NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION
CROTON FACILITY MONITORING COMMITTEE MEETING MINUTES
THURSDAY, APRIL 30, 2009 – 7:00PM

The Croton Facility Monitoring Committee met on Thursday, April 30, 2009 at Scott Tower Community Room, 3400 Paul Avenue, Bronx, NY 10468. Attendees included CFMC representatives: Greg Faulkner, CFMC Chairman & Chairman of Community Board #7; Damian McShane, Chairman of and Saul Scheinbach Member of Community Board #8; Father Richard Gorman, Chairman of Community Board #12; Hector Aponte, Bronx Borough Commissioner of Dept of Parks and Recreation; Council Member G. Oliver Koppell; Laura Stockstill, Bronx Borough President's office; Mark Lanaghan, Assistant Commissioner, Dept of Environmental Protection. In addition, in attendance were elected officials, staff from DEP, its construction manager, design engineer, local news media, and members of the public. They are listed on *Attachment 1*. Some individuals provided limited contact information or did not sign in.

Welcome
Greg Faulkner, Chair of Community Board #7 and of the CFMC, opened the meeting at 7:15 PM; an agenda, *Attachment 2,* was available.

Adoption of CFMC Executive Session meeting minutes
Upon a motion by Damian McShane, Chair of Community Board #8, seconded by Mark Lanaghan, Department of Environmental Protection (DEP), the minutes of the executive sessions held on March 19th and April 27th were adopted.

Jobs Report
Mr. Faulkner called for updates on jobs and hiring from DEP and Parks.

Nicole Torres, DEP, summarized progress on jobs and purchases since the February CFMC meeting. See *Attachment #3.* Mr. Faulkner asked if DEP would publicize the goods and services that will be required for current and upcoming construction contracts. Karen Argenti, Friends of Fort Independence Park Neighborhood Association, said the list should be posted on an internet bulletin board where it can be updated regularly. Council Member Oliver Koppell asked how many of the job applicants have moved into jobs. He asked for numbers for the past four years of job applicants, not only their percentages. Mr. Koppell asked DEP to report comprehensive information at the next CFMC meeting.

Gary Axelbank, BronxNet, said that DEP regularly gives project information to the community too late, and said that there are other issues to complain about as well.

Mr. Faulkner introduced Angela Licata, DEP Deputy Commissioner, to talk about the minor modification for Phase 2 of the Croton construction at Jerome Park Reservoir. Using a PowerPoint presentation (*Attachment 4*), Ms. Licata asked Arne Fareth, DEP Croton Design, to describe changes from the original project design. Ms. Licata then

spoke about the environmental review process and findings from the Minor Modification to the Final Supplemental Environmental Impact Statement. She asked Ted Dowey, DEP, to describe his work using explosives at the DEP Third Water Tunnel shafts, so the community would know the procedure, safety protocols for blasting and blasting's moderate impacts.

Mr. Faulkner called on Assembly Member Jeffrey Dinowitz. Mr. Dinowitz spoke of the deficiencies in the original EIS for not disclosing hoe ramming or blasting. He said the construction noise is undoubtedly disruptive to the Bronx High School of Science, DeWitt Clinton High School and the High School of American Studies. Mr. Koppell requested and received an additional explanation from Ms. Licata about why hoe ramming and blasting were not disclosed in the FSEIS.

Michael Gary, representing State Senator Pedro Espada and a resident of Amalgamated Houses, asked DEP to address asthma and construction's effect on health. He said a Little League team uses Harris Park Field, which is now closed. Hector Aponte, Bronx Commissioner of Parks & Recreation, said the ballfield conditions are being remediated; however, construction delays necessitated the closure.

Richard Barr, Bronx HS of Science Parents Assn, asked how long Phase 1 work will continue; how long blasting of Phase 2 work will take, and why – if the Croton Filter Plant was precluded from being built in JPR – is construction taking place at JPR. Bernard Daly, DEP Executive Construction Manager, replied that some construction work had to occur in the vicinity of JPR in order for the plant to operate. He also added that tree removal, soil sampling and installation of the new noise wall at the Shaft and Meter Chamber would begin in May 2009. Following this, installation of soldier piles and lagging in conjunction with soil excavation would begin during the summer months. During the fall, rock excavation at the Shaft and Meter Chamber would begin followed by concrete and piping work

Anne Marie Garti, Jerome Park Conservancy, said DEP intentionally left details of the JPR work out of the FSEIS. She asked for a walking path around JPR. She said the Old Croton Aqueduct might be compromised when blasting commences. She reminded the community that, when the Croton water system is operating, there is chlorine stored at Gate House 5. Ms. Garti asked when the JPR basins would be filled. No specific schedule was provided by DEP.

Dan Husband, Scott Tower, asked whether a vibration and noise monitor would be placed at Scott Tower. He complained about double parked school buses. Mr. Daly said there will be eight vibration monitors installed at and near the site, and that one can be placed at Scott Tower.

Michael Bern, Scott Tower, said that DEP has mistreated the community. He referred to the chlorine leak at JPR. Mr. Lanaghan explained the steps taken by DEP and the Fire Department to safely secure the chlorine in Gate House 5 and that at no time was the public in danger.

Jane Sokolow, Bronx Council on Environmental Quality, said a supplemental EIS is needed for the work DEP plans at JPR. She complained that DEP has taken parking spaces along Jerome Avenue from the public for its contractor at Van Cortlandt Park and never informed anyone.

