



## LEAD AGENCY DECLARATION AND NOTICE OF INTENT TO CONDUCT AN ENVIRONMENTAL REVIEW

February 24, 2012

Carter H. Strickland, Jr.  
Commissioner

### Environmental Dredging of Gowanus Canal (CEQR#11DEP033K)

Angela Licata  
Deputy Commissioner  
of Sustainability  
alicata@dep.nyc.gov

The New York City Department of Environmental Protection (NYCDEP) proposes to dredge an approximately 825 foot long area extending from the head of the Gowanus Canal to approximately the Union Street Bridge (“proposed project”) in accordance with an Administrative Order of Consent CO2-20000107-8 (“CSO Consent Order”) between the DEP and the New York State Department of Environmental Conservation (NYSDEC). The proposed project is expected to eliminate accumulated sediment mounds at the head end of the Canal and associated odors, and improve the visual aesthetics of the waterbody and substrate for benthic habitat.

59-17 Junction Blvd.  
Flushing, New York 11373

Tel. (718) 595-4398  
Fax (718) 595-4479

The United States Environmental Protection Agency (USEPA) placed the Gowanus Canal (USEPA ID#: NYN000206222) on its National Priorities List of hazardous waste sites requiring further evaluation on March 2, 2010. As DEP’s proposed project was initiated prior to USEPA’s 2010 listing of the Canal as a “Superfund” site and following NYCDEC’s 2009 approval of the Gowanus Canal Waterbody/Watershed Facility Plan (WWFP), this environmental review and related permit applications have been developed to meet the terms of the CSO Consent Order between DEP and NYSDEC. On December 29, 2011, EPA released a draft Feasibility Study (FS) for the Canal. The draft FS contained remedial alternatives which included dredging as part of the overall remedy for the Canal. As such, DEP will continue to coordinate with NYSDEC and USEPA to ensure that the proposed project design meets the milestones required by the CSO Consent Order and is aligned with USEPA’s overall clean-up program.

Based on DEP’s Gowanus Canal WWFP and Basis of Design Report (BODR), the proposed project would involve dredging to a depth of five feet below mean lower low water (MLLW). An estimated 9,300 cubic yards (cy) of material, including a 0.5 foot over dredge totaling approximately 1,500 cy, would be removed. Conceptual dredge volumes were developed based on 2010 bathymetric survey data from USEPA’s Remedial Investigation (RI) Report (2011) and updated bathymetry data collected in 2011 by DEP. Following the dredging activities, a two-foot cap consisting of approximately 7,000 cy of sand will be placed over the exposed sediments. This will result in a final water depth of three feet below MLLW. Scour protection systems would be installed on top of the

cap at discharge points along the Canal such as large CSO outfalls and the Flushing Tunnel outlet. Dredging will be completed through the use of either hydraulic or mechanical dredging means. All dredging activities would be water-based or located along the waterfront. All materials needed to support both methods (e.g. work barges, disposal barges, dewatering facilities, etc.) would be delivered to the dredge site or staging/dewatering site via barges and tugboats. Prior to commencement of dredging activities, a turbidity curtain will be positioned to enclose the entire work area and control the dispersion of silt in the waterbody during dredging and capping activities. Dewatered or stabilized sediment would be transported via barge to a licensed processing facility located in the region and disposed in accordance with federal, state and local regulations.

The proposed schedule is based on the CSO Consent Order, which requires specific dredging related milestones. As a result, NYSDEC and United States Army Corp of Engineers (USACE) permit applications would be submitted in February 2012. The notice to proceed for the environmental dredging would be issued three years from the effective date of these permits, and completion of environmental dredging would be five years from the date of these permits.

The proposed work may require the following permits and/or approvals:

- United States Army Corp of Engineers Section 404 of the Clean Water Act Permit;
- United States Army Corp of Engineers Section 10 of the Rivers and Harbors Act Permit;
- New York State Department of Environmental Conservation Tidal Wetlands Permit;
- New York State Department of Environmental Conservation Protection of Waters Permit;
- New York State Department of Environmental Conservation Section 401 of the Clean Water Act Permit;
- New York State Department of State (DOS) Federal Consistency (Federal Coastal Consistency Assessment Form); and
- City of New York Local Waterfront Revitalization Program (Waterfront Program Consistency).

In accordance with the State Environmental Quality Review Act authorized by Article 8 of the Environmental Conservation Law and its implementing regulations as set forth in 6NYCRR Part 617, the State Environmental Review Process (SERP) as required by the State Revolving Loan Fund Program, and the City Environmental Quality Review process as set forth in Executive Order 91 of 1977 and its amendments, this Department believes it is the appropriate lead agency and assumes responsibility for conducting a coordinated review for the above-referenced project. We request that involved agencies contact this office within 30 days from this notification should there be any objection to the Department assuming lead agency for this environmental review.

The Environmental Assessment Statement (EAS) for the proposed project is attached for your review. Any questions or comments regarding the project should be directed to Alexander Wolk at 718-595-6450 or [awolk@dep.nyc.gov](mailto:awolk@dep.nyc.gov).

Sincerely,



Angela Licata  
Deputy Commissioner  
New York City Department of Environmental Protection

CC: Marty Markowitz, Brooklyn Borough President  
Daniel Kummer, Brooklyn Community Board 6 Chairperson  
Craig Hammerman, Brooklyn Community Board 6 District Manager  
Robert Kulikowski, NYC Office of Environmental Coordination  
Michael McSweeney, NYC City Clerk/City Record  
John Cyran, DEC  
Steve Zahn, DEC  
George Nieves, ACE  
Christos Tsiamis, EPA  
Dan Greene, Law  
Bill Plache, Law  
Matt Ruderman, DEP  
Heather Donnelly, DEP  
Roy Tysvaer, DEP  
Dorothy Chao, DEP  
Daby Marulanda, DEP  
Julie Stein, NYCDEP  
Alexander Wolk, NYCDEP  
Kevin Keane, HDR  
Kathleen Esposito, AECOM

