

**COMBINED NOTICE OF COMPLETE APPLICATION AND
NOTICE OF ACCEPTANCE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT (DRAFT EIS),
PUBLIC HEARING AND PUBLIC COMMENT PERIOD**

APPLICANT

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

Application Numbers:

DEC # 3-3922-00221/00001 - Part 601 Water Supply
DEC# 3-3922-00221/00002 - Part 608 Protection of Water
DEC # 3-3922-00221/00003 - Section 401 Water Quality Certification
DEC # 3-3922- 00221/00004 - Part 750 State Pollutant Discharge Elimination System

PROJECT DESCRIPTION AND LOCATION

Description:

The Applicant's services and rates to customers are regulated by the New York State Public Service Commission. An Order issued by the Public Service Commission on December 14, 2006, and an Order issued by the Public Service Commission on July 20, 2010 that continued the obligations of the previous Order, require the Applicant to increase the average water supply for Rockland County by a total of 1.5 MGD, and to increase the peak supply by a total of 7.1 MGD by the end of 2015. The Orders also require that United Water New York Inc. (United Water) build and operate a long-term major water supply project that will provide additional water to meet the needs of Rockland County beyond 2015. The proposed project, the Haverstraw Water Supply Project, is Applicant's proposed alternative to meeting the requirements of the 2006 and 2010 Orders to build and operate a long-term water supply project.

The proposed project will withdraw a maximum of 10 million gallons per day (MGD) of water from the Hudson River for the purpose of providing a maximum of 7.5 MGD of potable water to the United Water water supply distribution system serving Rockland County. The project will be developed in three phases, based on growth in water demand in Rockland County, with each phase capable of producing 2.5 MGD. The first phase would be operational at the end of 2015 in accordance with the 2006 and 2010 Orders.

Location:

The project, consisting of the three primary components, will be located in the Town of Haverstraw, Rockland County. The water intake structure will be located in Haverstraw Bay on the Hudson River. The intake structure will be submerged underwater and located adjacent to U.S. Gypsum's dock and conveyor structure. The Applicant originally proposed that the intake structure would be located approximately 1200 - 1500 feet into the Hudson River, east of the pumping station located off of Beach Road. After further review, the Applicant has proposed an alternate intake location which is approximately 900 feet into the Hudson River and lies adjacent to U.S. Gypsum's dock and conveyor structure. This location, which is within

a previously disturbed area of Haverstraw Bay, is the Applicant's proposed location for the intake structure.

The onshore pump station will be located off of Beach Road on property currently owned by U.S. Gypsum. The water treatment plant will be located adjacent to the now-closed Haverstraw landfill and the Haverstraw Joint Regional Sewage Treatment Plant.

INTAKE STRUCTURE AND RAW WATER INTAKE SYSTEM

The water will be withdrawn from the Hudson River through an intake structure located in Haverstraw Bay. The intake structure will consist of five wedgewire screens with a slot width of 0.5 mm with an approach velocity of 0.25 feet per second and a through-slot velocity of 0.50 feet per second or less. The intake structure would be supported by a concrete base installed below the river bottom, with piles that will be placed into bedrock approximately 180 to 200 feet below the river bottom. The construction of the intake structure will require the placement of steel sheeting into the river bottom to serve as a cofferdam in order to create a dry work zone, approximately 2,500 square feet in size, for installation of the intake structure and piping. Silt/turbidity curtains will be used to control sediments during in water construction.

An approximately 900-foot-long intake tunnel for the raw water intake piping will be installed under the bed of the Hudson River via micro boring technique between the intake structure and onshore intake pumping station.

The installation of the intake structure and tunnel will require excavation of sediment from the Hudson River.

PUMPING STATION AND WATER TREATMENT PLANT

A 3,000-square-foot onshore intake pumping station and raw water transmission main will be constructed to pump the water withdrawn from the Hudson River to the water treatment plant. The water treatment plant will consist of an integrated series of interconnected buildings to accommodate the equipment necessary for a multi-step water treatment process. The water treatment facilities will include pretreatment for solids removal, filtration, reverse osmosis, and finished water storage. From the water treatment plant, new water main connections would allow distribution of the finished water to United Water's water system.

The installation of the water intake line from the pumping station to the water treatment plant will require the disturbance of less than 0.10 acres of federal wetlands. In addition, the construction of the water treatment plant will require the disturbance of 1.8 acres of areas that may be determined to be federal wetlands.