Ms. Argenti said she reviewed the minor modification. She asked what DEP will do about the rat problem in the community. She asked how much the upcoming contracts will cost and how much blasting will be performed. She added that last summer, when the community took DEP to court, they said that they were not ready. As a result, the litigation was considered premature. Subsequently, the public has learned that, during this same period of time, DEP gave the State Historic Preservation Office a technical document that described the planned construction. Mr. Daly gave the approximate cost of the four contracts at JPR as: CRO-312OS-G = $100 million, 312OS-E = $15 million, 312OS-P = $800,000 and 312OS-H = $800,000.

Professor Walter Matystik, Manhattan College, said the public wants to have an open process the way CEQR meant it to be. He read from the CEQR Manual that describes the process. Ms. Licata responded that the minor modification is as thorough as a Supplemental EIS would be and that construction impacts which are temporary are not required to be analyzed in an EIS. Ms. Licata admitted that what was written in the original EIS by DEP was not as clear and as understandable as it could have been.

Pat Byrne, Scott Tower, complained about asthma in the North Bronx.

Mr. Koppell asked what will be in Harris Park Annex after construction. Mr. Daly said grass will be planted.

Mr. Axelbank said there was suspicion during the period of the EIS. He said the community continues to be suspicious. He added that if blasting had been disclosed during the Croton Filter Plant siting process, the State Legislature would not have passed the siting legislation.

Construction Update

Mr. Daly gave a project update regarding construction at VCP and JPR.

The Contract CRO 312 contractors are continuing to work at the VCP site. Approximately 125,000 cubic yards of concrete have been placed to date and installation of piping, tanks and equipment is ongoing. There are currently 12 cranes in operation at the site including three tower cranes.

On Contract CRO 313, all excavation of the Raw and Treated Water Tunnels is complete. Work to construct the connection between the Low Service Treated Water Tunnel and the New Croton Aqueduct is ongoing. Phase 1 Shaft and Meter Chamber rock excavation work has continued using hoe rams.

Contract CRO 315 work continues. An asbestos removal plan is underway prior to removal of asbestos at the Demonstration Plant. The unforeseen additional asbestos problem has delayed the demolition.

Contract CRO 312 OS contractors are mobilizing following the official Notice to Proceed issued in February 2009. Inspection work at the Gate Houses is underway. Noise wall installation at the Shaft and Meter Chamber will start in May 2009.

CFMC Discussion
For the next meeting:

- Mr. Koppell asked for a report about emergency notifications in the event of a chlorine leak

- Mr. Koppell reminded DEP to improve its jobs reporting

- Ms. Stockstill said that DEP was going to assess perimeter monitors and she wants to know the results of the assessment at the next meeting

- Ms. Lappin said an emergency evacuation plan for the community is needed, referring to a recent bomb scare at Bronx High School of Science. She added that the people in her building have to know what to do in case of any emergency.

- Mr. Faulkner said there must be a plan in the event of a worst-case scenario

- Father Richard Gorman, Community Board #12, asked Professor Matystk how long the Professor thought it would take DEP to prepare a SEIS. Mr. Matystk said in his opinion it would take 30 – 60 days. Ms. Licata responded that the process is lengthy requiring a scoping session, scoping document, draft EIS, and individual reviews. She said that no significant adverse impacts have been identified so a SEIS is unnecessary. Professor Matystik noted that, given the information already presented in the Tech Memo describing and analyzing the so-called "minor modification" at the Jerome Park Reservoir, the SFEIS process would take a lot less time than DEP anticipated. Father Gorman said the DEP's position is not satisfactory. Ms. Licata said that public input was solicited. She said that she would come back to the community for further discussion of the minor modification.

- Council Member Koppell spoke about his involvement in enacting the SEQRA process into law and added that he supported Father Gorman's motion calling for an open SEQR/CEQR process

- Father Gorman moved that it is the wish of the CFMC that a SEIS be prepared and he requested the CFMC to adopt a resolution which he read. (Resolution = *Attachment 5*) Mr. Faulkner seconded the motion. Mr. McShane addressed comments to the motion indicating his support of it. Ms. Stockstill said

the CFMC and the public should have a month to review the minor modification before such a motion is adopted. Mr. Lanaghan said he understands the community's frustration but that DEP is required to move ahead to stay on schedule and meet project milestones. The motion was adopted with four votes in the affirmative, two abstentions and one negative vote.

The next meeting will be scheduled as determined by the CFMC.

The meeting was adjourned at 9:15 PM.

