

Bored Pipeline Guidance

Rivers, Creeks, Streams et cetera

Including bored pipelines under a waterway, in a Community Development Block Grant (CDBG) assisted project is not recommended. When considering whether to include this work the following guidance can be used to streamline the project (time delay, cost and complexity) related to the bored pipeline.

BACKGROUND

Including a bored pipeline in the CDBG assisted project, whether paid for with CDBG funds or not, will require a review and approval from the Washington DC office of HUD, and may delay the project for 6 months to a year. Specifically CDBG funds cannot be used to construct (this includes all costs associated with the bored pipeline, special studies, design and construction) improvements within a floodway (FYI – HUD-DC has only approved one bored pipeline nationwide and this approval must come Washington DC).

HUD has determined that a bored pipeline under a floodway, conveying wastewater or drinking water from one side of a river to the other, is not a functionally dependent use of the water way in accordance with 55.2(b)(5) which must be conducted in close proximity to water (e.g. a dam, marina, port facility, water front park, drinking water intake, wastewater outfall pipe, et cetera). As a basis for this determination they indicated that a bored pipeline (simply conveying water or wastewater from one side of the river to the other) is no different than a conventional transmission / collection line located outside of a floodway which is not functionally dependent use of any waterway. If CDBG funds are needed to complete the bored pipeline it is very important to negate the floodway concern and to make the case that the bored pipeline is going to be so deep that it will never scour the surface and impact the floodway in any manner within the future.

In most situations a wastewater outfall pipeline or a drinking water intake can be determined to be a “functionally dependent use” and is allowed if processed under 55.20 (the 8-step process).

ALTERNATIVE OPTIONS TO CONSIDER FIRST

1. **Re-design** the project to eliminate the bored pipelines;
2. Use some form of **slip lining or cured in place pipe**, that is not a pipe bursting technique, in the existing bored pipe so that it can continue to be used, thus eliminating the need for a new bored pipe;
3. **Phase the project** –Remove the bored pipeline from the potential CDBG assisted project and complete this work after the CDBG assisted design / construction project is completed (or vice versa – complete the bored pipeline with non-CDBG funds first and before they start the CDBG assisted project). This would look like:
 - a. Phase I – all non-bored pipeline system improvements (CDBG & Other resources);
 - b. Phase II – all bored pipeline improvements (Non-CDBG funds); and,
4. **Other** – Any other alternative can be considered to eliminate the bored pipeline from the potential CDBG assisted project.

BORED PIPE GUIDANCE

If the project proponent cannot streamline the project to remove the bored pipes, **Mixed Funding** is highly recommended to ensure project completion. The project proponent can apply for funding from two sources, CDBG and non-CDBG (WW et cetera), in the event HUD does not allow CDBG funds to be used for the bored pipeline so that other funds to complete this work are already secured and available.

Step 1 – Conduct a special environmental and pre-design report, that includes all research and investigation needed for HUD review -, Since the bored pipeline is going to be located under the floodway, the depth of the bore becomes critical to prevent any stream / river bottom scouring causing the pipe to surface in the future. It is also important to determine the types of substrate materials the bore will be going through, such as alluvial, sand, sand stone, bedrock, et cetera along with identification of the type of boring technique to be used, the type of pipe to be installed, stream flows and past stream bottom scouring history / problems and the prior pipe surfacing history (how deep was the prior pipe, how was it installed, what substrate was it installed in, how many years did it take to surface et cetera) in the stream bottom, geotechnical investigations et cetera.

Note: The cost to conduct this special environmental and pre-design report may not be CDBG eligible for reimbursement based upon HUD’s review and determination therefore it must be completed with non-CDBG funds, until HUD determines whether this cost is eligible for CDBG reimbursement.

Step 2 – OBDD-IFA work with HUD-DC - Once this special environmental and pre-design report is completed and accepted by OBDD-IFA, OBDD-IFA must work with HUD to obtain a determination that CDBG funds can or cannot be used for the bored pipeline. No construction work can commence until this HUD review has been completed, and will cause an unknown length of a delay in the project. The ERR for the project will not be able to be completed until HUD has reviewed and made their determination, as they may require mitigation activities to be part of the project

Step 3 – HUD Determination - If HUD determines that CDBG funds cannot be used for the bored pipeline, other non-CDBG funds can be used. However, HUD must then determine which manner this can occur:

- a. **Same Contract** - HUD may determine that we can include all the project components (including the non-CDBG funded bored pipeline) in one construction contract; or
- b. **Separate Contracts** - HUD may determine that there must be two separate construction contracts, one for the CDBG funded project (non-bored pipeline improvements) and one for the non-CDBG funded bored pipeline. Work under the two contracts cannot occur simultaneously, they must be stair stepped so that the work under one contract is not started until the work under the first contract is completed. This approach will increase the project timeline.