DISCHARGES FROM THE WATER TREATMENT PROCESS

The residual liquid wastes from the filtration, reverse osmosis, and filter press processes will be neutralized to meet industrial pretreatment permit requirements and ultimately discharged to the headworks of the Haverstraw Joint Regional Sewage Treatment Plant for treatment as part of the waste stream treated at the Plant. After treatment, wastewater would be discharged to the Hudson River pursuant to the Haverstraw Joint Regional Sewage Treatment Plant's SPDES Permit. The total volume of flow from the process to the Haverstraw Joint Regional Sewage Treatment Plant would be up to approximately 92,000 gallons per day.

The reverse osmosis process will also generate a concentrated brine solution, the Reverse Osmosis Concentrate. The Reverse Osmosis Concentrate will be combined with the Haverstraw Joint Regional Sewage Treatment Plant treated effluent and discharged to the Hudson River through the Haverstraw Joint Regional Sewage Treatment Plant's outfall. The Applicant will be required to comply with Department SPDES permit effluent requirements.

ENVIRONMENTAL CONSERVATION LAW AND IMPLEMENTING REGULATIONS

State Pollutant Discharge Elimination System (SPDES)

Pursuant to Environmental Conservation Law (ECL) §§17-0801 - 17-0831, the Applicant has filed an application with Department for a permit to discharge the Reverse Osmosis Concentrate to the Hudson River through the Haverstraw Joint Regional Sewage Treatment Plant's outfall. Department Staff concludes that the applications for these permits are complete within the meaning of 6 NYCRR §621.2(f) and has tentatively determined to issue a permit. Consequently, Department Staff has prepared a draft permit. Department Staff has determined that the conditions in the draft permit authorize the proposed activities and assure conformance of the facility with the standards for permit issuance set forth in 6 NYCRR § 750.

The Applicant also intends to seek coverage under the SPDES General Permit for Storm Water Discharges from Construction Activities (GP-0-10-001) for construction of the facilities, including the intake pumping station, raw water transmission main, and the water treatment plant.

Protection of Water/ Water Quality Certification

Pursuant to Environmental Conservation Law (ECL) §§ 15-0501 - 15-0516 Protection of Water and the Clean Water Act Part 401 Water Quality Certification, the Applicant has filed an application with the Department for a permit for the excavation and placement of fill in a navigable waterbody and a water quality certification for activities related to the waterbody and additional activities on the site under the jurisdiction of the U.S. Army Corps of Engineers. Department Staff has concluded that the applications for these permits are complete within the meaning of 6 NYCRR §621.2(f) and has tentatively determined to issue a permit. Consequently, Department Staff has prepared a draft permit. Department Staff has determined that the conditions in the draft permit authorize the proposed activities and assure conformance of the facility with the standards for permit issuance set forth in 6 NYCRR §608.8.

Water Supply

Pursuant to Environmental Conservation Law (ECL) § 15-1501 Water Supply, the Applicant has filed an application with the Department for a permit for the development of potable water for distribution purposes. Department Staff has concluded that the applications for these permits are complete within the meaning of 6 NYCRR §621.2(f) and has tentatively determined to issue a permit. Consequently, Department Staff has prepared a draft permit. Department Staff has determined that the conditions in the draft permit authorize the proposed activities and assure conformance of the facility with the standards for permit issuance set forth in 6 NYCRR § 601.6.

Environmental Conservation Law and Implementing Regulations:

In addition to the specific statutes and regulations cited above, the subject SPDES and water supply permit applications and the water quality certification are being processed by the Department pursuant to ECL Article 3, Title 3 (General Functions), ECL Article 17 (Water Pollution Control), ECL Article 15 (Protection of Water) and 6 NYCRR Part 621 (Uniform Procedures), Parts 750-758 (State Pollutant Discharge Elimination System), Part 601 (Water Supply), Part 608 (Protection of Water) and the Clean Water Act Section 401 Water Quality Certification.

State Environmental Quality Review Act (SEQRA) Status:

The Department Staff has determined that the proposed project is a Type I action as designated by 6 NYCRR § 617.4(b)(6)(ii). A Draft Environmental Impact Statement (Draft EIS) has been prepared and NYS DEC, as lead agency, has determined the Draft EIS is adequate for public review. Pursuant to 6 NYCRR §617.9(a) (4) NYS DEC has made the determination to hold a public hearing, the details of which are provided below in the legislative hearing section of this notice.