4/30/2009

NYC DEP - CROTON FMC

Attachment 1

Name	Organization / Company	Address	Phone	Fax	E-Mail
Nicole Torres	DEP - Legislative Affairs	59-17 Junction Boulevard Corona NY 11368	(718) 595 7864		nicoleto@dep.nyc.gov
Thomas Farrell	URS-MP Construction Management	3701 Jerome Avenue Bronx, NY 10467	(718) 696 2000		thomas.farrell@shwgrp.com
Nick Judd	Riverdale Press	6155 Broadway Bronx NY	(718) 543 6065		njudd@riverdalepress.com
Ted Dowey	DEP - BEDC	96-05 Horace Harding Exp. Flushing NY	(718) 595-6127		tdowey@dep.nyc.gov
Jeff Hitt	URS-MP Construction Management	3701 Jerome Avenue Bronx, NY 10467	(718) 646-2000	(718) 324-3034	jhitt@pirnie.com
Jane Sokolow	Bronx Council on Environmental Quality	2 Spaulding Lane Bronx NY 10471	(718) 548 8090		jsbx101@gmail.com
Hector Aponte	Bronx Parks Commissioner	1 Bronx River Parkway Bronx NY	(718) 430-1801	(718) 430-1818	hector.aponte@parks.nyc.gov
Leon Fendley	Croton Projects Parks & Recreation Dept.	1 Bronx River Parkway Bronx NY	(718)430 - 1870	(718) 430-1818	leon.fendley@parks.nyc.gov
Elsie & Al Plotkin	Scott Tower	3400 Paul Avenue Bronx NY	(718) 367 8463		
Martha Holstein	Strategic Urban Solutions, Inc.	335 Adams Street Brooklyn, NY 11201	(718) 625-1005 x. 223	(718) 625-1032	mholstein@urbansol.com
Bernard Daly	DEP BEDC Project Manager	3701 Jerome Avenue Bronx, NY 10467	(718) 696-2000		bdaly@dep.nyc.gov
Vincent Moorehead	DEP BEDC Project Manager	3701 Jerome Avenue Bronx, NY 10467	(718) 696-2000		vmoorehead@dep.nyc.gov
Robert Barnes	DEP Community Outreach Office - Croton	3660 Jerome Avenue Bronx, NY 10467	(718) 231-8470	(718) 231-8857	robertbar@dep.nyc.gov
Laura Stockstill	Office of Bronx Borough President Carrion	198 East 161st Street Bronx, NY 10451	(718) 590-3881	(718) 590-2698	lstockstill@bronxbp.nyc.gov
Gary Axelbank	Not Provided		(718)960-8707	(718)960-6795	gaxinthebronx@gmail.com
Anne Marie Garti	Jerome Park Conservancy	3967 Sedgwick Avenue Bronx NY	(718) 601-1322; (718) 884-7864		annemarie@att.net
Dorothy Gordow	Scott Tower	3400 Paul Avenue Bronx NY			
Father Richard Gorman	Chairman, Community Board #12	4101 White Plains Road Bronx NY 10466	(646) 284 4973		rgorman@cb.nyc.gov

NYC DEP - CROTON FCMC

Page 2 Continued……

Name	Organization / Company	Address	Phone	Fax	E-Mail
Saul Scheinbach	Community Board #8	5908 Huxley Avenue Bronx NY 10471	(718) 884-4740		judisaul@aol.com
Greg Faulkner	Chairman, Community Board #7	2559 Sedgwick Avenue Bronx NY 10468	(718) 482-5193	(718) 609-2096	gfaulkner@lagcc.cuny.edu; gfaulkner@cb.nyc.gov
Mark Lanaghan	Asst Comm, Intergov.Affairs DEP	59-17 Junction Blvd. Corona NY 11368	(718) 595-3519	(718) 595-3477	mlanaghan@dep.nyc.gov
Jamin Sewell	Office of Council Member Koppell	3636 Waldo Avenue Bronx NY 10463	(718) 549-7300		sewellj@council.nyc.ny.us
Hon. G.Oliver Koppell	Council Member	3636 Waldo Avenue Bronx NY 10463	(718) 549-7300		koppell@council.nyc.ny.us
Damien McShane	Chair, Community Board #8	5676 Riverdale Avenue Bronx NY	(718) 884-3959		dmcshane@panynj.gov
Arne Fareth	DEP BEDC	96-05 Horace Harding Exp. Flushing NY	(718) 595-6189		arnef@dep.nyc.gov
Kevin Johns	Local 15 IUOE & Amalgamated Housing	3967 Sedgwick Avenue Bronx NY 10463	(917) 202-0212		kevin19572@verizon.net
Helene Hartman-Kutnowsky	Community Board #7		(917) 494-9309		Helene.Hartman-Kutnowsky@otda.state.ny.us
Lloyd Douglas	LDCC	165 West 127 Street New York NY	(718) 292-3113	(718) 292-3115	
Michael Gary	Amalgamated Housing Corp; Sen. Espada Comm	80 Van Cortlandt Pk S Bronx NY 10463	(718) 549-4811		grampafleink@gmail.com
Richard Barr	Bx HS of Science Parents' Assn	203 W 86th Street New York NY 10024	212) 877-2694		richardedbarr@aol.com
Mark Page, Jr.	DEP - BEPA	59-17 Junction Blvd. Corona NY 11368	(718) 595-4395	(718) 595 4479	mpage@dep.nyc.gov
Bob Jarnis	AECOM(M&E H&S)	605 Third Avenue New York NY 10158	(212) 984-7334		robert.jarnis@aecom.com
Christopher Rivera	Croton Community Office, DEP	3660 Jerome Avenue Bronx NY 10467	(718)231-8470	(718) 231-8857	crivera@dep.nyc.gov

NYC DEP - CROTON FCMC

Page 3 Continued……

Name	Organization / Company	Address	Phone	Fax	E-Mail
Giorgi R. Dadsiorek	Scott Tower	3410 Paul Avenue Bronx NY	(718)365 1933		bobatsott@optonline.net
Pat Woods	FSWSG	2730 Sedgwick Avenue Bronx NY	(718)877 5790	(718)796 0473	FSWSG1@aol.com
Ruth DeLuca	Scott Tower	3400 Paul Avenue Bronx NY			
Ursula Lombardo	Not Provided				
Sonia Lappin	Scott Tower Board of Directors	3400 Paul Avenue #5G Bronx NY 10468	(718)365 9897		
Yvette Roseman	Scott Tower	3400 Paul Avenue Bronx NY	(718) 584 3526		
Karen Argenti	FIPNA	PO Box 346 Bronx NY 10471	(646)529 1590		KABX101@aol.com
Lynn Schwarz	FIPNA	3332 Giles Place Bronx NY 10463	(718)543-2457	(718) 798 3879	
Martha Getzoff	Scott Tower	3400 Paul Avenue Bronx NY	(718) 367 1298		
Mina Schrenberg	Scott Tower	3410 Paul Avenue Bronx NY	(718)364 5092		
Evelyn Smith	Scott Tower	3400 Paul Avenue Bronx NY			esmith@aol.com
Chris Miller		Riverdale	(646) 761-9431		chrismiller_@hotmail.com
Ruth Rheinis	Scott Tower				
Sam & Bernice Sussman	Scott Tower				
Dorothy Reilly	Scott Tower				
Karen Meltzer	Scott Tower				

