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**NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

October 10, 2008

**Reconstruction of Gilboa Dam
CEQR No.: 07DEP003U**

This Negative Declaration is for the proposed reconstruction of the Gilboa Dam. The Gilboa Dam (Dam), part of New York City's Catskill Water Supply System, is located within Schoharie County at the northern point of the Schoharie Reservoir (Reservoir). This Negative Declaration has been prepared in accordance with the requirements of the New York City Environmental Quality Review process as set forth in Executive Order 91 of 1977 and amendments, and Article 8 of the Environmental Conservation Law establishing the New York State Environmental Quality Review Act and its regulations as set forth in 6NYCRR Part 617. The New York City Department of Environmental Protection (NYCDEP), as lead agency, has determined that the proposed action would not have a significant effect on the environment and is herein publishing a Negative Declaration. The Environmental Assessment Form (EAF) and attachments were distributed on July 11, 2008.

PURPOSE AND DESCRIPTION OF PROJECT

Constructed and placed into operation in the early 1900s, the Dam has been in service for approximately 80 years. This gravity and embankment dam impounds the Reservoir. As the water surface level of the Reservoir surpasses the Spillway, water passes over the Dam and travels into Schoharie Creek. With its age-related deterioration, NYCDEP has proposed to reconstruct the spillway and face of the Dam as well as conduct general improvements to appurtenances in and around the Dam to extend its service life and to comply with New York State Department of Conservation dam safety guidelines.

NYCDEP's Bureau of Environmental Planning and Analysis concluded that the proposed project is a Type I action pursuant to 6NYCRR Part 617.

POTENTIAL IMPACTS ASSESSMENT

As described in detail in the July 11, 2008 EAF, the proposed project would not result in the potential for significant adverse impacts to occur to any aspects of the environment. Detailed discussions of all impact categories are presented in the EAF; key conclusions are summarized below.

Open Space and Recreation

Once completed, the proposed project is not anticipated to induce any loss or change in open space directly or indirectly due to the proposed project. During the construction period, certain areas would be restricted from recreational use; however this would be temporary and would only affect a small portion of the recreational lands in the vicinity of the Reservoir. It is also not anticipated that there would be adverse impacts to the recreational users of the Reservoir, Schoharie Creek, and other City-owned lands (in particular fishing and hunting recreational users) as a result of the proposed project.

Aesthetic and Visual Resources

Following completion of the proposed project, most of the temporarily affected areas would be restored and improved. The few structural changes and additions necessary for the proposed project would be minimal within the context of their corresponding structural components and therefore no change in the overall aesthetic character of the area is anticipated to occur. Therefore, no significant adverse aesthetic or visual resources impacts are anticipated as a result of the proposed project.

Historic and Archaeological Resources

It is not anticipated that significant adverse impacts to onsite historical and archaeological resources or paleontological resources would occur as a result of the proposed project. Sensitive resources within the reconstruction area have been identified and measures have or will be implemented prior to the commencement of construction in order to recover or protect these resources.

Natural Resources

Disturbances to natural resources would be temporary in nature during the reconstruction period. Areas disturbed during the reconstruction would be largely restored, returning the site to its pre-reconstruction condition to the maximum extent possible. Therefore, no significant adverse natural resources impacts are anticipated as a result of the proposed project.

Air Quality

The air quality assessment focuses on the effects of the temporary air increases during the reconstruction activities of the Dam. Measures to reduce construction equipment emissions and activities include the use of ultra low sulfur diesel fuel, covering of stock piles and watering of the on-site roadbeds. Once the reconstruction is completed, the only air emissions associated with the Dam would be those associated with normal operation and maintenance which would not differ in any substantial way from current operations. Therefore, the temporary increase in air emissions from the reconstruction activities is not anticipated to have an adverse impact to air quality in the vicinity of the Dam.

Noise

Although noise levels would increase during both daytime and nighttime reconstruction activities, all noise levels are below the applicable ambient noise exposure guidelines and would be temporary in nature. Once the proposed project is completed, the Dam and project site would resume its normal operational activities and the ambient noise would return to pre-reconstruction

levels. Therefore, no significant adverse noise impact is anticipated as a result of the proposed project.

Traffic

No adverse impacts on travel delays, congestion and/or queuing, or pedestrian safety are anticipated. It is not anticipated that proposed reconstruction activities would require prolonged public street or roadway closures. Project-related trucks and workforce vehicles would not impact any currently available parking spaces in the study area. Therefore, it is not anticipated that the proposed project would result in significant adverse traffic related impacts to the community around the project site during the reconstruction.

Statement of No Significant Effect:

The rehabilitation of the Gilboa Dam and related facilities is not anticipated to have any potential significant adverse effects on the quality of the environment. No potential significant adverse impact on natural resources, water resources, traffic, air quality, noise, cultural resources, neighborhood character, land use, community facilities, visual character, or public health, or other impact categories are anticipated to occur as a result of the proposed action. These conclusions are based on the analyses and determinations provided within the EAF that was distributed on July 11, 2008. The proposed action would ensure continued use of a critical component of the New York City Water Supply System.

Supporting Statements:

The above determination is based on an environmental assessment which finds that the project, as proposed, would not result in significant effects on the environment that would require the preparation of an Environmental Impact Statement.

For Further Information Contact:

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