



**US Army Corps  
of Engineers®**

Buffalo District

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September 2018

## FACT SHEET

### **Ogdensburg Bridge and Port Authority Proposed Dock Facility Expansion Department of the Army (2015-01216)**

Section 404 of the Clean Water Act  
Section 10 of the Rivers & Harbors Act  
Regulatory

#### **Location**

- Port of Ogdensburg, St. Lawrence County, New York

#### **Project Description**

- The Port Authority proposes to expand its existing main dock approximately 500 linear feet to accommodate greater capacity from the anticipated U.S. Army Corps of Engineers deepening of the federal channel and to dredge the area between the dock and federal channel.

#### **Congressional Interests**

- Representative Elise Stefanik R NY-21
- Senator Charles Schumer D NY
- Senator Kristen Gillibrand D NY

#### **Project Sponsor**

- Ogdensburg Bridge and Port Authority (OBPA)

#### **Project Manager**

- Bridget Brown (716) 879-6329

#### **Current Status**

The Corps, along with other involved federal and state agencies met with Ogdensburg Bridge and Port Authority (OBPA) on December 3, 2015, to discuss the proposed project. The Corps held subsequent meetings on August 5 and December 20, 2016; May 31, 2017; and subsequently weekly with OBPA to discuss updates to the proposed federal and nonfederal projects. No permit application has been received to date. A pre-application meeting, including state and federal resource agencies, for the non-federal project was held on February 6, 2018. At the pre-application meeting, additional issues were identified. NYS Department of State note review period may be up to 6 months. NYS Department of Environmental Conservation (NYSDEC) indicated they would require: the blasting done in accordance with the Alaska protocol, an in-water work restriction window of March 15 to July 15 to protect state listed endangered fish species, a mussel survey to be completed between June and September with the results needed before NYSDEC can issue a permit and an assessment of soil contaminated with arsenic proposed for removal and reuse.

#### **Issues**

- The proposed dock expansion will require the placement of fill into waters of the U.S. and will require authorization under Section 404 of the Clean Water Act and Section 10 of the Rivers & Harbors Act. The proposed work will likely require a standard individual permit, which is generally estimated to have an approximately 120-day review period following the receipt of a complete application.
- The OBPA has received funds for the expansion project and would like to construct simultaneously with the proposed federal channel deepening (U.S. Army Corps of Engineers Section 107 Continuing Authorities Program project).

- Corps identified a portion of the dredging adjacent to the dock that could not be covered by the federal project, which will be funded by OBPA as an add-on to the federal contract. Non-federal dredging would also require Section 10 authorization.
- The federal project was initially estimated to commence in early 2018 but has been delayed until 2019.
- Dredging work was also found to require blasting. This created a change to the original schedule, which proposed construction of the dock expansion first. The change resulted in an issue for OBPA to complete work prior to expiration of state funds. The OBPA hired an engineering firm that explored construction alternatives for the work schedule. In addition, OBPA was able to obtain an extension to the state funding and is currently seeking a further extension.
- From 2016-2018, the Corps project manager requested a pre-application meeting to include federal and state resource agencies as soon as non-federal project details were available to ensure any potential issues addressed and for OBPA to understand process times for both federal and state permit processes. OBPA did not act on the request until February 2018 resulting in some potential schedule conflicts.

### **Path Forward**

- The OBPA will submit permit application to the Corps and state agencies as soon as possible to start permit processes.
- The OBPA will work with NYSDEC to determine suitability of the contaminated soil reuse and on methods for removal. If not suitable for re-use, clean fill will be obtained from another source.
- NYSDEC will work with OBPA on plan to allow for some work during the work restriction window if necessary.
- Corps PM has potential to issue a provisional permit if required state approvals delayed.

### **Background**

The OBPA received state funds to undertake an expansion of its existing port facility. The expansion will include a 500-linear-foot extension of the existing dock and dredging between the new dock wall and federal channel to accommodate larger vessels. The expansion project is not directly associated with the proposed Corps of Engineers' 107 project. However, due to potential economic savings, OBPA is planning to have both projects occur simultaneously.