NYC DEP - CROTON FCMC

Page 4 Continued……

Name	Organization / Company	Address	Phone	Fax	E-Mail
Zachary Feder	Department of Parks & Recreation	1 Bronx River Parkway Bronx NY	(718)430-1878		zachary.feder@parks.nyc.gov
Erin Guire	AECOM (M&E,H+S)JV		(732)361 7809		erin.guire@aecom.com
Inez Hsin	Not Provided				
David R. McAlzer	Scott Tower				drmelt@yahoo.com
Dolores Gariola	Scott Tower				
Claire Baumolt	Scott Tower				
Anthony Perez Cassino	Community Board #8	5676 Riverdale Avenue Bronx NY 10471	(718)884 4740		acassino@milbank.com
Jeanette Ramsey	FSWSG	2825 Claplin Avenue #1C Bronx NY	(718)549 1518		
Marsha Jarrell-Broen	FSWSG	2765 Sedgwick Avenue #3F Bronx NY			hmarcia95@yahoo.com
Jerry Rheiner	Scott Tower	3410 Paul Avenue Bronx NY	(718)295 5956		
Walter Matystk	Manhattan College	4513 Manhattan College Pkwy Bronx NY 10471	(718) 862 7268	(718)862 7941	wmatysti@manhattan.edu
Pat & Mike Byrne	Scott Tower	3400 Paul Avenue Bronx NY			
Diane Conrad	Scott Tower	3400 Paul Avenue Bronx NY			
Richard Fenster	Scott Tower	3400 Paul Avenue Bronx NY			
Robert Friedman	Scott Tower	3400 Paul Avenue Bronx NY	(718) 295 7940		robert.friedman@mail.lehman.edu
Ivonne Salazar	Norwood News	3400 Reservoir Oval Bronx NY	(718) 324 4998		norwoodnews@norwoodnews.com

NYC DEP - CROTON FCMC

Page 5 Continued……

Name	Organization / Company	Address	Phone	Fax	E-Mail
Maureen J. Harten	Scott Tower	3400 Paul Avenue #16H Bronx NY			
Julie Signo	Scott Tower	3410 Paul Avenue Bronx NY			
Honorable Jeffrey Dinowitz	Member of Assembly	3107 Kingsbridge Avenue Bronx NY 10463	(718) 796 5345		DinowJ@assembly.state.ny.us
Sue & Stephen Culver	Scott Tower	3400 Paul Avenue Bronx NY			
P. Padilla	Scott Tower	3400 Paul Avenue Bronx NY			
Kathy Iannazy	Scott Tower	3410 Paul Avenue Bronx NY			
Ethel Farkas	Scott Tower	3410 Paul Avenue Bronx NY			

Attachment 2

Agenda
Croton Facility Monitoring Committee Meeting

Thursday, April 30, 2009 – 7:00 PM – 9:00 PM
Scott Tower Community Room, 3400 Paul Avenue, Bronx NY 10468

I. Welcome to Scott Tower	Sonia Lappin, Board Member
II. Call Meeting to Order	Greg Faulkner, Chairman
III. Consider, Adopt Minutes of CFMC March & April Executive Meeting	CFMC Principals
IV. DEP Report on Jobs & Hiring	Nicole Torres, DEP
V. Parks Report on Jobs & Hiring	Dept of Parks & Recreation
VI. Presentation of SEIS Minor Modification	Angela Licata, DEP
VII. Croton Construction Update	Bernard Daly, DEP
VIII. Discussion & Set Next Meeting	CFMC Principals
IX. Adjourn	

Upon recognition by the Chairman, the CFMC invites members of the public to raise questions and make comments throughout the meeting

Attachment 3

Croton Filtration Plant
Update on Bronx-based Hiring and Purchasing
Presented to the Croton Facility Monitoring Committee
April 30, 2009

Last FMC Meeting held in February FMC Meeting 2009 (January 2009 Report)

- Bronx Labor – 119 employees or 22% on site
- Bronx Purchasing – $77.98 million or 41% of Bronx & Non-Bronx contracts
- Croton Community Outreach Office Applicants – 1,502 (590 union, 912 non-union)

April FMC Meeting 2009 (March 2009 Report)

- Bronx Labor – 144 employees or 22% on site
- Bronx Purchasing – $78.2 million or 41% of Bronx & Non-Bronx contracts
- Croton Community Outreach Office Applicants – 1,556 (640 union, 916 non-union)

Attachment 4

Croton WTP Minor Modification: Off-site Work at Jerome Park Reservoir

Presentation for Croton Facility Monitoring Committee Public Meeting

April 30, 2009

New York City Department of Environmental Protection

Agenda

- Background & Context
- Summary of Proposed Changes
- Shaft & Meter Chamber
- Environmental Analysis
- Next Steps

