge Elimination System (SPDES) Permit

Fact Sheet
January 2013

Purpose:
The New York State Department of Transportation (NYSDOT) has applied to the New York State Department of Environmental Conservation (NYSDEC) for a State Pollutant Discharge Elimination System (SPDES) permit for temporary dewatering during construction of the Kosciuszko Bridge in Queens. This fact sheet provides information on the permit application, which covers treatment and discharge of groundwater to Newtown Creek from activities associated with the bridge replacement project.

Background:
The Kosciuszko Bridge Project will replace a 1.1-mile segment of the Brooklyn-Queens Expressway (BQE, Interstate 278) over Newtown Creek between Morgan Avenue in Brooklyn and the Long Island Expressway (LIE, Interstate 495) Interchange in Queens with a new Cable-Stayed structure. The existing bridge will be replaced by constructing a new eastbound (or Queens-bound) structure that is parallel to and on the eastbound side of the existing bridge, transferring all traffic to the new eastbound structure, demolishing the existing bridge and building a new westbound (or Brooklyn-bound) structure within the footprint of the existing bridge.

The project has been separated into four (4) stages as indicated below.

<table>
<thead>
<tr>
<th>Contract Phase</th>
<th>Stage</th>
<th>Description of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>Stage 1</td>
<td>Demolish existing buildings acquired by NYSDOT, construct Eastbound Main Span and Eastbound Approaches</td>
</tr>
<tr>
<td></td>
<td>Stage 2</td>
<td>Construct Brooklyn and Queens Connectors and LIE Interchange Ramps and transfer all traffic to the new eastbound structure</td>
</tr>
<tr>
<td></td>
<td>Stage 3</td>
<td>Demolish existing Approaches and Main Span</td>
</tr>
<tr>
<td>Phase 2</td>
<td>Stage 4</td>
<td>Construct Westbound Main Span and Westbound Approaches and transfer all westbound traffic to the new structure</td>
</tr>
</tbody>
</table>

NYSDOT is now beginning the procurement process for Phase 1 as a Design-Build Contract as part of the New York Works Program. Award of the contract is anticipated in the summer of 2013 and completion in early 2018. This will allow the acceleration of project construction and provide many of the project benefits to users and the surrounding community even earlier than previously anticipated. Phase 2 will be issued as a separate future contract with overall construction to be completed in 2020.
The Proposed Permit:

Construction of the new structure is anticipated to require a temporary dewatering system for treatment and discharge of groundwater at a utility trench and several proposed foundation locations in Queens. The foundations are the bridge footings that are closest to Newtown Creek, a designated Superfund site. They are adjacent to and within the Laurel Hill Site, a NYSDEC Class 2 Inactive Hazardous Waste Site. Groundwater beneath this area contains contaminants at levels that require treatment of dewatering fluids prior to discharge to Newtown Creek under a SPDES permit.

The dewatering will take place within cofferdams, temporary enclosures that will be built to allow for excavation below grade and the pumping required to establish a dry work environment. Concrete will be used to seal the base of the cofferdams and to limit the amount of dewatering required.

A proposed mobile groundwater system will be used to treat the water generated from the dewatering operations. The water will pass through an oil/water separator to eliminate petroleum products; be piped into a settling tank to remove metals; and finally be processed using a series of activated carbon and multimedia filters to remove any remaining volatile organic compounds and petroleum products before being discharged to Newtown Creek through a new Queens outfall.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the SPDES General Permit. The SWPPP identifies the pollution prevention measures, the site specific soil erosion and sediment control details and the best management practices to be implemented during each construction stage.

Public Meeting:

A Public Information Meeting on the SPDES permit for temporary dewatering during construction has been scheduled. The meeting will also address any environmental justice concerns related to the project in compliance with NYSDEC Commissioner Policy-29, Environmental Justice and Permitting. The meeting will provide an opportunity for the public to comment on and raise questions concerning all aspects of the permitting process.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. – 8:30 p.m.
Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City, N.Y.

Public Comment Period:

NYSDEC welcomes your comments on the proposed SPDES permit for the Kosciuszko Bridge Project. Written comments on the proposed permit should be mailed no later than March 4, 2013. All comments should be addressed to:

Steve A. Watts
NYSDEC Region 2 Office
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
r2dep@gw.dec.state.ny.us
PUBLIC NOTICE

Construction Site Dewatering for Replacement of the Kosciuszko Bridge

The New York State Department of Transportation invites you to a Public Information Meeting to discuss its application for construction site dewatering permits for the Kosciuszko Bridge Project. This meeting will provide information on the State Pollutant Discharge Elimination System (SPDES) permit application for temporary dewatering during construction of bridge foundations in Queens. It will also address any environmental justice concerns related to the project in compliance with CP-29, the New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29, Environmental Justice and Permitting. The public will have opportunities to comment on and raise questions concerning all aspects of the permitting process.

Specifically, the meeting will present information in support of the need for a temporary dewatering system for treatment and discharge of groundwater at four (4) proposed bridge footings adjacent to and within the Laurel Hill Site, an NYSDEC Class 2 Inactive Hazardous Waste Site in Queens. Groundwater beneath this area contains contaminants at levels that require treatment prior to discharge to Newtown Creek under a SPDES permit. Details on the on-site treatment system that is being proposed will be presented at the meeting.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. - 8:30 p.m.
Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City, N.Y. 11101

For additional information about the meeting, or to request a sign language interpreter, an assistive listening system, or any other accommodation to facilitate your participation, contact Helen Neuhaus & Associates at (212) 532-4175 or hna@hna1977.com.

Ad appeared in the following papers during the week of January 14, 2013:

El Especial
Greenpoint Gazette
Greenpoint Star/Queens Ledger
NY World Journal
Polish Daily News
Queens Chronicle
Queens Gazette
APPENDIX B

4. Meeting Agenda
KOSCIUSZKO BRIDGE PROJECT
State Pollutant Discharge Elimination System (SPDES) Permit for Construction Site Dewatering

PUBLIC MEETING
January 31, 2013

AGENDA

Introductory Remarks
Robert Adams, P.E., Project Manager
New York State Department of Transportation (NYSDOT)

Presentation: Kosciuszko Bridge Project SPDES Permit Application
Michael Abrahams, P.E., Project Manager
Parsons Brinckerhoff
Richard Hart
EPM, Inc.

Question and Answer Period

Written comments on the proposed SPDES permit should be mailed no later than March 8, 2013. All comments should be addressed to:

Steve A. Watts
New York State Department of Environmental Conservation - Region 2 Office
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
APPENDIX B

5. Attendance Sign-In Sheet
# Kosciuszko Bridge Project

## Construction Site Dewatering Environmental Justice Meeting

**January 31, 2013**

## Attendance List

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Abrahams</td>
<td>Parsons Brinkerhoff</td>
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<tr>
<td>Robert Adams</td>
<td>New York State Department of Transportation</td>
</tr>
<tr>
<td>Vincent Arcuri</td>
<td>Queens Community Board #5</td>
</tr>
<tr>
<td>Ed Babor</td>
<td>Office of Congresswomen</td>
</tr>
<tr>
<td>Carolyn Maloney</td>
<td></td>
</tr>
<tr>
<td>Christopher Branco</td>
<td>Resident</td>
</tr>
<tr>
<td>Dennis Branco</td>
<td>Resident</td>
</tr>
<tr>
<td>Hervé Carrie</td>
<td>New York City Department of Design &amp; Construction</td>
</tr>
<tr>
<td>Antoine Cassagnol</td>
<td>New York City Department of Design &amp; Construction</td>
</tr>
<tr>
<td>Thomas Cogan</td>
<td>Queens Gazette</td>
</tr>
<tr>
<td>John Crecco</td>
<td>Skanska</td>
</tr>
<tr>
<td>Lillian Cyran</td>
<td>Juniper Valley Civic Association</td>
</tr>
<tr>
<td>Darren Dowd</td>
<td>Trocom Construction</td>
</tr>
<tr>
<td>Jeanmarie Evelly</td>
<td>DNAinfo.com</td>
</tr>
<tr>
<td>Gul Faroodi</td>
<td>New York State Department of Transportation</td>
</tr>
<tr>
<td>Harold Fink</td>
<td>New York State Department of Transportation</td>
</tr>
<tr>
<td>Stacey Gogos</td>
<td>Environmental Planning &amp; Management</td>
</tr>
<tr>
<td>Luis Gronda</td>
<td>Queens Tribune</td>
</tr>
<tr>
<td>Ian Hardouin</td>
<td>MTA Bridges &amp; Tunnels</td>
</tr>
<tr>
<td>Rick Hart</td>
<td>Environmental Planning &amp; Management</td>
</tr>
<tr>
<td>Laura Hofmann</td>
<td>Newtown Creek Alliance/Newtown Creek Monitoring Committee/ Barge Park Pals</td>
</tr>
<tr>
<td>Mike Hofmann</td>
<td>Newtown Creek Alliance/Newtown Creek Monitoring Committee</td>
</tr>
<tr>
<td>Christine Holowacz</td>
<td>Newtown Creek Monitoring Committee/GWAPP</td>
</tr>
<tr>
<td>Vincent Krause</td>
<td>Skanska</td>
</tr>
<tr>
<td>Meena Kuriakose</td>
<td>New York State Department of Transportation</td>
</tr>
</tbody>
</table>
APPENDIX B

6. Minutes of Meeting
The New York State Department of Transportation (NYSDOT) held a Public Information Meeting to discuss NYSDOT’s application for a construction site dewatering permit for the Kosciuszko Bridge Project. The meeting was held on January 31, 2013 at NYSDOT’s Regional Office (47-40 21st Street – Room 834, Long Island City). In preparation for the meeting, public notices were placed in local and foreign language newspapers. (See Attachment A.) Public information repositories were also established to provide the public with access to information on the permit application process. (See Attachment B for locations and list of available materials.) In addition, a mailing that included an invitation to the meeting, a fact sheet on the dewatering permit and a copy of the public notice was mailed to 850 individuals, organizations, public officials, agencies and media outlets. (See Attachment C.)

The meeting was scheduled to provide information on NYSDOT’s State Pollutant Discharge Elimination System (SPDES) Permit Application to the New York State Department of Environmental Conservation (NYSDEC) for dewatering during construction of the Kosciuszko Bridge Project, provide an opportunity for the receipt of public input in the review process and address any environmental justice concerns related to the project.

A meeting agenda, which included information for submitting written comments to NYSDEC*, was distributed to all attendees. (See Attachment D for agenda and attendance list.) Additional handouts included a list of repository locations, NYSDEC’s Notice of Complete Application (NOCA), the SPDES Permit Fact Sheet, Draft SPDES and Tidal Wetlands Permits, Industrial Fact Sheet (for Temporary Construction Dewatering) and a comment sheet offering attendees the opportunity to submit written comments. Copies of the SPDES Environmental Justice Public Participation Plan for Construction Site Dewatering and the NY-2C Permit Application were also

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*Written comments were to be submitted to Steve A. Watts, NYSDEC – Region 2, 47-40 21st Street, Long Island City, NY 11101 by March 8, 2013.
available for review. Copies were provided to all persons requesting one or both of these documents.

**Presentation**

Robert Adams, Project Manager for NYSDOT’s Kosciuszko Bridge Replacement Project, opened the meeting with introductions and welcoming remarks. Mr. Adams noted that tonight’s meeting would focus on the Department’s application to NYSDEC for a SPDES permit for temporary site dewatering during construction of the new bridge. The permit is required in order to treat groundwater at specified locations in Queens where excavations will extend into areas that contain contaminants at levels that must be removed from dewatering fluids prior to discharge to Newtown Creek. The meeting was also scheduled to review NYSDOT’s measures to ensure compliance with NYSDEC’s policy to guarantee environmental justice throughout the permit review process and all phases of the bridge replacement project. He explained that the policy, CP-29 – Environmental Justice and Permitting, is designed to ensure that no group of people, including a racial, ethnic or socioeconomic group, bears a disproportionate share of the negative environmental consequences resulting from a project.

Using a PowerPoint presentation (see Attachment E), Michael Abrahams, Project Manager, Parsons Brinckerhoff, began by noting that the purpose of the meeting is to focus on construction site dewatering in Queens. Mr. Abrahams reiterated that the meeting is being held to provide the public with the opportunity to participate in the permit review process, as well as to identify any environmental justice concerns related to the project. Following a review of the meeting agenda and a recap of the environmental justice policy, he continued with a brief project overview.

Mr. Abrahams illustrated the location of the project, noting that the Kosciuszko Bridge crosses Newtown Creek, connecting Brooklyn and Queens. The project involves replacement of the bridge’s main span, along with its Brooklyn and Queens approaches and connectors -- a 1.1 mile segment that starts at Morgan Avenue in Brooklyn and continues to the Long Island Expressway in Queens. He emphasized that by using staged construction, six lanes of traffic will be maintained during construction and that there will be no diversion of traffic to local streets. Mr. Abrahams explained that the new eastbound main span, approaches and connectors will be built first, which will allow all traffic to be shifted to the new structure prior to demolishing the existing bridge. This will be followed by construction of the new westbound structure, including a bikeway/
walkway, within the footprint of the original bridge. He presented the proposed cable-stayed design for the main span, noting that this design received a great deal of public support.

Turning to the project schedule, Mr. Abrahams explained that Governor Cuomo’s announcement that the Kosciuszko Bridge will be the largest project in the New York Works Program has resulted in significant acceleration of the project schedule. Construction of the bridge is now scheduled to begin in fall 2013 and be completed in 2020. He added that the first phase of the project will be progressed as a Design-Build (D-B) contract, for which NYSDOT will solicit proposals from D-B teams for design and construction of the new eastbound structure and demolition of the existing bridge. Although the D-B teams will be required to use a cable-stayed main span design, they will have flexibility in designing the remaining bridge components. This approach will expedite the schedule and allow for the removal of traffic from the existing bridge earlier than originally projected. The latter is a significant benefit because of the condition of the existing bridge and the costs involved in maintaining it in a state of good repair. The new westbound structure will be included in the second phase of construction, following demolition of the existing bridge and will be let as a future contract in 2017.