State Historic Preservation Act (SHPA) Status:

An evaluation of the proposed project's potential impacts to cultural resources has been completed. Based on the information provided in the evaluation, the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) determined that the pilot plant for the project, which affected the same sites as the proposed project's pumping station and raw water main route, will have "No Effect" on register eligible historic structures. The NYS OPRHP also determined that the proposed project's water treatment plant, intake pumping station, and the proposed raw water main route will have no effect on register eligible archaeological resources; and that four other potential raw water main routes and one potable water main route will require further evaluation for potential effects to archaeological resources.

Coastal Zone Management:

This project is located in a Coastal Zone. The Town of Haverstraw does not have a Local Waterfront Revitalization Program, and therefore, the Applicant must file a consistency certification with the New York State Department of State with respect to the Coastal Management Program policies.

Tentative NYS DEC Staff Position and Document Availability:

Department Staff has reviewed the Applicant's application materials and supporting documentation and has determined that they meet the completeness requirements of 6 NYCRR Part 621. A tentative determination has been made to approve this application and prepare draft permits. It has been determined that all SPDES program statutory and regulatory criteria can be met through the imposition of effluent limitations and special permit conditions. For the SPDES permit, Department staff has incorporated effluent limits based on an analysis of the receiving water.

The DEIS, application materials, fact sheets, the draft SPDES permit, draft Water Supply and draft Excavation and Fill permit/Water Quality Certification are available for review at the following locations during normal business hours between 9:00 a.m. and 4:00 p.m., Monday through Friday:

1. NYS DEC - Division of Environmental Permits
625 Broadway
Albany, NY 12233-1750
Contact: Christopher Hogan (518) 402-9151
2. NYS DEC - Region 3 Headquarters
21 South Putt Corners
New Paltz, New York 12561
Contact: Daniel Whitehead (845) 256-3041.

The Draft EIS, application materials, fact sheets, the draft SPDES permit, draft Water Supply and the draft Excavation and Fill permit/Water Quality Certification are also available for review at the following locations during normal business hours:

3. Town of Haverstraw Office of Town Clerk
Haverstraw Town Hall
One Rosman Road
Garnerville, NY 10923
4. Haverstraw King's Daughters Library
Village Branch
85 Main Street
Haverstraw, NY
Phone: (845) 429-3445
5. United Water New York Office
360 West Nyack Road
West Nyack, New York 10994
Phone: (845) 623-1500
6. [NYS DEC website](http://www.dec.ny.gov/permits/58678.html) at: <http://www.dec.ny.gov/permits/58678.html>.
7. United Water Haverstraw Water Supply Project website at:
<http://haverstrawwatersupplyproject.com/>

PUBLIC COMMENTS AND HEARINGS

Written Comments:

All written comments concerning the Draft EIS, draft SPDES permit, draft Water Supply permit or draft Excavation and Fill/Water Quality Certification must be submitted to the Department Contact Person listed below by March 19, 2012. Comments sent by regular mail must be postmarked no later than March 19, 2012. Email and Fax comments must be received by 5 p.m. (EDT), March 19, 2012. All public comments on these permits will be reviewed by Department Staff to determine whether they raise substantive and significant issues that warrant further

review through adjudication. Specific comments must be supported by full documentation and references should be limited to readily available information.

Legislative Public Hearing:

Legislative hearing sessions to receive unsworn statements from the public on the Draft EIS, applications and the draft permits, described above, will be held before Administrative Law Judge Helene Goldberger.

DATE: February 28, 2012
TIMES: 2 p.m. and 6 p.m.
PLACE: Town of Haverstraw Town Hall
One Rosman Road
Garnerville, New York

All persons, organizations, corporations, or government agencies which may be affected by the proposed project are invited to attend the public hearing and to submit oral or written comments. It is not necessary to file in advance to speak at the legislative hearing. Lengthy statements should be in writing and summarized for oral presentation. Reasonable time limits may be set for each speaker to afford everyone an opportunity to be heard. Equal weight will be given to both oral and written statements. The hearing location is fully accessible to persons with mobility impairment. Interpreter services shall be made available to deaf persons at no charge upon written request to the Administrative Law Judge at least 10 days prior to the hearing, pursuant to the State Administrative Procedures Act.

Contact: Christopher Hogan, NYS DEC - Division of Environmental Permits, 625 Broadway, 4th Floor, Albany, NY 12233-1750, Phone: (518) 402-9167, Fax: (518) 402-9168, E-mail: depprmt@gw.dec.state.ny.us.