New York City Department of Environmental Protection

Background & Context

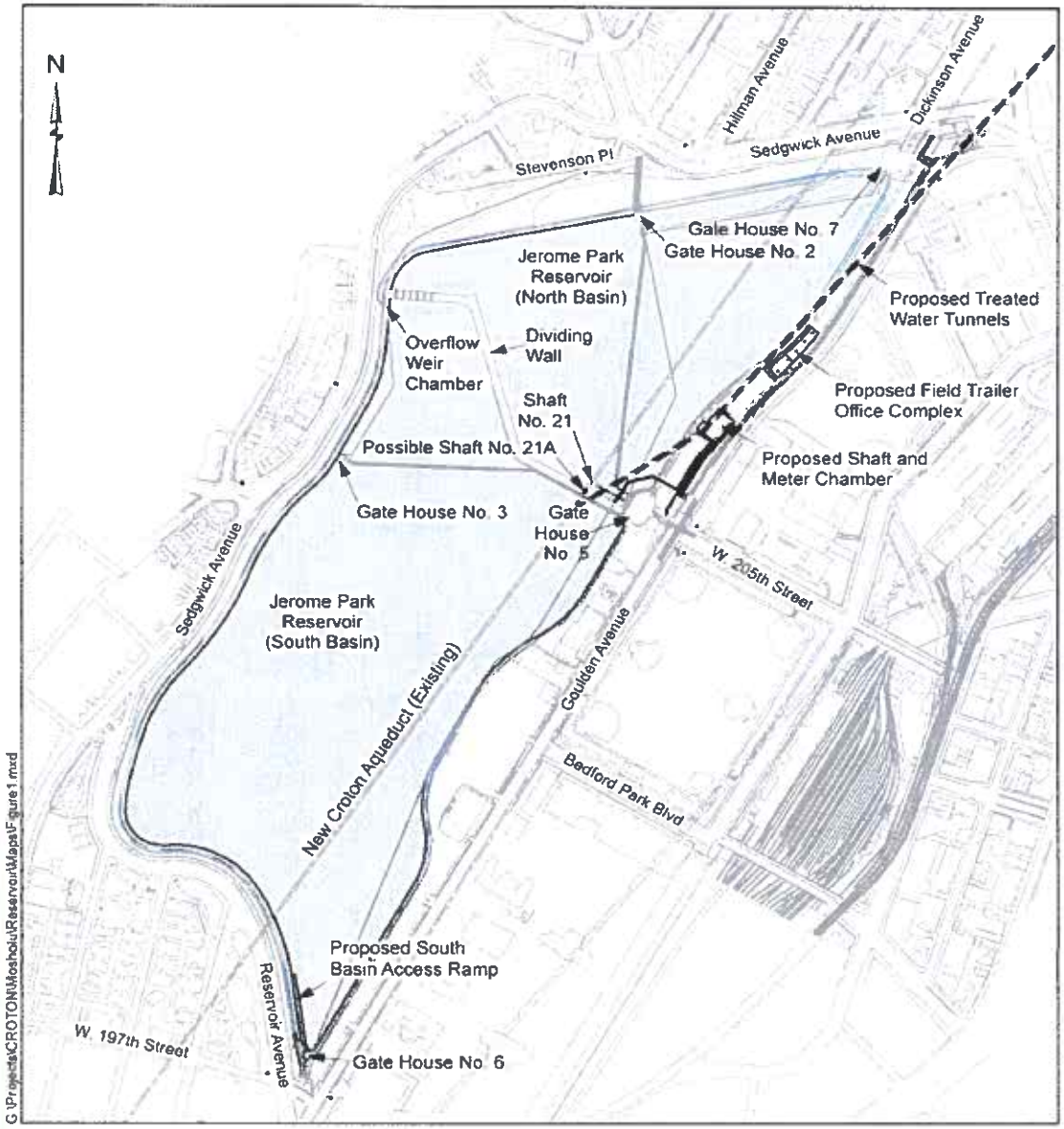
New York City Department of Environmental Protection

Background & Context

- Off-site work at JPR is critical piece of overall Croton project.
- Consists of multiple contracts and several discrete pieces of work.
- Shaft & Meter Chamber (SMC) is the largest piece of work and involves the most heavy construction.
- First phase of excavation is underway at SMC
- Site prep for second phase of excavation at SMC to begin in May 2009
- SMC construction expected to last through late 2011 *(or early 2012?)

New York City Department of Environmental Protection

Jerome Park Reservoir



Summary of Proposed Changes

New York City Department of Environmental Protection

Reasons for Changes

- DEP has updated the design and construction plans for JPR activities since 2004 FSEIS.
- Changes designed to minimize community impacts:
  - Reduce noise from construction activities
  - Consolidate work area and reduce work on Goulden Avenue
  - Reduce the project schedule
- Potential impacts of proposed changes evaluated in Minor Modification to the 2004 FSEIS.