Mr. Abrahams continued with a discussion of the dewatering program. He noted that dewatering will be required in areas where construction will occur below the existing groundwater table. Currently, this is anticipated in connection with construction of new bridge footings in Queens (closest to Newtown Creek) and for a new utility trench in the area. He explained that in order to construct each new bridge footing, the contractor will drive sheeting, excavate the area below the existing groundwater table, drive new piles to support the bridge, seal the base of the excavated enclosure to limit dewatering (this could be accomplished using tremie concrete or gravel), construct the footing (in a dewatered condition), remove the sheeting and then construct the bridge piers. There are four areas (12 anticipated footing locations) where the project team estimates that the base of the footings will be below the groundwater table and will require dewatering.

Although the current design is developed to the 40% plan level, Mr. Abrahams noted that there is likely to be some flexibility in the design prepared by the selected D-B team. He emphasized that although the dewatering plan could be altered if the D-B contractor modifies the pier locations or footings, it is important to have the SPDES permit in place in order to allow
construction to begin. Mr. Abrahams concluded his remarks by showing photos of pier and footing construction on a similar bridge project.

Richard Hart, Environmental Planning & Management, continued with an overview of the types of contaminants found in groundwater samples in the areas where dewatering is anticipated and a discussion of the proposed dewatering treatment plan. Mr. Hart showed the location of two known contaminated sites in the vicinity of the dewatering: Newtown Creek, a federal Superfund site, and Phelps Dodge/Laurel Hill, a NYSDEC hazardous waste site. He explained that metals are the primary contaminants expected to be treated during dewatering, adding that their presence is likely to be due to the historical use of the area for industrial activity. Mr. Hart also noted that low levels of tetrachloroethene (PCE), a degreasing chemical, were detected in one sample. He indicated that although the PCE concentration was 9.6 parts per billion (ppb), well below the 26 ppb action level for PCE in the SPDES permit, the dewatering system plan includes treatment of chemical contaminants as a precautionary measure. In a final comment, Mr. Hart reported that no significant concentrations of petroleum or chemicals were identified in the area.

He then explained that based on the engineer’s design, the proposed dewatering system will use mobile trash pumps at the excavation sites and will probably establish a mobile treatment system that can be moved, as needed, during construction. In accordance with the draft SPDES permit, the system will include an oil/water separator, a gravity tank (to settle out the solids and remove most of the metals), a carbon filter (to remove PCE and other materials) and filters to remove finer particles. If action levels are exceeded, additional elements, such as ion exchange (to remove dissolved metals) may be needed. After Mr. Hart explained that the D-B contractor can use one or multiple treatment locations, provided that the conditions of the permit are met, he emphasized that the proposed technology is proven and has been used throughout the city for many years.

Mr. Hart also noted that the Draft SPDES permit allows for a temporary discharge of up to 65,000 gallons per day of treated groundwater to Newtown Creek. Based on current plans, that amount is believed to be more than adequate for the dewatering program. Mr. Abrahams added that depending upon the contractor’s plan (e.g., use of tremie concrete or another material, number of dewatering sites, size of footings, etc.), there may be some variability in the volume of
water discharged. However, based on the proposed design, the amount specified in the permit is adequate.

In conclusion, Mr. Hart noted that the SPDES permit defines the effluent limits and action levels allowed to be discharged to Newtown Creek. In addition, there will be periodic monitoring of the discharged water, which will be reported to NYSDEC on a monthly basis. In the event of any exceedances of action levels, additional treatment processes could be required.

In closing, Mr. Abrahams reiterated that repositories have been established for public review of the NY-2C permit application, along with other documents. (See Attachment B.) Mr. Adams reminded the audience that written comments relating to the SPDES permit should be submitted to Mr. Watts, NYSDEC, by March 8, 2013.

**Question and Answer Period**
A summary of questions and comments raised at the meeting is provided below:

**Community (Laura Hofmann):** Given the location of the work to be done, will there be methods in place to control odors and/or fumes?

**Mr. Hart:** The contaminants found in the area are not the type that would produce odors. Nonetheless, the contractor will be required to develop an odor control plan.

**Community:** The term “dewatering” sounds violent. Does the process pose any risks to the environment? Is it sanitary?

**Mr. Abrahams:** The technology is commonly used on every construction project where footings are installed below the groundwater table. During construction, groundwater needs to be removed from areas where footings will be installed.

**Community (Mitch Waxman):** How long will dewatering occur? How deep will the piers be?

**Mr. Abrahams:** The time required for each footing will depend on the contractor. However, a reasonable estimate would be one to two months of open construction per footing. If the footings were installed sequentially, dewatering would be ongoing for about 6-12 months. The depth of each footing will probably be 6-10’ below grade; the water table in the area starts at about 4’ below grade.
Community (Mr. Waxman): Soil on the Brooklyn side is better than in Queens. During construction of the existing bridge, there were said to be problems with soils on the Queens side. Mr. Abrahams: During construction of the original bridge footings in Queens during the 1930s, acid soil was encountered at several locations. As a precautionary measure, the footings were wrapped in tar and other protective measures were taken. The current project team tested the soil and found no evidence of the acid soil layer encountered during the original construction. It is possible that water percolating through the soil over the years has neutralized the acids. The contractors will be informed of the history, but the problem does not appear to exist today.

Community (Christine Holowacz): How frequently will samples be collected? With up to 65,000 gallons to be treated [per day], how often will samples be collected in order to ensure that a lot of “stuff” will not be pulled into the Creek without knowledge. Mr. Hart: The permit stipulates monthly sampling, with the results forwarded to NYSDEC. Community (Ms. Holowacz): That [monthly] seems very low considering the contamination of the area. Mr. Hart: Monthly sampling is relatively common. The contamination found in Queens is not atypical of what is found across the City. Conditions in Brooklyn are different. [After reviewing the permit, it was confirmed that monthly sampling is stipulated.]

Community (Vince Arcuri): The contractor would watch the system daily because they need to know the composition of the groundwater in order to treat it. The formal submission to NYSDEC may be monthly, but the operation will be observed daily. Mr. Hart: An engineer will monitor the system daily to make sure everything is operating properly. Prior to discharge to the creek, the effluent will be routed to a holding tank where it will be tested. The laboratory report on the chemical testing will be forwarded to NYSDEC on a monthly basis.

Community (Mr. Waxman): Where will the outfall pipe be located? Mr. Abrahams: The project includes a stormwater drainage system for the new bridge, which includes installation of a new drainage pipe. As part of that system, a Vortech chamber, with an oil and water separator, will be installed to remove oil and other particles from the stormwater coming off the bridge before it is discharged to the creek. Currently, stormwater drainage runs
off the bridge, falls to the ground and finds its way to the creek. The pipe for the new drainage system will be located adjacent to the existing bridge pier.

**Community:** Will the bikeway/walkway crossing in the vicinity of 43rd Street and Laurel Hill Boulevard be altered?

**Mr. Abrahams:** The new bikeway/walkway, which will be located along the edge of the bridge, will come down to grade and join the existing spiral walkway.

**Community (San Vargas):** Newtown Creek was an historic area in terms of Indians. If artifacts are discovered during construction, is there a precedent or policy for dealing with the situation?

**Mr. Abrahams:** Yes. There is a separate task that is going on now to develop an archaeological work plan. The project team is working with the State Historic Preservation Office on this effort. To date, the 1.1 mile long area where the structure will be built has been evaluated based on historical reference points to determine what activities may have occurred in the area (housing, location of wells and cisterns, Indian encampments, etc.). That record is being used to develop the plan for monitoring the site during construction. However, as this area has been regraded, filled and built upon over the years, it is unlikely that a lot of original materials will be found.

**Community (Ms. Hofmann):** Will the drainage system be located at the edge of or on the Phelps Dodge property? If it is outside the Phelps Dodge site, will it disrupt the work that has already been done? We have been told that the site, which was not completely remediated, only capped, will remain secure as long as it remains capped. Can construction disturb the capping?

**Mr. Adams:** The system will be outside the Phelps Dodge site, on property owned by NYSDOT. **Mr. Abrahams:** NYSDOT is working with NYSDEC and Phelps Dodge with regard to the present cap, completion of the cap and ensuring the integrity of the cap system. Some of the footings that will be constructed will penetrate the cap. In those cases, appropriate measures will be taken.

**Community (Mr. Waxman):** Walking beneath the Long Island Expressway at the curve is a very dangerous area for pedestrians. When the bridge project is completed in 2020, can some of the Jersey barriers be left behind to provide a safer environment?

**Mr. Adams:** We are aware of the situation to which you are referring. The Department will “do better” than just leaving the Jersey barriers in place.
Community: Is the area highlighted on the graphics the only area where dewatering will occur?
Mr. Abrahams: Yes, but the D-B contractor could propose a variation to the proposed plan. As a preliminary measure, the groundwater level at the bottom of the footings was plotted in order to develop the elevations.

Community (Joe Nelson): In connection with the dewatering process, do you have any estimates regarding potential settlement in the area?
Mr. Abrahams: There could be settlement, if extensive dewatering is done and the groundwater table is substantially lowered. However, at this location, there are no sensitive buildings other than the existing bridge, which has very large footings.

Community (Mr. Nelson): Cavalry Cemetery has a number of tall monuments that could collapse.
Mr. Abrahams: As part of the planning process, a monitoring program will be developed for the cemetery and monuments, particularly those closest to the project. During construction, there will be various sources of vibrations that could affect the cemetery.

Community (Mr. Nelson): How will contaminants get into the system? Will well points be installed outside the sheeting?
Mr. Abrahams: As sheeting is not watertight, some leakage will be expected. However, the rate of the water is based on the permeability of the soil and the hydraulic head. In this case, there is a fairly low hydraulic head. A study of the area found several different soil layers, including a sandy layer and a clay layer that is farther down. If the sheeting is driven into a layer of low permeability, that will minimize the amount of groundwater that will enter the excavation.

Community (Mr. Nelson): Have soil borings been taken at the sites?
Project Team: Yes. The information is available on the project website. [https://www.dot.ny.us/kbridge/design-build]

Community: How will dewatering affect traffic (vehicular, pedestrian, bicycle) on the bridge?
Mr. Abrahams: There will be no effect on traffic on the bridge. All dewatering will occur at ground level.

Community: What route will construction vehicles use for removal of debris during demolition of the existing bridge?
Mr. Abrahams: The contractor will make that determination. However, there is a project commitment to provide maximum opportunity for water transportation in order to minimize local truck traffic, particularly in Brooklyn. The State is in the process of permitting two temporary barge docks (in Brooklyn and Queens), which will offer the contractor the opportunity to transport materials in and out of the site by water. In addition, the Long Island Rail Road runs through the site, which offers another way to remove materials from the site.

Community (William Mills): How will Meeker Avenue be reconfigured?
Project Team: The existing off ramp will be shifted to the south, which will move the highway farther from residents.

Community (Mr. Mills): Is the park in that area still included in the project?
Mr. Adams: Yes.

Community: Will the SPDES permit cover potential dewatering at other locations -- for instance, within drill shaft casings for the main span foundations?
Mr. Abrahams: The permit does not mention the use of drill shaft foundations for the main span or for any location other than the footings on the Queens side.

Community: Is there another permit that’s pending to cover those locations?
Mr. Abrahams: No.

Community (Mr. Nelson): Are there any requirements for night or alternate work hours?
Mr. Abrahams: To date, there are no restrictions relating to work hours.

Community (Mr. Nelson): Would night construction be helpful?
Project Team: Nighttime construction is not a requirement. However, the contractor can propose it.

The meeting ended at 7:25 p.m. Mr. Adams encouraged attendees to review the graphics available at the meeting. Members of the project team remained until 8:30 p.m. for informal discussions and review of materials.

Written comments received by the March 8th due date and NYSDOT’s responses to these comments are provided in Attachment F.
PUBLIC NOTICE

Construction Site Dewatering for Replacement of the Kosciuszko Bridge

The New York State Department of Transportation invites you to a Public Information Meeting to discuss its application for construction site dewatering permits for the Kosciuszko Bridge Project. This meeting will provide information on the State Pollutant Discharge Elimination System (SPDES) permit application for temporary dewatering during construction of bridge foundations in Queens. It will also address any environmental justice concerns related to the project in compliance with CP-29, the New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29, Environmental Justice and Permitting. The public will have opportunities to comment on and raise questions concerning all aspects of the permitting process.

Specifically, the meeting will present information in support of the need for a temporary dewatering system for treatment and discharge of groundwater at four (4) proposed bridge footings adjacent to and within the Laurel Hill Site, an NYSDEC Class 2 Inactive Hazardous Waste Site in Queens. Groundwater beneath this area contains contaminants at levels that require treatment prior to discharge to Newtown Creek under a SPDES permit. Details on the on-site treatment system that is being proposed will be presented at the meeting.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. - 8:30 p.m.
Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City, N.Y. 11101

For additional information about the meeting, or to request a sign language interpreter, an assistive listening system, or any other accommodation to facilitate your participation, contact Helen Neuhaus & Associates at (212) 532-4175 or hna@hna1977.com.

