



Emily Lloyd
Commissioner

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

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-4398
F: (718) 595-4479

Negative Declaration
Notice of Determination of Non-Significance
January 12, 2015

East Branch Aeration

CEQR No. 13DEP010Q

This Negative Declaration has been prepared in compliance with the State Environmental Quality Review Act authorized by Article 8 of the Environmental Conservation Law establishing the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations set forth in 6 NYCRR Part 617, the State Environmental Review Process (SERP) as required for obtaining financing under the State Environmental Facilities Corporation's State Revolving Loan Fund Program, and the New York City Environmental Quality Review (CEQR) process, as set forth in Executive Order 91 of 1977 and its amendments. The New York City Department of Environmental Protection (NYCDEP), as lead agency, has determined that the proposed action described below would not have a significant effect on the environment and is herein publishing a Negative Declaration. An Environmental Assessment Statement (EAS) was distributed on December 11, 2014. A corrected version of the EAS was distributed on December 18, 2014.

Project Description

NYCDEP proposes to construct a blower building containing two blowers and a diffused aeration system for aerating portions of Newtown Creek including one of its tributaries, East Branch. The goal of the project is to improve the water quality of Newtown Creek and its tributaries as per the requirements of a 2004 Administrative Combined Sewer Overflow (CSO) Consent Order between NYCDEP and the New York State Department of Environmental Conservation (DEC). The blower building would be located at 58-26 47th Street in Maspeth, New York, and the installation of the air header piping with diffusers would be located along the bottom channel of the East Branch and portions of Newtown Creek. The piping would total 1,600 feet and would be held in place using concrete ballast collars.

Per the consent order, the East Branch and Newtown Creek must achieve DEC Class SD water quality, which must be suitable for fish, shellfish, and wildlife survival. A requirement of class SD waters is that they maintain a minimum level of dissolved oxygen of 3 milligrams per liter. The proposed project would bring the affected water bodies into compliance with the dissolved oxygen requirement.

In addition to the aeration facility, a planted meadow with a rain garden is proposed to capture onsite surface and rooftop runoff. The planted meadow would occupy 0.72 acres of the 1.64 acre lot and provide a visual connection between 47th street and Newtown Creek. A seating area with trees and benches would be installed along the sidewalk of 47th Street; however, there would be no public access from the property to Newtown Creek.

Statement of No Significant Effect

The NYCDEP has determined, pursuant to 6NYCRR, Part 617 and the City Executive Order 91 of the 1977 and its amendments and the New York State Environmental Facilities Corporation State Environmental Review Process as required for obtaining financing under the State Revolving Fund Program, that the proposed action will not result in any potential significant adverse effects on the quality of the environment. No potential significant adverse impact on hazardous materials, natural resources, or other impact categories would occur as a result of the proposed action. These conclusions are based on the analyses and determinations provided within the EAS.

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:

Mitchell Wimbish, Project Manager
New York City Department of Environmental Protection
Bureau of Environmental Planning and Analysis
59-17 Junction Boulevard, 11th Floor
Flushing, New York 11373
Phone (718) 595-4451



Mark Page Jr.
Managing Director, Environmental Impact Analysis and Technical Review

W/ attachments:

Hon. Melinda Katz – Queens Borough President
Hon. Elizabeth Crowley – District 30 Council Member
Vincent Arcuri, Jr. – Queens Community Board 5 Chairperson
Gary Giordano – Queens Community Board 5 District Manager
Nilda Mesa – MOS
John Cryan – NYSDEC
Timothy Burns – NYSEFC
John Young – NYCDCP
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Michael Marrella – NYCDCP
Thomas Smith – NYCDCP
Randall Fong – NYCDCAS
Roy Tysvaer – NYCDEP
Ray Meshkati – NYCDEP
Terrell Estes – NYCDEP
Mitchell Wimbish – NYCDEP