New York City Department of Environmental Protection

2004 FSEIS vs. Proposed Changes

Project Element	FSEIS Design	Current Design	Reason for Change
Separate Raw and Treated Water in NCA	Use existing Shaft No. 21	New Shaft No. 21A on the NCA; or install 60 ft plug in the NCA.	Options currently under review by State DOH
Treated Water Tunnel Shafts	Single 30 ft dia shaft to house two riser shafts; raised bore construction method	Two 9 ft dia shafts; raised bore construction method	Reduce excavation
New Shaft Chamber	In Harris Park Annex; soil and bedrock removed using mechanical methods	Modified Shaft & Meter Chamber in Harris Park Annex; soil removed using mechanical methods; bedrock removed using blasting & mechanical methods	Consolidate activities away from schools, reduce project schedule, streamline O&M

New York City Department of Environmental Protection

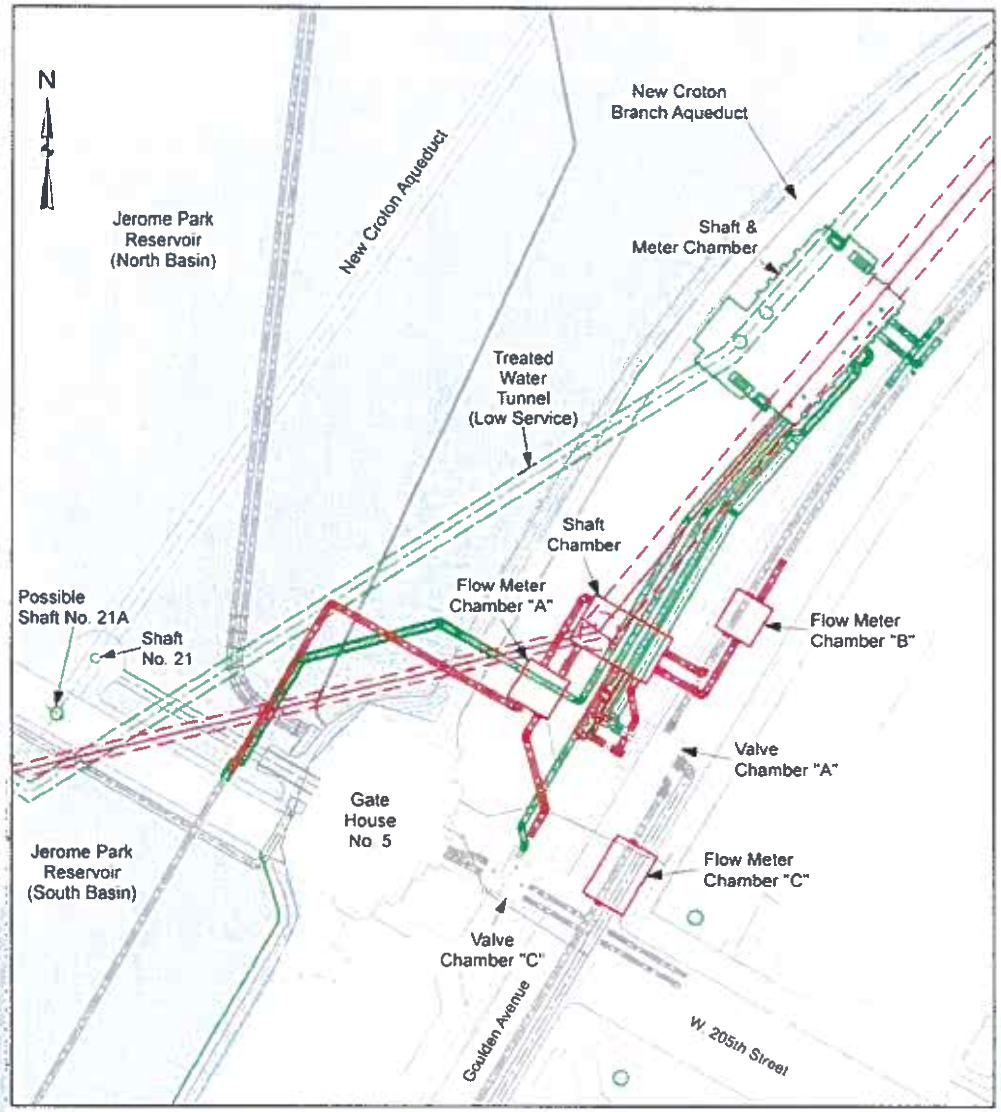
2004 FSEIS vs. Proposed Changes

Project Element	FSEIS Design	Current Design	Reason for Change
Flow Meter Chambers (FMC)	Two separate FMCs beneath Goulden Avenue, and one FMC beneath Harris Park Annex south of Shaft Chamber	Flow meters would be contained within the SMC	Eliminate need for separate FMCs; reduce traffic disruption in Goulden Avenue; streamline O&M
Rehabilitation of Gate Houses	Rehabilitate interior and exterior of Gate House Nos. 2, 3, 5, 6 and 7	Only interior rehabilitation	Exterior to be addressed later to incorporate concerns from Public Design Commission
Emergency bypass	No work proposed	Emergency bypass connecting SMC to NCBA; or connection of SMC to Gate House No. 5	Supply water from JPR to Low Level Service distribution system
South Basin Ramp (SBR)	Construct ramp in South Basin	Construct SBR; bedrock removal by blasting and/or mechanical methods	Design and rock removal methods are now better defined

Shaft & Meter Chamber

New York City Department of Environmental Protection

2004 FSEIS vs. Proposed Changes



New York City Department of Environmental Protection

Environmental Review Overview

- The purpose of an environmental review is to inform decision-making. The original environmental review for the project was conducted as part of the Draft Supplemental Environmental Impact Statement that was issued on December 30th, 2003 and the Final Supplemental Environmental Impact Statement that was issued on June 30th, 2004.
- The DSEIS and FSEIS informed the decision-making on selecting the site for the WTP.