Ad appeared in the following papers during the week of January 14, 2013:

El Especial
Greenpoint Gazette
Greenpoint Star/Queens Ledger
NY World Journal
Polish Daily News
Queens Chronicle
Queens Gazette
New York State Department of Transportation
Kosciuszko Bridge Project

State Pollutant Discharge Elimination System (SPDES) Permit
for Construction Site Dewatering

Repository Sites*

BROOKLYN

- Community Board #1
  435 Graham Avenue
  Brooklyn, NY 11211-2429
  Attention: Gerald Esposito, District Manager (718) 389-0009

QUEENS

- New York State Department of Transportation
  Hunters Point Plaza
  47-40 21st Street
  Long Island City, NY 11101
  Attention: Robert Adams (718) 482-4683

- Community Board #2
  43-22 50th Street
  Woodside, NY 11377
  Attention: Debra Markell, District Manager (718) 533-8773

- Community Board #5
  61-23 Myrtle Avenue
  Glendale, NY 11385
  Attention: Gary Giordano, District Manager (718) 366-1834

All sites are handicapped accessible.

* Please call in advance to schedule an appointment.
New York State Department of Transportation
Kosciuszko Bridge Project

State Pollutant Discharge Elimination System (SPDES) Permit for Construction Site Dewatering

Public Information Repository
Table of Contents

January 2013

- NY-2C Permit Application
- SPDES Environmental Justice Public Participation Plan for Construction Site Dewatering
- January 17, 2013 Mailing (including invitation to January 31, 2013 SPDES Public Meeting, SPDES Permit Fact Sheet and Public Notice of Meeting)
- Notice of Complete Application
- Draft SPDES and Tidal Wetlands Permits
- Industrial Fact Sheet (for Temporary Construction Dewatering)
New York State Department of Transportation
Kosciuszko Bridge Project

State Pollutant Discharge Elimination System (SPDES) Permit
for Construction Site Dewatering

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February 2013

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- Notice of Complete Application
- Draft SPDES and Tidal Wetlands Permits
- Industrial Fact Sheet (for Temporary Construction Dewatering)
- January 31, 2013 SPDES Public Information Meeting Materials:
  - PowerPoint Presentation
  - Attendance List
- ENB Region 2 Completed Application – Environmental Notice Bulletin (February 6, 2013)
TO: Kosciuszko Bridge Stakeholders

FROM: Robert Adams, P.E.
Project Manager, Kosciuszko Bridge Construction

RE: State Pollutant Discharge Elimination System (SPDES) Permit for Temporary Dewatering during Construction of Kosciuszko Bridge

The New York State Department of Transportation (NYSDOT) has scheduled a Public Information Meeting to discuss its permit application to the New York State Department of Environmental Conservation (NYSDEC) for temporary dewatering during construction of the Kosciuszko Bridge in Queens.

The meeting will detail the SPDES dewatering permit application process, describe NYSDEC’s Environmental Justice Policy (CP-29) and offer an opportunity for the public to ask questions and submit comments on the permit application. (See attached Fact Sheet and Public Notice for additional information.)

Date: Thursday, January 31, 2013

Time: 6:30 p.m. - 8:30 p.m.

Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City

For further information about the January 31st meeting, or to request a sign language interpreter, an assistive listening system, or any other accommodation to facilitate your participation, contact Helen Neuhaus & Associates at (212) 532-4175 or hna@hna1977.com.
Kosciuszko Bridge Project
Proposed State Pollutant Discharge Elimination System (SPDES) Permit

Fact Sheet
January 2013

Purpose:
The New York State Department of Transportation (NYSDOT) has applied to the New York State Department of Environmental Conservation (NYSDEC) for a State Pollutant Discharge Elimination System (SPDES) permit for temporary dewatering during construction of the Kosciuszko Bridge in Queens. This fact sheet provides information on the permit application, which covers treatment and discharge of groundwater to Newtown Creek from activities associated with the bridge replacement project.

Background:
The Kosciuszko Bridge Project will replace a 1.1-mile segment of the Brooklyn-Queens Expressway (BQE, Interstate 278) over Newtown Creek between Morgan Avenue in Brooklyn and the Long Island Expressway (LIE, Interstate 495) Interchange in Queens with a new Cable-Stayed structure. The existing bridge will be replaced by constructing a new eastbound (or Queens-bound) structure that is parallel to and on the eastbound side of the existing bridge, transferring all traffic to the new eastbound structure, demolishing the existing bridge and building a new westbound (or Brooklyn-bound) structure within the footprint of the existing bridge.

The project has been separated into four (4) stages as indicated below.

<table>
<thead>
<tr>
<th>Contract Phase</th>
<th>Stage</th>
<th>Description of Work</th>
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</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>Stage 1</td>
<td>Demolish existing buildings acquired by NYSDOT, construct Eastbound Main Span and Eastbound Approaches</td>
</tr>
<tr>
<td></td>
<td>Stage 2</td>
<td>Construct Brooklyn and Queens Connectors and LIE Interchange Ramps and transfer all traffic to the new eastbound structure</td>
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<tr>
<td></td>
<td>Stage 3</td>
<td>Demolish existing Approaches and Main Span</td>
</tr>
<tr>
<td></td>
<td>Stage 4</td>
<td>Construct Westbound Main Span and Westbound Approaches and transfer all westbound traffic to the new structure</td>
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</tbody>
</table>

NYSDOT is now beginning the procurement process for Phase 1 as a Design-Build Contract as part of the New York Works Program. Award of the contract is anticipated in the summer of 2013 and completion in early 2018. This will allow the acceleration of project construction and provide many of the project benefits to users and the surrounding community even earlier than previously anticipated. Phase 2 will be issued as a separate future contract with overall construction to be completed in 2020.
The Proposed Permit:

Construction of the new structure is anticipated to require a temporary dewatering system for treatment and discharge of groundwater at a utility trench and several proposed foundation locations in Queens. The foundations are the bridge footings that are closest to Newtown Creek, a designated Superfund site. They are adjacent to and within the Laurel Hill Site, a NYSDEC Class 2 Inactive Hazardous Waste Site. Groundwater beneath this area contains contaminants at levels that require treatment of dewatering fluids prior to discharge to Newtown Creek under a SPDES permit.

The dewatering will take place within cofferdams, temporary enclosures that will be built to allow for excavation below grade and the pumping required to establish a dry work environment. Concrete will be used to seal the base of the cofferdams and to limit the amount of dewatering required.

A proposed mobile groundwater system will be used to treat the water generated from the dewatering operations. The water will pass through an oil/water separator to eliminate petroleum products; be piped into a settling tank to remove metals; and finally be processed using a series of activated carbon and multimedia filters to remove any remaining volatile organic compounds and petroleum products before being discharged to Newtown Creek through a new Queens outfall.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the SPDES General Permit. The SWPPP identifies the pollution prevention measures, the site specific soil erosion and sediment control details and the best management practices to be implemented during each construction stage.

Public Meeting:

A Public Information Meeting on the SPDES permit for temporary dewatering during construction has been scheduled. The meeting will also address any environmental justice concerns related to the project in compliance with NYSDEC Commissioner Policy-29, Environmental Justice and Permitting. The meeting will provide an opportunity for the public to comment on and raise questions concerning all aspects of the permitting process.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. – 8:30 p.m.
Location: New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street – Room 834
Long Island City, N.Y.

Public Comment Period:

NYSDEC welcomes your comments on the proposed SPDES permit for the Kosciuszko Bridge Project. Written comments on the proposed permit should be mailed no later than March 4, 2013. All comments should be addressed to:

Steve A. Watts
NYSDEC Region 2 Office
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
r2depa@gw.dec.state.ny.us
PUBLIC NOTICE

Construction Site Dewatering for Replacement of the Kosciuszko Bridge

The New York State Department of Transportation invites you to a Public Information Meeting to discuss its application for construction site dewatering permits for the Kosciuszko Bridge Project. This meeting will provide information on the State Pollutant Discharge Elimination System (SPDES) permit application for temporary dewatering during construction of bridge foundations in Queens. It will also address any environmental justice concerns related to the project in compliance with CP-29, the New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29, Environmental Justice and Permitting. The public will have opportunities to comment on and raise questions concerning all aspects of the permitting process.

Specifically, the meeting will present information in support of the need for a temporary dewatering system for treatment and discharge of groundwater at four (4) proposed bridge footings adjacent to and within the Laurel Hill Site, an NYSDEC Class 2 Inactive Hazardous Waste Site in Queens. Groundwater beneath this area contains contaminants at levels that require treatment prior to discharge to Newtown Creek under a SPDES permit. Details on the on-site treatment system that is being proposed will be presented at the meeting.

Date: Thursday, January 31, 2013
Time: 6:30 p.m. - 8:30 p.m.
Location: New York State Department of Transportation
          Hunters Point Plaza
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          Long Island City, N.Y. 11101

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KOSCIUSZKO BRIDGE PROJECT
State Pollutant Discharge Elimination System (SPDES) Permit
for Construction Site Dewatering

PUBLIC MEETING
January 31, 2013

AGENDA

Introductory Remarks
Robert Adams, P.E., Project Manager
New York State Department of Transportation (NYSDOT)

Presentation: Kosciuszko Bridge Project SPDES Permit Application
Michael Abrahams, P.E., Project Manager
Parsons Brinckerhoff
Richard Hart
EPM, Inc.

Question and Answer Period

Written comments on the proposed SPDES permit should be mailed no later than March 8, 2013. All comments should be addressed to:

Steve A. Watts
New York State Department of Environmental Conservation - Region 2 Office
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
Kosciuszko Bridge Project  
Construction Site Dewatering Environmental Justice Meeting  
January 31, 2013  
Attendance List

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
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<tbody>
<tr>
<td>Michael Abrahams</td>
<td>Parsons Brinkerhoff</td>
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<tr>
<td>Robert Adams</td>
<td>New York State Department of Transportation</td>
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<tr>
<td>Vincent Arcuri</td>
<td>Queens Community Board #5</td>
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<tr>
<td>Ed Babor</td>
<td>Office of Congresswomen</td>
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<tr>
<td>Carolyn Maloney</td>
<td></td>
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<tr>
<td>Christopher Branco</td>
<td>Resident</td>
</tr>
<tr>
<td>Dennis Branco</td>
<td>Resident</td>
</tr>
<tr>
<td>Hervé Carrie</td>
<td>New York City Department of Design &amp; Construction</td>
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<tr>
<td>Antoine Cassagnol</td>
<td>New York City Department of Design &amp; Construction</td>
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<tr>
<td>Thomas Cogan</td>
<td>Queens Gazette</td>
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<tr>
<td>Conor</td>
<td>AU</td>
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<tr>
<td>John Crecco</td>
<td>Skanska</td>
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<tr>
<td>Lillian Cyran</td>
<td>Juniper Valley Civic Association</td>
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<tr>
<td>Darren Dowd</td>
<td>Trocom Construction</td>
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<tr>
<td>Jeanmarie Evelly</td>
<td>DNAinfo.com</td>
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<tr>
<td>Gul Faroodi</td>
<td>New York State Department of Transportation</td>
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<tr>
<td>Harold Fink</td>
<td></td>
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<tr>
<td>Stacey Gogos</td>
<td>Environmental Planning &amp; Management</td>
</tr>
<tr>
<td>Luis Gronda</td>
<td>Queens Tribune</td>
</tr>
<tr>
<td>Ian Hardouin</td>
<td>MTA Bridges &amp; Tunnels</td>
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<tr>
<td>Rick Hart</td>
<td>Environmental Planning &amp; Management</td>
</tr>
<tr>
<td>Laura Hofmann</td>
<td>Newtown Creek Alliance/Newtown Creek Monitoring Committee/</td>
</tr>
<tr>
<td>Mike Hofmann</td>
<td>Newtown Creek Monitoring Committee</td>
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<tr>
<td>Christine Holowacz</td>
<td>Newtown Creek Monitoring Committee/GWAPP</td>
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<tr>
<td>Vincent Krause</td>
<td>Skanska</td>
</tr>
<tr>
<td>Meena Kuriakose</td>
<td>New York State Department of Transportation</td>
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</tbody>
</table>
Jim Lau
New York State Department of Transportation

Matthew Lerch
Office of New York State Senator Michael Gianaris

Chief Little Fox
Matiinneck Nation

Evelyn Matechak
Resident

Catherine McNamara
United Forties Civic Association

William Mills
Resident

Angela Miraglia
New York State Department of Transportation

Frank Mondello
MTA New York City Transit

Loan Murray
New York City Department of Design & Construction

Joseph E. Nelson
Calvary Cemetery

Joseph H. Nelson
Calvary Cemetery

Helen Neuhaus
Helen Neuhaus & Associates

Frank Novielli
Resident

Anthony Nunziato
Maspeth Chamber of Commerce

Bruce Ogurek
New York State Department of Transportation

Deran Pursoo
TRC Solutions, Inc.

Rostislev Rar
Office of New York State Assemblyman Joseph Lentol

Courtney Renken
St. Nicks Alliance/OUTRAGE

Matt Riegel
Engineer

Ron Roman
Hardesty & Hanover

Sobner Saint Dic
New York City Department of Transportation

Greg Shah
Skanska

Robin Smith
Simple Math Engineering

Keith Thompson
Kiewit Infrastructure Co.

San Vargas
Office of New York State Assemblywoman Catherine Nolan

Lou Venech
Resident

Daniel Wan
Hardesty & Hanover

Mitch Waxman
Newtown Creek Alliance

Anita Wright
Helen Neuhaus & Associates
Kosciuszko Bridge Project

Construction Site Dewatering Environmental Justice Meeting

January 31, 2013

Purpose of Meeting

- Provide information on the State Pollutant Discharge Elimination System (SPDES) Permit Application for dewatering during construction of the Kosciuszko Bridge Project
- Provide Opportunity for Public Participation in the review process
- Address any Environmental Justice concerns related to project

Agenda

- Environmental Justice
- Project Overview
- Proposed Schedule
- Dewatering Locations
- Contaminants
- Treatment and Discharge
- Document Repositories
- Submission of Comments

Environmental Justice (EJ)

SPDES Permitting in compliance with New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy-29 (CP-29), Environmental Justice and Permitting
Environmental Justice (EJ)

Environmental Justice: fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. No group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from a project.

Environmental Justice (EJ)

- CP-29 provides guidance for incorporating environmental justice concerns into NYSDEC permit review and application of the State Environmental Quality Review Act
- Kosciuszko Bridge Project determined to have no adverse impacts on EJ populations:
  - Final Environmental Impact Statement (December 2008)
  - NYSDEC County Maps (2000 Census)

Environmental Justice (EJ)

To fully engage all potentially affected publics – SPDES outreach, notification and public participation expanded to stakeholders and constituencies in entire project area.

Project Overview
Proposed Scope
- Replace all segments of existing bridge by constructing new structure on EB (Queens-bound) side of bridge
- Maintain 6 lanes of BQE traffic throughout construction with no detours or diversion of traffic to local streets
- Construction sequencing defined by four (4) phases

Proposed Sequencing – Phase 1
Construct new EB Main Span & Approaches on eastbound side of existing bridge

Proposed Sequencing – Phase 2
Construct new Connectors and shift all traffic off existing bridge
Proposed Sequencing – Phase 3
Demolish existing bridge

Proposed Sequencing – Phase 4
Construct new WB Main Span & Approaches within footprint of existing bridge

Proposed Improvements
- Lower elevation – improved roadway grades & sight distances
- Standard lane & shoulder widths
- Auxiliary lanes in both directions – improved merging & weaving
- New bikeway/walkway

Proposed BQE Alignment - Brooklyn
Proposed Main Span

Proposed Schedule

- Governor Cuomo announced Kosciuszko Bridge Project will be included as part of New York Works Program
- Construction is scheduled to begin **Fall 2013** and be completed by 2020

Proposed Schedule

- NYSDOT combining Phases 1, 2 & 3 into a single Design-Build Contract to begin **Fall 2013**:
  - accelerate schedule
  - remove traffic from the existing bridge earlier
- Phase 4 to be let as separate future contract in **2017**
Dewatering is required at locations where excavation will extend below the ground water elevation.

**Dewatering Locations**

- New bridge footings in Queens near Newtown Creek
- Utility trench for new drainage system near Newtown Creek
Dewatering - Plan View

Dewatering - Elevation

Dewatering - Elevation View

Dewatering

- Cofferdams will be installed at locations where excavation below ground water is required.
- It is anticipated that tremie concrete or a base course will be used to seal the cofferdams and limit the volume of dewatering required.
Contamination

- No Significant Petroleum or Chemicals Identified
- Typical Conditions / Proven Treatment Technology
- Metals including Lead, Arsenic, Cadmium, Mercury, and Chromium
- Historic Industrial Activity
- Primary Contaminants Requiring Treatment
- PCE (Tetrachloroethene)
- Degreasing, Metal Cleaning, Dry Cleaning
- Low levels in one of four samples

Treatment and Discharge

Ground Water Sampling Results
Water Flow

Mobile trash pump
Mobile treatment system

Treatment System

SPDES Permit Application
- State Pollutant Discharge Elimination System (SPDES)
- Application Form NY-2C for Industrial Facility submitted to NYSDEC
  - Permittee and Facility Information
  - Water Flow and Treatment Diagrams and Impact Plan
  - Outfall Information
  - Sampling Information

Draft SPDES Permit
- Permit allows temporary discharge of up to 65,000 gallons per day of treated groundwater to Newtown Creek
- Permit defines Effluent Limits and Action Levels to ensure water quality standards of Newtown Creek are being met
- Action Levels = levels that if exceeded trigger additional monitoring and permit review
Sampling During Construction

- Samples and measurements will be taken to fulfill all monitoring requirements as required by the permit.
- A monthly sampling results report shall be submitted to the Regional Water Engineer in addition to an annual report.

Document Repositories

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<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Contact</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYSDOT - Region 11</td>
<td>Hunters Point Plaza</td>
<td>Robert Adams</td>
<td>(718) 482-4683</td>
</tr>
<tr>
<td></td>
<td>47-40 21st Street</td>
<td>Project Manager</td>
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<td>Gerald Esposito</td>
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Submission of Comments

All Comments must be submitted by March 8, 2013 to:

Steve A. Watts
NYSDEC – Region 2
47-40 21st Street
Long Island City, N.Y. 11101
r2dep@gw.dec.state.ny.us

Kosciuszko Bridge Project

Construction Site Dewatering Environmental Justice Meeting

New York State Department of Transportation
January 31, 2013
February 15, 2013

Steven A. Watts
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101-5407

RE: Comments
NYS DOT- KOSCIUSZKO BRIDGE

KOSCIUSZKO BRIDGE OVER NEWTOWN CREEK
BROOKLYN/LIC, NY
Application ID: 2-9902-00013

Dear Mr. Watts:

These comments are provided on behalf of the Newtown Creek Group (NCG) which consists of five companies, Phelps Dodge Refining Corporation, Texaco, Inc., BP Products North America Inc., The Brooklyn Union gas Company d/b/a National Grid NY, and ExxonMobil Oil Corporation. The NCG and the City of New York are under an Administrative Order on Consent (AOC) with the U.S. Environmental Protection Agency (EPA) to conduct a Remedial Investigation and Feasibility (RI/FS) in Newtown Creek. The New York State Department of Transportation (DOT) plans to replace the Kosciuszko Bridge (K-bridge) which spans a portion of the Newtown Creek Study Area, as defined in the AOC.

The NCG has reviewed the DOT application and has identified several components of the project that could have an impact on the conditions in Newtown Creek and the ongoing RI/FS in the Study Area. The NCG submits these comments and recommendations to the New York Department of Environmental Conservation (DEC) to consider in deciding on final approval of the application.

K-bridge Replacement Components with Potential Impacts

Certain components of the K-bridge replacement project will involve intrusive construction activities in and adjacent to Newtown Creek. These activities will occur during and after the ongoing RI/FS and have the potential to impact the current conditions within Newtown Creek.
These potential impacts arise primarily from the intrusive activities in and adjacent to the creek that can mobilize, and redistribute, near shore soil as well as surface and subsurface sediment that contains constituents of potential concern (COPCs). The project elements most likely to have these potential impacts on the RI/FS and exacerbate the potential for COPC migration involve:

1. Demolition of the existing main span, including the two steel towers that are currently supported by concrete foundation piers. These steel towers and concrete foundation piers are located at approximately creek mile 2.1 from the mouth of the East River at the edge of, and partially in, Newtown Creek.

2. Removal of the concrete foundation piers that currently support the main span to a depth of two feet below the mudline followed by contouring of the embankment and placement of rip-rap. These concrete foundations are located along the edge of the creek embankment and are exposed to creek surface waters.

3. Installation (and subsequent removal) of temporary platforms supported by 12-16 pilings per platform along both banks of Newtown Creek. Also, increased barge traffic to and from these platforms during the project that could lead to propeller scouring of the sediment bed.

4. Stormwater runoff during project construction and post construction due to the installation of additional stormwater discharges to Newtown Creek to accommodate drainage from the new main span and portions of the adjacent roadway.

The currently planned K-bridge replacement schedule of 2013 to 2017 will occur during the second phase of the RI/FS. In particular, subject to schedule modification, the Phase 2 RI field work will occur over a one year period, from March 2014 to February 2015. To properly characterize the nature and extent of environmental conditions within the study area certain investigative elements of the RI/FS are reproduced during the study to enable temporal comparisons of data sets. This type of investigative approach is important given the dynamic nature of the Newtown Creek Study Area.

The K-bridge replacement construction will include intrusive work that will have an impact on creek bed in the midst of the RI and complicate the characterization of the nature and extent of environmental impacts. Also, since sample collection from the study area will be underway during portions of the K-bridge construction, it is important that DOT and its selected contractor coordinate its in-creek activities with the RI/FS field work to ensure the safety of individuals working on the creek.
Monitoring & Mitigation Measures Recommendations

Newtown Creek has been subject to a number of environmental investigations leading up to its placement on the National Priority List (NPL) of Superfund sites. A number of environmental samples have been collected in the vicinity of the K-bridge. The sample results suggest the presence of, among other things, polycyclic aromatic hydrocarbons (PAHs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), metals and volatile organic compounds (VOCs (i.e., collectively “COPCs”) in sediment. In fact the concentrations of these COPCs in deeper sediment tend to be the same or at higher levels as compared to surface sediments. Therefore, the intrusive work that takes place adjacent to or in the creek has the potential to mobilize sediment containing COPCs from both surface and subsurface areas where the intrusive work occurs. Moreover, the alteration of the creek shoreline and bottom may affect future sediment (and COPC) transport, particularly from up creek locations, by changing the pattern of sediment deposition in the immediate proximity of existing foundation piers and temporary platforms.

To reduce or eliminate the potential for the K-bridge replacement project to impact the study area, the NCG requests that DEC require the following monitoring and/or mitigation measures during the project.

Main Span Demolition

The DOT plan includes provisions to conduct bathymetry surveys in the creek area beneath the current and future K-bridge. The surveys are intended to provide a “before” and “after” look at the creek bottom to assess whether materials fall into the creek during demolition and construction. Additionally, DOT plans to require that netting be installed beneath the K-bridge span to capture materials before they fall into the creek. These are prudent survey and engineering controls to mitigate potential impacts to the creek.

In addition to these surveys and engineering controls, the NCG recommends DOT or its contractor:

- develop and implement a surface sediment sampling program at the conclusion of the main span demolition and replacement. The samples should cover the portion of the Newtown Creek were activities related to the construction occur. Such sampling should include suitable north/south and east west transects within the area of where demolition, construction and other in water activity occur.
The surface sediment sampling will provide data to ascertain whether surface sediment conditions in Newtown Creek were altered as a result of main span demolition and replacement.

**Removal of Concrete Foundation Piers**

There are two concrete foundation piers supporting the current steel structure of the K-bridge. These concrete foundations are in the creek, located along the north and south embankments. According to the current DOT plans, these concrete foundation piers will be removed to “two feet below mudline”. At a November 2012 meeting with the DOT, the NCG learned that the plans would require sheet piling be installed around these concrete foundations prior to their removal.

The intrusive nature of removing these concrete foundation piers in close proximity to Newtown Creek area will result in a loss of soil and debris to the creek. Although the sheet piling will help limit the spread of any soil or debris loss, the activity will nonetheless alter this portion of the Newtown Creek Study Area. The NCG believes that it would be more protective to undertake the removal of these concrete foundation piers in as dry an environment as possible. Therefore, the NCG recommends DOT or its contractor:

- perform dewatering within either a cofferdam or sheet pile prior to removal;
- if sheet pile is used, ensure the enclosure is constructed of sealed sheets;
- remove any soil or debris that is released to the creek following foundation pier removal & bank restoration; and,
- develop and implement a surface sediment sampling program in the portion of the creek affected by the release of soil or debris following removal and bank restoration (may be included as part of the surface sediment sampling program mentioned above).

**Temporary Platforms**

The 40 percent design plan prepared by DOT provides for two temporary platforms to be installed in the creek to the east of the current K-bridge span. One temporary platform is planned for the north bank while the other will be positioned on the south bank of Newtown Creek. These temporary platforms are intended to serve as receiving and handling points for construction materials delivered by barge.

At the November 20, 2012 meeting, DOT indicated these temporary platforms will be installed at the start of the K-bridge replacement project and remain in place for its duration.
(estimated to be from 2013 through 2017). The platforms would require 12-16 pilings each driven to depths of 75 feet or more.

The NCG believes the installation of these temporary platforms will affect the portion of the Newtown Creek Study Area where they will be located. Additionally, the NCG believes the installation and removal of the pilings will suspend and mobilize surface and subsurface sediment. Since existing data has established the presence of COPCs in both surface and subsurface sediments in the location of these platforms, the disturbance caused by the installation and removal of the pilings and platforms is likely to release COPCs. Additionally, the duration of barge traffic that would deliver construction materials to these platforms will increase the potential for propeller scour in the area of the platforms. Therefore, the NCG recommends DOT or its contractor:

- use silt curtains during installation and removal of pilings;
- evaluate the potential for propeller scour based on the size of vessels anticipated for use in delivering construction materials;
- use scour protection during the project duration if the above evaluation confirms the potential for propeller scour;
- install secure fencing (or equivalent) to prevent trespassers from gaining easy access to the Newtown Creek Study Area via the platforms while they are in place;
- extend the planned “before” and “after” bathymetry survey to the area of the platforms to assess whether construction materials fell into the creek and potential changes to the sediment bed; and,
- develop and implement surface sediment sampling in the portion of the creek affected by the platform installation removal and use during the course of project.

**Stormwater**

At the November 2012 meeting, the DOT indicated that a stormwater permit was pending for the project. Also, the DOT application indicates that the project will include three new stormwater discharges to Newtown Creek. Two of the new stormwater discharges will convey runoff from the new K-bridge deck for treatment in Vortech chambers and subsequent discharge through two separate 36 inch diameter pipes to Newtown Creek. A third stormwater discharge would be placed on the north side of Newtown Creek and function to drain overland stormwater runoff from a designated area.
The NCG recommends DOT or its selected contractor ensure proper stormwater management during and after K-bridge replacement and supply more information related to the new stormwater discharges for consideration in the RI/FS. Those would include:

- robust stormwater runoff controls in the areas adjacent to the creek that will be used or affected by K-bridge construction activities;
- periodic sampling of stormwater discharges from areas used or affected by K-bridge construction activities during the course of the project;
- provide engineering calculations pertaining to the volume of stormwater discharge from the new bridge span and approach roadways; and,
- provide engineering calculations pertaining to the volume of overland flow captured by the new stormwater system installed on the north side of Newtown Creek, the environmental condition of that area and provision for treatment (e.g., installation of a Vortech chamber) on this stormwater line (if not already included).