New York City Department of Environmental Protection

Minor Modification Justification

- **SEQRA – No Need for Supplemental EIS**
  - Environmental Conservation Law Part 617.9(a)(7) Supplemental EISs states:
    - (i) The lead agency may require a supplemental EIS, limited to the specific significant adverse environmental impacts not addressed or inadequately addressed in the EIS that arise from:
      - *(a)* changes proposed for the project; or
      - *(b)* newly discovered information; or
      - *(c)* a change in circumstances related to the project.
    - (ii) The decision to require preparation of a supplemental EIS, in the case of newly discovered information, must be based upon the following criteria:
      - *(a)* the importance and relevance of the information; and
      - *(b)* the present state of the information in the EIS.
      - (iii) If a supplement is required, it will be subject to the full procedures of this Part.
- This Minor Modification includes the documentation and analysis that supports the conclusions for the finding that no new undisclosed significant adverse environmental impacts would occur.

New York City Department of Environmental Protection

Environmental Analysis

New York City Department of Environmental Protection

Evaluated Parameters

- Historic and Archaeological Resources
- Neighborhood Character
- Natural Resources
- Traffic
- Air Quality
- Noise

New York City Department of Environmental Protection

Historic and Archaeological Resources

- No adverse impact is anticipated.
- Evaluated vibrations associated with mechanical rock removal and blasting methods on historic structures in the vicinity of Shaft Meter Chamber and South Basin Ramp.
  - New Croton Branch Aqueduct
  - JPR Perimeter Wall
  - Gate House Nos. 5 & 6

New York City Department of Environmental Protection

Neighborhood Character

- The long-term neighborhood character of project area would not be altered as a result of the proposed project.
- Proposed changes would be consistent with historic water supply use activity at site.
- Temporary construction activity and elevated noise levels will occur. Corrective measures would be taken for construction-related noise and traffic.
- Contractor will prepare a Quality of Life Plan that addressing control of:
  - Noise
  - Dust
  - Particulates
  - Rodents
  - Traffic/parking stipulations
  - Emissions control

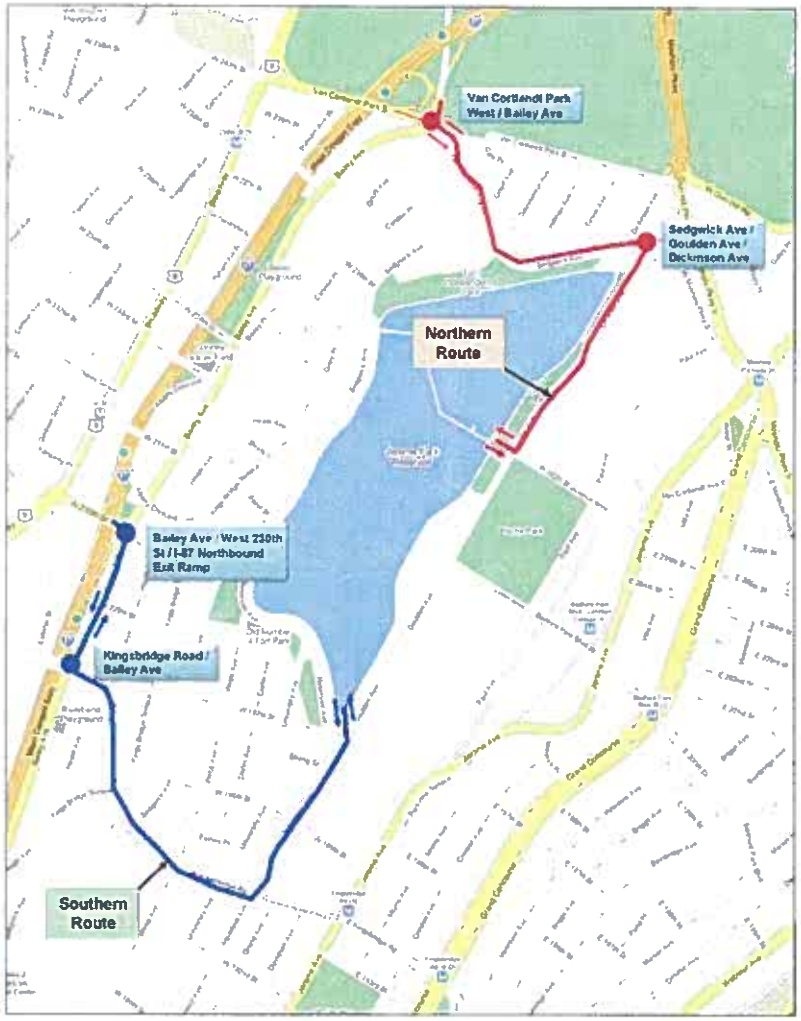
New York City Department of Environmental Protection

Natural Resources

- No adverse natural resource impacts are predicted to occur.
- Tree surveys conducted within Harris Park Annex.
- Approx. 27 trees to be removed.
  - Most trees of low habitat value.
- After construction, disturbed vegetated areas will be graded and grass will be replaced.

New York City Department of Environmental Protection

Traffic



Traffic Study-Northern & Southern Routes

- Construction traffic will be routed along two routes:
  - Northern Route
  - Southern Route
- Although peak vehicle trips were below criteria limit in CEQR – which requires a detailed traffic analysis – full traffic counts and HCM modeling were conducted

New York City Department of Environmental Protection

Traffic

- With traffic improvements being put in place, no adverse impact anticipated.
- Providing long-term benefit to the community, the following traffic improvements would remain permanently:
  - Signal retiming at Sedgwick, Goulden, and Dickinson Avenues
  - New equipment and signal retiming at VCP West and Bailey Avenue
  - New equipment and signal retiming at Kingsbridge Road and Bailey Avenue
  - New equipment and signal retiming at Bailey Avenue and West 230th St and I-87 Northbound Exit Ramp
- DEP is planning to provide off-street parking and obtain approval from NYCDOT and DSNY to eliminate

  midday parking restrictions.