The additional volume of fresh water and suspended solids input into Newtown Creek will need to be factored into the hydrodynamic and sediment transport model that is currently being developed as part of the RI/FS for the Study Area.

The Newtown Creek Study Area is a dynamic environment that is subject to ongoing potential change from natural systems (e.g., tidal exchanges) and man-made activities (e.g., marine traffic and runoff from storm events). These potential changes were known and taken into consideration at the onset of the RI/FS. However, the Newtown Creek Study Area will also be subject to a number of projects during and after the RI/FS that could alter the study area in a way that might influence the findings of the RI and/or options considered in the FS. The K-bridge replacement is one such project.
The NCG acknowledges the importance of the K-bridge and other projects planned for Newtown Creek but believes it will be important to consider the impact of these projects on this NPL Superfund Site, ongoing RI/FS and any management decisions EPA recommends based on the RI/FS. Therefore, the NCG requests the DEC to consider these comments on the K-bridge replacement project and include them within any final permit.

Sincerely,

[Signature]
Dennis M. Reznick
Common Counsel
On behalf of the Newtown Creek Group

cc: Caroline Kwan (USEPA)
Ian Beilby (NYSDEC)
Susan Amron, NYC Law Dept.
Tom Schadt, Anchor QEA
Newtown Creek Group
March 6, 2013

Stephen A. Watts III
Environmental Program Specialist II
Division of Environmental Permits, Region 2
NYS Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101-5407

Re: NYSDEC Permit # 2-9902-00013/00005,6,7,8
SPDES # NY-0276669
Facility: NYSDOT – Kosciuszko Bridge Replacement
Response to Newtown Creek Group Comments

Dear Mr. Watts:

The New York State Department of Transportation (NYSDOT) is in receipt of the New York State Department of Environmental Conservation’s (NYSDEC) letter dated February 21, 2013 forwarding comments received on the subject permit application from the Newtown Creek Group.

The NYSDOT has reviewed the comments submitted by the Newtown Creek Group in its letter dated February 15, 2013 and has no objection to include their suggested mitigation measures as an addendum to our permits, with plans that would incorporate these items of work. These plans will be finalized and submitted by March 14, 2013, for your notification into the final permit. The following are the aspects of their recommendations that we would like to include:

- Dewatering within the sheet pile enclosure during removal of the existing Main Span pier foundations;
- Utilization of sealed sheets for the sheet pile enclosure;
- Removal of any soil or debris that is released into the creek during foundation removal and shoreline restoration;
• Utilization of silt curtains during installation and removal of the temporary platform piles; and
• Performance of a side scan sonar survey of the creek within the construction limits before and after construction.

The following suggested monitoring and mitigation measures are addressed in the project’s Stormwater Pollution Prevention Plan (SWPPP) and SPDES General Permit:

• Utilization of stormwater runoff controls in the area adjacent to the creek;
• Installation of a security fence to prevent public access to the temporary platforms; and
• Performance of periodic sampling of the stormwater discharge during construction.

The letter recommends that the potential for propeller scour be evaluated and that scour protection be used if necessary. However, scour protection, such as the installation of riprap for the length of Newtown Creek, is not recommended. To address the Newtown Creek Group’s concern, NYSDOT will limit the potential of propeller scour by defining maximum allowable tugboat drafts based on the United States Army Corps of Engineers Bathymetric Survey of the creek. The project requirements will also establish maximum horsepower and operating speeds of tugboats in the creek. These requirements will be included in the project’s Request for Proposal (RFP), which defines the contract requirements.

The letter requests the development and implementation of a surface sediment sampling program at the conclusion of the Main Span demolition and replacement. NYSDOT requests guidance from NYSDEC in development of a sediment sampling program, including sampling requirements and reporting protocol to be included in the RFP contract requirements.

The letter also requests the engineering calculations for the volume of stormwater discharge from the new bridge. These calculations are now being reviewed by the New York City Department of Environmental Protection (NYCDEP) as part of the project’s permitting process, and once approved by NYCDEP, the calculations shall be made available.

The letter references the outfall that is part of the Parcel 1A cap plan that was prepared by Phelps Dodge, requesting that NYSDOT “provide engineering calculations pertaining to the volume of overland flow captured by the new stormwater system installed on the north side of Newtown Creek, the environmental condition of that area and provision for treatment (e.g., installation of a Vortech Chamber) on this stormwater line (if not already included).” Those calculations are already available to the Newtown Creek Group. This capping plan is presently being reviewed by NYSDEC and coordinated with Phelps Dodge; we will follow any further recommendations that are developed under that review process.
Please feel free to contact me at (718) 482-4639 or Robert Adams, NYSDOT Project Manager, at (718) 482-4694 or Robert.Adams@dot.ny.gov if you have any further questions or concerns regarding the Kosciuszko Bridge Project and the associated permits.

Sincerely,

Jim Lau
Design Supervisor
Landscape Architecture &
Environmental Unit
NYSDOT – Region 11

cc: Joseph T. Brown, Regional Director, NYSDOT
    Venetia Lannon, Regional Director, NYSDEC
    Harold Fink, Acting Director of Structures, NYSDOT
    Robert Adams, Project Manager, NYSDOT
    Meena Kuriakose, Structures, NYSDOT
    Lou Olivia, Regional Attorney, NYSDEC
    Paul John, DER, NYSDEC
    Jane O’Connell, DER, NYSDEC
    Bob Elburn, DOW, NYSDEC
    Selvin Southwell, DOW, NYSDEC
    Chan Chakrabarti, DOW, NYSDEC
    Susan Maresca, Marine, NYSDEC
    File
March 7, 2013

Via Overnight Delivery

Steven A. Watts
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101-5407

Re: NYS DOT-Kosciuszko Bridge Project
Joint Permit Application to NYSDEC and USACE
Application No. 2-9902-00013/00008

Dear Mr. Watts:

On behalf of Phelps Dodge Refining Corporation ("PDRC"), we respectfully submit the following comments concerning the above-referenced permit application. The New York State Department of Transportation ("NYSDOT") is applying for multiple permits from the New York State Department of Environmental Conservation ("NYSDEC") under the following regulatory programs: (1) Environmental Conservation Law ("ECL"), Article 17, Titles 7 and 8 (SPDES-Industrial Surface Discharge) and regulations found at 6 NYCRR Part 750-01; (2) ECL Article 15, Title 5 (Excavation and Fill in Navigable Waters) and regulations found at 6 NYCRR §608.5; (3) ECL Article 25 (Tidal Wetlands) and regulations found at 6 NYCRR Part 661; and (4) the Clean Water Act Section 401(Water Quality Certification) and regulations found at 6 NYCRR §608.9.

Importance of Review by NYSDEC

The Kosciuszko Bridge Project (the "Project") will be constructed, in part, on and/or over a State-listed inactive hazardous waste site known as the Laurel Hill Site, Site No. 241002 (the "Site"). The Site is governed by a May 3, 2004 Administrative Order on
Consent ("AOC") between NYSDEC, PDRC, and Sagres Partners LLC.¹ The AOC requires implementation of a January 31, 2003 NYSDEC Record of Decision (the "ROD"), which requires PDRC to, among other things, install and operate a groundwater collection and treatment system (the "GWTS") designed to prevent the flow of potentially contaminated groundwater originating from beneath or upgradient of the Site into Newtown Creek. The GWTS consists of a steel sheet pile barrier wall, extraction and monitoring wells, and a pump house wherein collected groundwater is treated and discharged.² The GWTS was installed and has been operating successfully since 2007.³ The ROD also requires the capping of the Site, in order to prevent further infiltration through contaminated soils to groundwater. Some portions of the Site have been capped.

As NYSDEC is aware, the ROD divided the Site into a series of "operable units" or "OU's", for purposes of identification, administration and enforcement. These OUs do not necessarily correspond with the existing tax lot configuration or ownership structure, and the various portions of the Site are commonly referred to by certain parcel identifiers (each, a "Parcel" and collectively, the "Parcels"). The Project is proposed to be constructed on and/or over Parcels 1A (Block 2529, Lot 1), 2 (Block 2520, Lot 50), 5 (Block 2519, Lots 1 and 100) and 9 (Block 2529, Lot 70).⁴

The Project involves heavy construction activities that will significantly affect the westernmost portions of the Site, including Parcels 1A, 2, 5, and 9. These Parcels contain significant portions of the GWTS and are uncapped. Further, new bridge support piers will be constructed on Parcels 2 and 5 and may be installed deep enough to protrude into the deep aquifer and provide a conduit for contaminated shallow groundwater to migrate into the deeper aquifer. Vibrations generated by pile driving and other operations could result in damage to the wooded bulkhead along the shoreline of the Site just east of the construction.

In addition, as more fully explained in February 15, 2013 comments submitted by Day Pitney LLP on behalf of the Newtown Creek Group, Newtown Creek was listed on the Superfund National Priorities List on September 29, 2010, see 75 Fed. Reg. 59983, and is now the subject of an ongoing Remedial Investigation and Feasibility Study ("RI/FS") under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 et seq. PDRC is a member of the Newtown Creek

¹PDRC is the original owner and operator of the Site and current owner of several portions of the Site, and Sagres is a successor owner of various portions of the Site.

²The treated water is discharged to the sanitary sewer as approved by the New York City Department of Environmental Protection.

³The groundwater collection system was damaged in Hurricane Sandy and has been inoperable since then. Repairs are underway and restoration is expected sometime in mid to late March 2013.

⁴These areas are identified in the ROD as Operable Units 1Aa and 2 (a/k/a Parcels 1A and 2, owned by PDRC), Operable Unit 1Ae (a/k/a Parcel 9, owned by Sagres and subsequently subdivided into Parcels 9A and 9) and Operable Unit 5 (a/k/a Parcel 5, owned by Newfound LLC).
Group, and incorporates the group’s comments by reference herein. These comments are intended to identify the potential impacts that the Project could have on Newtown Creek and the RI/FS, and propose measures that NYSDEC should require to manage those potential impacts.

The complex environmental conditions in and around the Site and in Newtown Creek require that NYSDEC’s permit review process, and the permit ultimately issued for the Project, incorporate sufficient conditions to (i) protect the GWTS and bulkhead; (ii) prevent any exacerbation of existing contamination or releases to wetlands or waterbodies, such as Newtown Creek, that NYSDEC’s regulatory programs are intended to protect; and (iii) require prompt corrective action from NYSDOT or its contractor should the project have any such impacts.

Because the United States Army Corps of Engineers (“USACE”) has indicated that it is likely to consider this omnibus permit application under its Nationwide Permit Program—focusing on Nationwide Permit No. 15, which essentially exempts bridge projects permitted by the United States Coast Guard—NYSDEC’s permit review is the principal environmental review for the Project. The Coast Guard permit process does not address environmental protection in any depth, nor will it contain conditions sufficient to protect the environment during the construction of the Project. Accordingly, NYSDEC’s permit process takes on particular importance and NYSDEC should ensure that all permit requirements are met and that appropriate conditions are included in the final permit.

**Regulatory Applicability**

NYSDEC has ample regulatory authority to require any permit conditions necessary to protect the environment as the Project goes forward. For example, NYSDEC is responsible for the “imposition of conditions” that will ensure compliance with water quality standards. See 6 NYCRR §§ 608.99a(5) and 750-1.3(f). Further, under NYSDEC’s Tidal Wetland Permit regulations, an applicant must demonstrate that proposed activities potentially impacting wetlands are protective of the public health and welfare. See 6 NYCRR § 661.9. In addition to its construction activities, NYSDOT has indicated its plans to off-load bridge construction components using platforms to be constructed in Newtown Creek and to construct a haul road on Parcel 1A to be used to move enormous support piers. These activities have the potential to impact wetlands and water bodies—either directly or by damage to existing remediation and other infrastructure located close to the shoreline—and should be considered as NYSDEC issues a permit for the Project.

NYSDOT has suggested that the NYSDEC Protection of Water Permit regulations which govern Docks and Mooring, 6 NYCRR §608.4, do not apply to the docking platforms to be built for the Project. Nothing in the text of the regulations, however, exempts the construction of these platforms in the Creek merely because the NYSDOT calls them “temporary.” These are not floating docks or small moorings, easily constructed and deconstructed. The platform adjacent to the Site will be 6400 square
feet and require sixteen 36-inch diameter steel piles. Therefore, NYSDEC should determine whether a permit under Section 608.4 is also required.

NYSDEC is required under its Protection of Water Permit Program to ensure that the activities discussed herein will "not endanger the health, safety or welfare of the public." See 6 NYCRR §608.8(b). Accordingly, at minimum, NYSDEC should require permit conditions to address any potential impacts of these activities.

**Specific Conditions to be Included in the Permits**

In light of the discussion above, PDRC believes that the following permit conditions should be required in connection with the Project:

1. Before beginning construction on the Project, NYSDOT or its contractor should:
   
   a. install steel bollards or Jersey barriers to protect the GWTS, including all monitoring wells and groundwater treatment system structures (e.g. wet wells, cleanouts, pumping chambers);
   
   b. design, construct and maintain an asphalt cap, including an approved surface water collection and drainage system, on the portions of the Site that are subject to NYSDOT easements related to the Project. (These areas will be subject to heavy construction activity that could cause releases unless these areas are capped before construction begins.) This cap shall meet the requirements of the ROD and the 100% cap design to be approved by NYSDEC for the Site, and shall be designed and constructed to withstand the loadings imposed during the bridge construction period;
   
   c. specify the maximum axle loads that may be imposed by its contractors during construction and ensure that these loads reflect an adequate safety margin below the design strength of the cap;
   
   d. install and maintain a temporary steel fence a sufficient distance inboard of the barrier wall alignment to prevent construction equipment from damaging the barrier wall and the groundwater collection system;
   
   e. if construction loading is anticipated to exceed the design loads, implement any supplemental protection measures necessary to protect the GWTS before allowing such loading to occur;
   
   f. field-verify the location of the GWTS; and
   
   g. abandon in-place and fill with concrete the existing 48" diameter concrete pipe within Parcels 1A and 9A so that it does not collapse during construction or become a conduit for contamination into Newtown Creek.

2. During the course of construction, NYSDOT or its Contractor should:

   a. maintain and protect all components of the GWTS from damage, including any existing monitoring wells located on the Site. In the event that any monitoring wells need to be relocated because they cannot be protected,
NYSDOT or its contractor shall abandon the existing wells in accordance with NYSDEC regulations and install new replacement wells at locations acceptable to NYSDEC and PDRC; and
b. perform, or coordinate with PDRC to perform, monitoring to determine if (i) contaminants have been drawn toward the Site during construction activities, (ii) NYSDOT activities have caused vertical migration of contaminants from the shallow aquifer into deeper groundwater flow zones, or (iii) damage has occurred to the GWTS or the wooden bulkhead. (This should also occur for a reasonable period of time after the completion of construction.) PDRC has attached a draft monitoring plan (Attachment A) setting forth the requirements needed to monitor the integrity of the GWTS and bulkhead, as well as the potential for exacerbation of contamination. PDRC requests that NYSDEC require implementation of such a monitoring program, a draft of which has been shared with NYSDOT, as a condition of the permit. If the monitoring program detects contaminant migration or damage to the GWTS or bulkhead, NYSDOT and its contractor should cease construction activities until the cause is identified and corrected.

3. In connection with the Project generally, NYSDOT or its contractor should:
   a. be the legal generator of all soil excavated from the Site or Newtown Creek that is disposed off-Site during the Project;
   b. not reuse any excavated soil on the Site unless approved under NYSDEC regulations;
   c. for the required capping activities, at a minimum, meet the HASP requirements presented in Appendix A of the Remedial Design – Site Specific Cap Parcels 1A, 1C and 2, submitted by PDRC to NYSDEC in October 2011;
   d. comply with any NYSDEC-approved site management plan (SMP) for the Site;
   e. ensure that all workers at the Site who potentially may be exposed to hazardous constituents have successfully completed a 40-hour HAZWOPER course and are enrolled in a medical monitoring program in accordance with 29 CFR 1910.120; and
   f. repair any damage to the GWTS and remediate any contamination at the Site, caused or exacerbated by the Project.

In addition, PDRC believes that the following conditions should be included in any permit for the Project to address the comments made by the Newtown Creek Group:

4. NYSDOT or its contractor shall dewater the areas where existing bridge piers will be removed next to Newtown Creek. This work should be performed under dry conditions to prevent any release of contaminated soils into Newtown Creek.
5. NYSDOT or its contractor should apply Best Management Practices (minimum double full length silt curtains) and monitoring during installation, operation and
removal of the temporary platform to prevent disturbance and spreading of contaminated sediments in Newtown Creek.

PDRC appreciates this opportunity to provide NYSDEC with comments on NYSDOT’s permit application. Please let me know if any further information would be helpful to NYSDEC as it considers this permit application.

Respectfully submitted,

E. Gail Suchman

E. Gail Suchman

Attachment
Attachment A

Draft Monitoring Plan
SCOPE OF WORK

MONITORING PROGRAM DURING NYSDOT CONSTRUCTION
LAUREL HILL SITE
MASPETH, NEW YORK

Introduction

This Scope of Work describes a monitoring program that can be used to detect any damage occurring to the barrier wall/groundwater collection system or the wooden bulkhead or detect any changes to the groundwater quality attributable to the NYSDOT bridge construction activities.

The Scope of Work includes installation of inclinometers and additional performance monitoring wells along the barrier wall in Area OU-1Aa, installation of a seismograph on the wooden bulkhead and additional groundwater monitoring wells in OU-2. The proposed locations of the inclinometers and additional performance monitoring wells are shown on Figure 1. Installation details for the wells, inclinometers and seismographs, the rationale for their installation and details of the proposed monitoring program are discussed in the following sections.

Inclinometers

Seven inclinometers are proposed to be installed along the barrier wall as shown on Figure 1. The inclinometers will detect any lateral ground movement that might potentially compromise the barrier wall structure during construction activities. The inclinometers will be placed on the down-gradient side of the barrier wall, as close as possible to the barrier wall. The groundwater collection trench and piping are located on the up-gradient side of the barrier wall, and therefore preclude installation of the inclinometers on the upgradient side of the wall. The bottom of the inclinometers will be set at depths below the bottom of the barrier wall, and where the ends of the inclinometers are not expected to move. Consequently, the inclinometers will be installed to a depth of approximately 35 feet below ground surface (bgs) in the silty sand unit. The bottom of the barrier wall in this area is approximately 27 feet bgs.

The proposed inclinometers will comprise a 2.75-inch outer-diameter (OD) machine-grooved PVC casing, installed such that one set of inclinometer grooves are aligned perpendicular (direction of potential movement) to the barrier wall. The inclinometer and casing details are shown on Figure 2. The well casing will be supported in the borehole at least every 5 feet and under couplings. The supports will be tied to the casing so that it does not float upwards when the cement-bentonite grout is poured. The joints will be wrapped with tape to ensure that grout does not enter the casing. The annular space between the boreholes and the PVC casing will be sealed using a cement-bentonite grout placed using a tremie pipe. Grout will be placed to
within 2 feet of the ground surface. The remainder of the borehole will be backfilled with concrete and a lockable protective casing will be placed over the riser stick-up. The grout will be allowed to set for 24 hours prior to using the inclinometer.

An inclinometer works on the principle that horizontal movement of the soil strata will cause a lateral tilt in the casing at the depth of movement. A wheeled inclinometer probe containing two force-balanced servo-accelerometers is lowered into the casing to measure the tilt of the casing at regular depth intervals (2-foot depth intervals in this case) starting from the bottom of the casing, with the wheels of the probe tracking the grooves in the PVC casing. One accelerometer measures tilt in the plane of the inclinometer wheels, and the other accelerometer measures tilt in the plane perpendicular to that of the wheels. The readings are taken with the probe traveling in the grooves perpendicular to the barrier wall. Two sets of readings are taken at each event with the probe rotated by 180° for the second reading, in order to eliminate instrument bias error, if any. The average of the two readings is then calculated to obtain the final set of readings at each depth interval for that event. The readings are recorded by a digital readout unit connected to the inclinometer probe through a control cable graduated at 2-foot intervals.

Once the inclinometer is installed and the grout is set, the inclinometer probe will be used to record the tilt at 2-foot intervals. These readings will represent baseline conditions. The tilt measurements of subsequent events will be compared to the baseline measurements to discern any lateral movements. The change in tilt, if any, at each depth interval is converted to a horizontal displacement. A plot of displacement versus depth can then be plotted, and then used to assess if there is any structural impact on the barrier wall at the location of the inclinometer.

Tilt measurements will be collected from the inclinometers during the whole time that the haul road is being used by construction traffic. During the first week of construction traffic, tilt measurements will be collected from all inclinometers on a daily basis; and thereafter, once a month.

**Additional Shallow Performance Monitoring Wells**

Four pairs of additional shallow performance monitoring wells will be installed along the barrier wall in Area OU-1Aa, as shown on Figure 1. One well of each pair will be installed on the up-gradient side of the barrier wall (“A” well), and the other well will be installed on the down-gradient side (“B” well). Each of the “A” wells will be located such that it is directly across from an inclinometer and the respective “B” well. This arrangement will allow correlation of any damaging impact on the barrier wall structure with any change in groundwater quality due to a breach in the wall.

Borehole and monitoring well details are illustrated in Figure 3. Boreholes for the monitoring wells will be advanced using air rotary drilling where necessary to drill through difficult fill
material, and continue with 4⅞-inch ID, 8-inch OD Hollow Stem Auger (HSA) techniques to the target depths. Continuous soil samples will be collected using split-spoons and be classified by the field representative. Boreholes for the “A” wells will be advanced to the depth of the granular material of the groundwater collection trench. Boreholes for the “B” wells will be advanced to approximately 14 feet bgs, in order to install wells with 10-foot screens that straddle the fluctuating water levels caused by tides in Newtown Creek.

Each well installation will be comprised of 2-inch diameter PVC (Schedule 40) riser pipe and a 2-inch diameter and 10-foot long PVC (Schedule 40) well screen. A sand pack will be placed around the well screen to approximately 2 feet above the top of the sand pack. A minimum 1-foot thick bentonite plug will be placed on top of the sand pack, followed by bentonite grout to within 2 feet of the ground surface. The remainder of the borehole will be backfilled with concrete and a lockable protective casing will be placed over the riser stick-up.

After waiting a minimum of 24 hours to allow the grout to set, each new well will be developed using pumping and surging methods to achieve a silt-free condition. Two complete rounds of groundwater samples will then be collected from all new monitoring wells and analyzed for metals and general chemistry, which will represent baseline conditions.

**Additional Deep Groundwater Monitoring Wells**

Two additional deep groundwater monitoring wells will be installed along the western side on that site; one in the southwest corner of OU2 and one in the northwest corner of OU1A. These wells will be monitored along with existing deep wells OW26D-03 and OW11D-03 to detect any changes in the deep groundwater chemistry that may result from the NYSDOT bridge construction activities.

The new deep monitoring wells will be constructed using the same methods used to install wells OW26D-03 and OW11D-03. Boreholes will be advanced using a rotosonic drill rig. A 6-inch diameter steel casing will be set into the confining layer separating the shallow groundwater flow zone from the deeper groundwater (estimated approximately 20 ft deep). The 6-inch steel casing will be allowed to set for 24 hrs before advancing a 4 inch diameter borehole through the 6-inch casing to an estimated depth of 50 ft. A 2 inch diameter PVC riser attached to a 5 ft slotted well screen will then be installed. A sand pack will be placed around the well screen to approximately 2 feet above the top of the sand pack. A minimum 1-foot thick bentonite plug will be placed on top of the sand pack, followed by bentonite grout to within 2 feet of the ground surface. The remainder of the borehole will be backfilled with concrete and a lockable protective casing will be placed over the riser stick-up.

After waiting a minimum of 24 hours to allow the grout to set, each new well will be developed using pumping and surging methods to achieve a silt-free condition. Two complete rounds of groundwater samples will then be collected from all new monitoring wells and analyzed for metals and general chemistry, which will represent baseline conditions.
Groundwater Monitoring

Groundwater samples will be collected from the following wells on a quarterly basis and be analyzed for TAL metals, chloride, sodium and conductivity. Selected monitoring wells should also be monitored for VOCs, SVOCs and TPH. (These contaminants may be drawn to the site by NYSDOT dewatering.)

- 8 new shallow performance monitoring wells
- PMW-1A
- PMW-1B
- 2 new deep monitoring wells
- OW26D-03
- OW11D-03

Sampling and analytical protocols will be as presented in the Operation, Maintenance, and Monitoring Plan Barrier Wall and Collection Trench/Treatment System, CRA, September 2007. The groundwater monitoring data will be compared to the baseline conditions to identify any changes in groundwater chemistry that may be attributable to the NYSDOT construction activities.

At the same time that samples are collected from the groundwater monitoring wells as described above, samples will be collected from wet wells WW-1, WW-2 and WW-3. These samples will also be analyzed for TAL metals, chloride, sodium and conductivity.

Vibration Monitoring at the Bulkhead

Vibrations generated by pile driving and other operations could result in damage to the woodeed bulkhead. Vibrations will be recorded at the bulkhead using one (1) triaxial seismograph Instantel brand, model MiniMate Plus or BlastMate III to monitor and collect data during the construction period. The seismograph used to record the vibrations during construction operations will be installed on the wooden bulkhead (bridge) as close as possible to the work. The unit will be bolted to the existing structure with a sand bag installed on top to serve as a weight to anchor it to the structure and minimize any risk of accidental triggering of the equipment, not representative of the construction activities.

The trigger level of the seismograph will be adjusted on the first day on site, to ensure that the vibrations generated by the work are collected and ambient vibrations are filtered.

The instrument is triggered every time there is a higher vibration than the set trigger level. The information stored for each event consists of a PPV (Peak Particle Velocity) in the vertical, transverse and radial directions (in/s), displacement (in) and acceleration (g) as well as the associated frequencies (Hz).
Seismographs will be checked on a regular basis by the PDRC representative. The bulkhead will be inspected at the same time for any evidence of shifting.

The purpose of this survey is to quantify the intensity of vibrations generated by the NYSDOT bridge work and to have statistical data should any shifting of the bulkhead occur.
March 28, 2013

Stephen A. Watts III  
Environmental Program Specialist II  
Division of Environmental Permits, Region 2  
NYS Department of Environmental Conservation  
47-40 21st Street  
Long Island City, NY 11101-5407

Re: NYSDEC Permit # 2-9902-00013/00005,6,7,8  
SPDES # NY-0276669  
Facility: NYSDOT – Kosciuszko Bridge Replacement  
Response to Phelps Dodge Refining Corporation Comments

Dear Mr. Watts:

The New York State Department of Transportation (NYSDOT) is in receipt of the New York State Department of Environmental Conservation’s (NYSDEC) letter dated March 11, 2013 forwarding comments received on the subject permit application from the Phelps Dodge Refining Corporation (PDRC).