New York City Department of Environmental Protection

Air Quality

- No significant impacts (NO_2, SO_2, PM_{10}, $PM_{2.5}$).
- Emission calculations and AERMOD Modeling conducted.
- Best Management Practices would be utilized during construction.
  - Local Law 77 (use of ULSD fuel and BAT)
  - No idling of equipment (except for concrete trucks)
  - 5 mph speed restriction on site
  - Watering to keep down dust
- Cumulative emissions from blasting would be lower than with hoe-ramming, due to shorter duration or work.

New York City Department of Environmental Protection

Noise

- Mobile and stationary source monitoring and modeling conducted.
- Noise barriers would surround the activity at the SMC.
- Elevated noise levels would be intermittent throughout the construction period, mostly due to work outside the noise barriers including demolition of the microstrainer building and making connections to the distribution system.

New York City Department of Environmental Protection

Noise

Receptor Description (exterior to structures)	Average Background Leq Noise Level	Predicted On-site Construction Leq(h) Noise Level	Above or Below CEQR Level Threshold
Bronx High School of Science	62 dBA (weekday)	62 to 73 dBA (weekday)	Above during 15 non-continuous months
	59 dBA (Saturday)	59 to 63 dBA (Saturday)	Below
Residences on Sedgwick Ave	64 dBA (weekday)	64 to 66 dBA (weekday)	Below
	62 dBA (Saturday)	62 to 62 dBA (Saturday)	Below
Schools and Residences along Goulden Ave and Reservoir Ave	64 dBA (weekday)	64 to 79 dBA (weekday)	Above during 9 non-continuous months
	62 dBA (Saturday)	62 to 62 dBA (Saturday)	Below

- Noise levels from blasting would be substantially less over time.
  - Hoe-ramming = Constant; 83 dBA Leq(h) or 90 dBA Lmax at 50 ft.
  - Blasting = Intermittent; 58 dBA Leq(h) or 94 dBA Lmax at 50 ft.

New York City Department of Environmental Protection

Next Steps

- Phase I
  - In response to lawsuit, DEP decided to hoe-ram in order to keep the project on schedule.
  - Our experience with hoe-ramming has found that bedrock at SMC site requires tremendous effort to break and progress is slower than anticipated.
  - Hoe-ramming has been very noisy and intrusive. The noise has been a major nuisance to Bronx High School of Science.

- Phase II
  - As a result of the Phase I and the results of the Minor Modification analysis, DEP is will be pursuing blasting for Phase II of the rock excavation in order to:
    - minimize community impacts
    - Shorten project schedule

New York City Department of Environmental Protection

Blasting Best Management Practices

- Blast Mats – used to control flying debris
- Sequential Detonation of Explosives – lessens ground vibration and air blast effect
- Warning Whistles – to alert people and clear area
- Extensive Outreach – to educate the community on blasting schedule and procedures
- Vibration Monitors – used to ensure vibration levels are below established criteria

New York City Department of Environmental Protection

Conclusion

- Based on DEP analysis of proposed changes, no new undisclosed potential significant adverse impacts are anticipated as a result of proposed changes to off-site work at Jerome Park Reservoir.
- DEP believes blasting for the second phase of excavation at SMC will have significantly less community impacts and greatly reduce the length of the project schedule.

New York City Department of Environmental Protection

Attachment 5

CROTON FACILITY MONITORING COMMITTEE (FMC)

c/o Greg Faulkner, Chairman, Bronx Community Board #7
229A East 204th Street, Bronx NY 10458 (718) 933-5650

(Modified & re-circulated to the FMC by Father Richard Gorman on June 12, 2009)

Whereas, NYC Department of Environmental Protection (DEP) prepared a Final Supplemental Environmental Impact Statement (FSEIS) for its Croton Filter Plant Project in 2004; and

Whereas, the current plans for Off-Site Croton facilities at Jerome Park Reservoir have substantially changed since preparation of the FSEIS; and

Whereas, the community comments at the April 30 FMC meeting raised questions concerning the public's adequate opportunity to review and consider the new JPR construction plans as well as new potential impacts concerning said new facility and the use of surface drilling and/or blasting, not previously studied in the 2004 FSEIS; and

Whereas, the community and the Croton FMC believe DEP is obligated to prepare a Supplemental EIS since these new construction plans not previously disclosed potential significant adverse and irreversible impacts on the environment, the first sensitive receptor, and to the public at large, as well as raise the need to mitigate reversible short term impacts and/or use or review other alternatives with a less impact, where possible.

Whereas, DEP as lead agency and member of the FMC state that an SEIS is neither required nor necessary since the analyses that formed the basis of the Minor Modification found that no new undisclosed significant adverse impact would occur under the changed plans at Jerome Park Reservoir and thus, in accordance with New York State Environmental Conservation Law Part 617, they have determined that no new SEIS is required.

Now therefore, in the interest of democracy and transparency, the Croton FMC calls upon DEP as lead agency to prepare an supplemental EIS on the matters that were not addressed in the previously prepared Croton FSEIS and to follow the regulatory procedures and framework for an SEIS, explaining to the community their plans for construction, its impact on their lives, and to provide an opportunity to review these changes as well as those with the least impacts, and comment

The Resolution was adopted April 30, 2009 by a vote of 4 – 2 – 1.

In support: Community Board #7, Community Board #8, Community Board #12, Council Member, 11 CD.
Abstaining: Department of Parks and Recreation, Bronx Borough President
In opposition: DEP