The NYSDOT has reviewed the comments submitted by PDRC in its letter dated March 7, 2013 and notes that the mitigation measures suggested in comments 4 and 5 have been incorporated in the revised figures submitted on March 14, 2013 to NYSDEC as an addendum to the subject permit. These revised figures included notes requiring the following:

- Dewatering within the sheet pile enclosure during removal of the existing Main Span pier foundations;
- Utilization of sealed sheets for the sheet pile enclosure;
- Removal of any soil or debris that is released into the creek during foundation removal and shoreline restoration; and
- Utilization of silt curtains during installation and removal of the temporary platform piles.
It is noted that a temporary bridge is to be designed and constructed by the Design-Builder to avoid impacts to the existing steel sheet pile barrier wall. The temporary bridge will span over the existing barrier wall and be supported on piles on the land side and on the temporary dock on the creek side. The Joint Permit Application includes the impacts of the temporary dock and temporary bridge within the open water, Littoral Zone and tidal wetland adjacent area as shown in Figure 4a of the Joint Permit Application. The requirement to avoid impacts to the existing barrier wall will be addressed in the Capping Plans and project requirements of the Laurel Hill Site.

The NYSDOT has reviewed the comments included in items 1 through 3 of PDRC’s March 7, 2013 letter regarding mitigation of the Laurel Hill Site. It is NYSDOT’s understanding, based on multiple coordination meetings with NYSDEC, that the mitigation requirements associated with the Laurel Hill Site are governed by the 2004 Administrative Order of Consent between NYSDEC, PDRC and Sagres LLC and not by the subject permits. The NYSDOT will include the requirements listed in items 1 through 3 of the PDRC letter in the Capping Plans for the portion of the Laurel Hill Site subject to NYSDOT easement. The NYSDOT will submit the Capping Plans to NYSDEC for approval, and the approved plans and associated mitigation requirements will be included in the project’s Design-Build Contract.

The Draft Monitoring Plan attached to the March 7, 2013 letter proposes the addition of inclinometers, additional performance monitoring wells, a seismograph mounted on the timber bulkhead and additional groundwater monitoring wells to detect “any damage.” However, the plan does not propose a baseline, other than for the inclinometers, nor does the plan propose permissible limits. In order to establish a baseline and then tolerable limits, it is proposed that the monitoring systems be installed now by the NYSDOT so that baseline data can be obtained before construction begins on the site. An analysis will be conducted to establish vibration limits to minimize the possibility of impacting the timber bulkhead wall during construction. Once the data is collected and the analysis is complete, the NYSDOT will further coordinate with PDRC and NYSDEC to establish a monitoring and reporting protocol with acceptable limits to be included in the final Design-Build Contract.

In addition, the Design-Builder will be required to conduct additional sampling to ensure that the construction does not result in increased contamination within Newtown Creek. The NYSDOT has requested guidance from the USEPA and NYSDEC in development of this additional sampling plan.

Please feel free to contact me at (718) 482-4639 or Robert Adams, NYSDOT Project Manager, at (718) 482-4694 or Robert.Adams@dot.ny.gov if you have any further questions or concerns regarding the Kosciuszko Bridge Project and the associated permits.
Sincerely,

Jim Lau  
Design Supervisor  
Landscape Architecture & Environmental Unit  
NYSDOT – Region 11

cc: Joseph T. Brown, Regional Director, NYSDOT  
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APPENDIX C

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April 2013
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<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
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<th>Phone</th>
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<tbody>
<tr>
<td>Brian M. Flynn</td>
<td>74 Carleton Avenue, East Islip, NY 11730</td>
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<tr>
<td>Patrick Lydon</td>
<td>5 Chelsea Land, Middle Island, NY 11953-2680</td>
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<tr>
<td>Yu Reng Lin and Mei Reng Wu</td>
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<td>Judith Robinson</td>
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</tr>
<tr>
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</tr>
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<td>Robert Weiss</td>
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</tr>
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</table>

*denotes member of Stakeholders Advisory Committee

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<th>Name</th>
<th>Organization</th>
</tr>
</thead>
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</tr>
<tr>
<td>Mrs. Gilda Incantalupo</td>
<td>51st Avenue Block Association</td>
</tr>
<tr>
<td>George L. Perez</td>
<td>586A Morgan Avenue Tenants Association</td>
</tr>
<tr>
<td>Heywood Blaufeux</td>
<td>American Institute of Architects</td>
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<td>V. Gazarian</td>
<td>Armenian Center</td>
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<tr>
<td>Tom Suchs</td>
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<tr>
<td>Jerry Olt</td>
<td>Catholic War Veterans Post 870</td>
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<tr>
<td>Chloe Tribich</td>
<td>Center for Working Families</td>
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<tr>
<td>Joan M. Delar</td>
<td>Citizens of Maspeth &amp; Elmhurst Together</td>
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<tr>
<td>Rosemary Felle</td>
<td>Citizens of Maspeth &amp; Elmhurst Together</td>
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<td>Citizens of Maspeth &amp; Elmhurst Together</td>
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<tr>
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<td>Citizens of Maspeth &amp; Elmhurst Together</td>
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<tr>
<td>*Irene Klementowicz</td>
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<tr>
<td>*Theresa &amp; Guido Cianciotta</td>
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<td>A. Piecoro</td>
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<td>Louise Spoto</td>
<td>Concerned Citizens of Withers Street</td>
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<td>The Torre Family</td>
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<td>M. S. Stella</td>
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<td>Vincent Lomonte</td>
<td>Farmers Oval Civic Association</td>
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<td>Grand Old Party Republic Club</td>
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<td>Bob Singleton</td>
<td>Greater Astoria Historical Society</td>
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<td>Juniper Park Civic Association</td>
</tr>
<tr>
<td>Robert Holden</td>
<td>Juniper Park Civic Association</td>
</tr>
</tbody>
</table>

*denotes member of Stakeholders Advisory Committee

April 2013
Joanne Billharz  
Kiwanis Club of Sunnyside

Ted Gruber  
Long Island City Community Boathouse

Gertrude McDonald  
Long Island City/Sunnyside Civic Association

Ann Griffin  
Maspeth Plateau Civic Association

Eileen Reilly  
Maspeth Town Hall Community Center

Noemi and Steven Tiniski  
Meeker Avenue/Apollo Street Association

*Mary Gottlieb  
Meeker Avenue/Apollo Street Block Association

Marie Leanza  
Metropolitan Houses

Roland Lewis  
Metropolitan Waterfront Alliance

Cortney Worrall  
Metropolitan Waterfront Alliance

Maryann Arlia  
Morgan Avenue Block Association

Eric Goldstein  
Natural Resources Defense Council

Ryan Kuonen  
Neighbors Allied for Good Growth (NAG)

Rebecca Weber  
New York Public Interest Research Group

*Mitch Waxman  
Newtown Creek Alliance

Christine Hinkelday  
Newtown Creek Monitoring Committee

*Christine Holowacz  
Newtown Creek Monitoring Committee

Christina Wilkinson  
Newtown Historical Society

Rita Layden  
Noble Street Block Association

Dan Hendrick  
NY League of Conservation Voters

*Edmund Michaleski  
Oak Street Block Association

Ray Kairys  
OUTRAGE

*Joe Reemmer  
OUTRAGE

St. Nicks Alliance

*Courtney Renken  
OUTRAGE

St. Nicks Alliance

Kelly Shields  
Park Moms

Ed McGowan  
People's Civic Association of Maspeth

Mayo Boardman  
Phipps Gardens Tenants Association

Beata Duchnowska  
Polish & Slavic Center

Zygmunt Perkowski  
Polish & Slavic Center

Christine McMullan  
Polish National Alliance of Brooklyn

Antoni Chroscielewski  
Polish National Home

Eva Kornazka  
Polish Organization to Minister to the Community

Richard Barone  
Regional Plan Association

Andrew Turco  
Regional Plan Association

April 2013
Robert D. Yaro
Regional Plan Association

Paul Gallay
Riverkeeper

Phil Musegaas
Riverkeeper

Mildred Leogrande
RMNH Block Association

Walter Steffen
RNHY Block Association

Lew Story
Roosevelt Court Tenants Association

Joe Slattery
Save Our Streets

Walter Buchelli
Seigel Court Block Association

Lucy Plaza
Seigel Court Block Association

Ken Baer
Sierra Club – New York City Group

Donald Steinmaker
Sons of Union Veterans

Michael F. Rochford
St. Nicholas Neighborhood Preservation Corporation

Zully Rolan
St. Nicholas Neighborhood Preservation Corporation

*Rolando Guzman
St. Nicks Alliance

*Jose Leon
St. Nicks Alliance

Courtney Renken
St Nicks Alliance/OUTRAGE

Richard Gualtieri
Staten Island Future

T. Lana
Sunnyside Drum Corps

Dorothy Morehead
Sunnyside Foundation for Community Planning and Preservation

B. Murphy
Tenants of Parc Plaza Association

Don Riepe
The American Littoral Society

Janice Lauletta-Weinmann
The Greenpoint Monitor Museum Committee

Magdalena Mazurek-Nuovo
The Kosciuszko Foundation

Alex Storoynski
The Kosciuszko Foundation

Noah Budnick
Transportation Alternatives

Jessame Hannus
Transportation Alternatives - Queens Volunteer Committee

*Vincent E. Pellecchia
Tri-State Transportation Campaign

Veronica Vanterpool
Tri-State Transportation Campaign

*Maria Dayre
United Forties Civic Association

Cathy Keeshan
United Forties Civic Association

*Don McCallian
United Forties Civic Association

*Catherine McNamara
United Forties Civic Association

Dorothy Neary
United Forties Civic Association

Vanessa Branco
United Forties Civic Association Inc.

April 2013
Agnes Hentschel
United Forties Civic Association Inc.

Walter Iwachiw
United Forties Civic Association Inc.

J & A Surad
United Republicans of Western Queens

VFW Post 2348

Ray Beiersdorfer
West Maspeth Civic Association

West Queens Independent Democratic Club
Community Boards – Brooklyn

Thomas Burrows
Public Safety Chair
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

*Philip Caponegro
Chairperson, Parks & Waterfront Committee
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

*Gerald A. Esposito
District Manager
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

Ryan Kuonen
Environmental Protection Chair
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

*Karen Nieves
Transportation Chair
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

*Christopher Olechowski
Chairperson
Brooklyn Community Board #1
435 Graham Avenue
Brooklyn, NY 11211-2429

*denotes member of Stakeholders Advisory Committee

April 2013
Community Boards – Queens

Bernard Haber, P.E.
Chairperson
Queens County Traffic Safety Board
c/o Community Board #11
46-21 Little Neck Parkway
Little Neck, NY 11362

*Joseph Conley
Chairperson
Queens Community Board #2
43-22 50th Street
Woodside, NY 11377

*Debra Markell-Kleinert
District Manager
Queens Community Board #2
43-22 50th Street
Woodside, NY 11377

Dorothy Morehead
Chairperson
Environmental Committee
Queens Community Board #2
43-22 50th Street
Woodside, NY 11377

Patrick O'Brien
Chairperson
City Services Committee
Queens Community Board #2
48-45 38th Street
Long Island City, NY 11101

*Vincent Arcuri
Chairperson
Queens Community Board #5
61-23 Myrtle Avenue
Glendale, NY 11385

*Gary Giordano
District Manager
Queens Community Board #5
61-23 Myrtle Avenue
Glendale, NY 11385

Donald Passantino
Queens Community Board #5
Transportation Committee
82-24 58th Avenue
Middle Village, NY 11379-5323

*denotes member of Stakeholders Advisory Committee

April 2013
Elected Officials

The Honorable Joseph Addabbo, Jr.  
New York State Senate  
159-53 102nd Street  
Howard Beach, NY 11414

Ed Babor  
Office of Congresswoman Carolyn Maloney  
21-77 31st Street, Suite 100  
Astoria, NY 11105

The Honorable Michael R. Bloomberg  
Mayor of the City of New York  
City Hall  
New York, NY 10007

Reginald Caphart  
Office of Brooklyn Borough President Marty Markowitz  
Brooklyn Borough Hall  
209 Joralemon Street  
Brooklyn, NY 11201

*The Honorable Elizabeth Crowley  
New York City Council  
78-25 Metropolitan Avenue  
Middle Village, NY 11379

*The Honorable Joseph Crowley  
United States Congress  
74-09 37th Avenue, Suite 306B  
Jackson Heights, NY 11372-6303

The Honorable Andrew M. Cuomo  
Governor of the State of New York  
State Capitol Albany  
Albany, NY 12224

*Luke De Palma  
Office of Brooklyn Borough President Marty Markowitz  
Brooklyn Borough Hall  
209 Joralemon Street  
Brooklyn, NY 11201

Dennis Deahn  
Office of U.S. Congressman Joseph Crowley  
74-09 37th Avenue, Suite 306B  
Jackson Heights, NY 11372-6303

The Honorable Daniel Dromm  
New York City Council  
37-32 75th Street, 1st Floor  
Jackson Heights, NY 11372

*denotes member of Stakeholders Advisory Committee

April 2013
April 2013
Individuals

Vincent Abate
Ahmad Ahed
William F. Alex
Louis Anolfo
Joan A. Armstrong
Dorothy Augustine
Anna Bajadek
Leonel Batista
Catherine Bauer
John Beckmann
Charlotte Beetz
John J. Behnken
Helen & Thomas Bentrewicz
Karen Berenger
Luis Bermudez
Jairo Bernal
Mr. & Mrs. John A. Blakitis
J. Blickhahn
Marcy Boyle
Fran & Tina Brancato
Christopher Branco
Dennis Branco
Tony Branco
Arthur Brigis
Laleta Bruneco
Jennie Bulger
Lisa Byrus
Maria Calle
Rolf Carle
Jeffrey & Julie Ann Carter
Manuel Caruana
Frank Casalino
Wladyslaw Chaber
Virginia Charles
Michele Chesnicka
Jack Chiang
George Cogliano
Dorothy & John Colasanti
Louis Como
Joe Conley
Beau Conlon
Conor
Leonard Cotugno
Kevin Coyne
Emilia Crotty
Andrew Cunningham
M. Dadiego
Betty Dantzler
Mr. & Mrs. Michael Deignan
David del Rosario
Lourdes Delgado
Fred & Joan DeLuca
Elizabeth Denn
Mary DeStefano
Noreen Devine
Jackie Devlin
George Diacumakos
Mr. & Mrs. Jorge Diaz
Bill Dobranski
Colleen Dockery
E. Dusa
Cecilia Dzirko
Theresa Dzirko
A. Esposito
Alfred Esposito
R. Esposito
Rosa Estevez
John Falco
John P. Farkas
Clifford Fee
Omar Fermin
Marie Ferzola
A. Filosa
Thomas & Eileen Flynn
Margaret Formato
Lu Ann Fortunato
John Foti
Carl Fox
Chief Little Fox
Eleanor & Edward Fox
R. J. Gaba
Ruth Gates
Gerard M. Gaynor
Lori Ann George
Elizabeth Gifford
Bruno Gilewski
James Glynn
M. Grulon
Andrzej Gruszka
Gloria Gumero
Maria Guzman
Marie Hampl
Michael Heimbinder
Agnes Hentichel
Barbara Hertel
Barbara Howe Bulger
Duncan Imrie
Erika Jakubassa
Andrzej Januszewski
Teddy Jawde
Al Jordan
Gerard Kacynski
Martin Kaiser
Jaroslav Kaminski
Edward Kampermann
Eamon Kiernan
Stanislaw Kolinowski
Phil Konigsberg
Thomas Krupski
Tadeusz Kurdziel
Patrick and Nora Laffey
Annette LaMatto
Mary B. Leahy
Greg Lemko
David Lenko
Tadeusz Lesniewski
Gary Lettya
L. Letzkus
JoAnn & Anne Lilly
Anthony Lombardo
Vincent Lomonte
John Lydon
John A. Maier
Carmela Mannetta
Audrey March
Evelyn Matechak

April 2013
April 2013
Libraries

Nath Hill
Branch Librarian
Brooklyn Public Library - Greenpoint Branch
107 Norman Avenue
Brooklyn, NY 11222

Shelly Paus
Branch Librarian
Brooklyn Public Library - Leonard Branch
81 Devoe Street
Brooklyn, NY 11211

Usha Pinto
Community Library Manager
Queens Borough Public Library - Maspeth Branch
69-70 Grand Avenue
Maspeth, NY 11378

Anne Bagnall
Community Library Manager
Queens Borough Public Library - Sunnyside Branch
43-06 Greenpoint Avenue
Long Island City, NY 11104

Thomas Galante
Chief Executive Officer
Queens Library
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Jamaica, NY 11432
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Esther D’Amico
Editor
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Lake Success, NY 11042

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Environmental Planning & Management, Inc.
1983 Marcus Avenue, Suite 109
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New York, NY 10036

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New York, NY 10036

Ron Roman
Hardesty & Hanover
1501 Broadway
New York, NY 10036

Daniel Wan
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New York, NY 10036

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Helen Neuhaus & Associates
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New York, NY 10016

Anita Wright
Helen Neuhaus & Associates
460 Park Avenue South, 2nd Floor
New York, NY 10016

Joe Malinowski
MJ Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

*denotes member of Stakeholders Advisory Committee

April 2013
Religious Organizations

Church of the Ascension
127 Kent Street
Brooklyn, NY  11222

Adam Perlmutter
Congregation Ahavath Israel of Greenpoint Synagogue
108 Noble Street
Brooklyn, NY  11222

Rev. Robert Czok
St. Anthony/St. Alphonsus
862 Manhattan Avenue
Brooklyn, NY  11222

Rev. Kenneth Grande
St. Cecilia's Roman Catholic Church
84 Herbert Street
Brooklyn, NY  11222

Rosalie Washack
St. Cecilia's Roman Catholic Church
84 Herbert Street
Brooklyn, NY  11222

Rev. Marek Sobczak
St. Stanislaus Kostka Roman Catholic Church
607 Humboldt Street
Brooklyn, NY  11222
**Schools**

Gary Fredericksen  
Martin Luther High School  
60-02 Maspeth Avenue  
P. O. Box 780017  
Maspeth, NY  11378

Marnie McGregor  
Pratt Institute Center for Community and Environmental Development  
379 DeKalb Avenue  
Brooklyn, NY  11205

Karen McKeon  
Coordinator of College and Community Events  
Office of College and Community Relations  
LaGuardia Community College  
The City University of New York  
31-10 Thomson Avenue, Room E-511  
Long Island City, NY  11101

Munir Siddique  
DeVry, New York  
30-30 Thomson Avenue  
Long Island City, NY  11101

Ellen Thorson  
Senior Research Fellow  
University Transportation Research Center  
The City College of New York  
138th Street and Convent Avenue  
New York, NY  10031

P.S. 78 Robert F. Wagner, Jr. School  
48-09 Center Boulevard  
Long Island City, NY  11101

P.S. 111 Jacob Blackwell School  
37-15 13th Street  
Long Island City, NY  11101

April 2013
Stakeholders Advisory Committee

Christopher McBride
American Automobile Association
The Honorable Diana Reyna
New York City Council

Mike & Laura Hoffman
Barge Park Pals
The Honorable James Van Bramer
New York City Council

The Honorable Marty Markowitz
Brooklyn Borough President
Michelle Tulino
New York City Department of Small Business Services

Gerald Esposito
Brooklyn Community Board #1
Sobner S. Saint Dic
New York City Department of Transportation

Christopher Olechowski
Brooklyn Community Board #1
The Honorable Joseph Lentol
New York State Assembly

Irene Klementowicz
Concerned Citizens of Greenpoint
The Honorable Vito Lopez
New York State Assembly

Karen Nieves
East Williamsburg Valley Industrial Development Corporation
The Honorable Margaret Markey
New York State Assembly

Dean Majzoub
Federal Highway Administration
The Honorable Catherine Nolan
New York State Assembly

Christine Holowacz
Greenpoint Waterfront Association for Parks and Planning/Newtown Creek Monitoring Committee
Robert Adams
New York State Department of Transportation

Adam Gold
Karp Associates, Inc.
The Honorable Joseph Addabbo, Jr.
New York State Senate

George Kosser
Karp Associates, Inc.
The Honorable Michael Gianaris
New York State Senate

Gayle Baron
Long Island City Partnership
The Honorable Martin Malave Dilan
New York State Senate

Anthony Nunziato
Maspeth Chamber of Commerce
The Honorable Daniel Squadron
New York State Senate

Mary Gottlieb
Meeker Avenue/Apollo Street Block Association
Mitch Waxman
Newtown Creek Alliance

The Honorable Karen Koslowitz
New York City Council
Edmund Michaleski
Oak Street Block Association

The Honorable Stephen Levin
New York City Council

April 2013
Theresa Cianciotta  
Office of Assemblyman Joseph Lentol/Concerned Citizens of Withers Street

Slava Rar  
Office of Assemblyman Joseph Lentol

San Vargas  
Office of Assemblywoman Catherine Nolan

Welland Fuller  
Office of Assemblywoman Margaret Markey

Carolina Gil  
Office of Assemblywoman Margaret Markey

Luke DePalma  
Office of Borough President Marty Markowitz

Evelyn Cruz  
Office of Congresswoman Nydia Velazquez

Matt Wallace  
Office of Councilman James Van Bramer

Malcolm Sanborn-Hum  
Office of Councilwoman Diana Reyna

Joe Reemmer  
OUTRAGE

The Honorable Helen Marshall  
Queens Borough President

Jean Tanler  
Queens Business Outreach Center

Bernard Callegari  
Queens Community Board #2

Joseph Conley  
Queens Community Board #2

Debra Markell-Kleinert  
Queens Community Board #2

Vincent Arcuri  
Queens Community Board #5

Gary Giordano  
Queens Community Board #5

Rolando Guzman  
St. Nicks Alliance

Jose Leon  
St. Nicks Alliance

Courtney Renken  
St. Nicks Alliance

Martha L. Holstein  
Strategic Urban Solutions, Inc.

Vincent E. Pellecchia  
Tri-State Transportation Campaign

Maria Dayre  
United Forties Civic Association

Donald M. McCallian  
United Forties Civic Association

Catherine McNamara  
United Forties Civic Association

The Honorable Nydia Velazquez  
United States Congress

April 2013
APPENDIX D

NOTICE OF COMPLETE APPLICATION
New York State Department of Environmental Conservation
Notice of Complete Application

Date: 01/23/2013

Applicant: NYS DEPT OF TRANSPORTATION
50 WOLF RD - POD 5-2
ALBANY, NY 12232

Facility: NYS DOT- KOSCIUSZKO BRIDGE
KOSCIUSZKO BRIDGE OVER NEWTOWN CREEK
BROOKLYN/LIC, NY

Application ID: 2-9902-00013/00008

Permits(s) Applied for:
1 - Article 17 Titles 7 & 8 Industrial SPDES - Surface Discharge
1 - Article 15 Title 5 Excavation & Fill in Navigable Waters
1 - Section 401 - Clean Water Act Water Quality Certification
1 - Article 25 Tidal Wetlands

Project is located: in SEVERAL COUNTIES in THIS REGION

Project Description:
The Department has made a tentative determination to approve this application for a new permit for a proposed temporary discharge of up to 65,000 gallons per day of treated groundwater into Newtown Creek (Class SD) from a treatment system at the applicant's construction site located in Brooklyn and Queens where the applicant is replacing the Kosciuszko Bridge. Construction dewatering is required to facilitate construction of bridge piers and stormwater collection infrastructure. Three outfalls and two temporary construction platforms will also be constructed.

Availability of Application Documents:
Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

This project is subject to the Department's Environmental Justice Policy and an enhanced public participation plan has been prepared and accepted as a component of application completeness. As part of the plan, a document repository has been established near the project area that contains application and project related materials. Information on the repository location and other outreach components of the plan is available from the identified DEC contact.

State Environmental Quality Review (SEQR) Determination

A final environmental impact statement has been prepared on this project and is on file.

SEQR Lead Agency  NYS Dept of Transportation
State Historic Preservation Act (SHPA) Determination

Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

Coastal Management

This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

The proposed action is subject to CP-29. An enhanced public participation plan was submitted by the applicant and has become part of the complete application.

Availability For Public Comment

| Comments on this project must be submitted in writing to the Contact Person |
| Person no later than 03/08/2013 or 30 days after the publication date of this notice, whichever is later. |

Contact Person: STEVE A WATTS  NYSDEC  47-40 21ST ST  LONG ISLAND CITY, NY 11101-5407  (718) 482-4997

CC List for Complete Notice

SPDES Mailing List
APPENDIX E

PROOF OF PUBLICATION & AFFIDAVIT OF PUBLICATION
Notice of Complete Application
Proof of Publication & Affidavit of Publication

STATE OF NEW YORK
COUNTY OF NEW YORK

New York State Department of Environmental Conservation
Notice of Complete Application

Date: 01/23/2013

Applicant: NYS DEPT OF TRANSPORTATION
50 WOLF RD - PO BOX 5-2
ALBANY, NY 12232

Facility: NYS DOT - KOSCIUSZKO BRIDGE
KOSCIUSZKO BRIDGE OVER NEWTOWN CREEK
BROOKLYN/LIC, NY

Application ID: 2982-00011/00008

Permits/Applications:
1. Article 17 Title 7 & 8 Industrial SPODES - Surface Discharge
2. Article 15 Title 5 Excavation & Fill in Navigable Waters
3. Section 401 - Clean Water Act Water Quality Certification
4. Article 25 Tidal Wetlands

Project is located: IN SEVERAL COUNTIES IN THIS REGION

Project Description:
The Department has made a tentative determination to approve this application for a new permit for a proposed temporary discharge of up to 65,000 gallons per day of treated groundwater into Newtown Creek (Class SI) from a treatment system at the applicant's construction site located in Brooklyn and Queens where the applicant is replacing the Kosciusko Bridge. Construction dewatering is required to facilitate construction of bridge piers and stormwater collection infrastructure. Three outfalls and two temporary construction platforms will also be constructed.

Availability of Application Documents:
Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

This project is subject to the Department's Environmental Justice Policy and an enhanced public participation plan has been prepared and accepted by the department. As part of the plan, a document repository has been established near the project area that contains application and project-related materials. Information on the repository location and other outreach components of the plan is available from the DEC contact.

State Environmental Quality Review (SEQR) Determination:
A final environmental impact statement has been prepared on this project and is on file.

SEQR Lead Agency: NYS Dept of Transportation

State Historic Preservation Act (SHPA) Determination:
Cultural resource lists and maps have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review is in accordance with SHPA.

Coastal Management:
This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.

DEC Commissioner Policy CP-25, Environmental Justice and Permitting (CP-25):
The proposed action is subject to CP-25. An enhanced public participation plan was submitted by the applicant and has become part of the complete application.

Availability For Public Comment:
Comments on this project must be submitted in writing to the Contact Person no later than 03/18/2013 or 30 days after the publication date of this notice, whichever is later.

Contact Person: STEVE A WATTS
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
(718) 482-4977

Juanita Boyle, being duly sworn, says that he/she is a principal clerk and a duly authorized designee of Daily News, L.P., publisher of the ‘DAILY NEWS,’ a daily and Sunday newspaper published in the City of New York and that the notice, of which the annexed is a copy, was published in said newspaper and online within the section of:

Legal/Public/Notices of the

February 4, 2013

(Representative’s signature)
Authorized Designee of Daily News, L.P., Publisher of the Daily News

Sworn to before me this 12th day of February, 2013

Public Notary

BARRA E. TORRES
Notary Public, State of New York
No. 017106219589
Qualified in New York County
Commission Expires March 25, 2015