

FOREWORD

This Final Environmental Impact Statement (Final EIS) examines the New York City Department of Environmental Protection's (NYCDEP) proposal to construct a vertical water supply shaft, Shaft 33B, to bring water from City Tunnel No. 3 to the local water distribution system in East Midtown and the Upper East Side in Manhattan. This Final EIS analyzes the potential environmental impacts associated with construction and operation of Shaft 33B and associated water main connections from the new shaft to an existing trunk main beneath Third Avenue. After a thorough consideration of environmental consequences discussed in the EIS, including those associated with construction of the water mains, and consideration of the public comments received on the EIS, on balance, the site at E. 59th Street and First Avenue remains the preferred site for Shaft 33B.

The Draft Environmental Impact Statement (Draft EIS) for the City Tunnel No. 3, Stage 2 Manhattan Leg Shaft 33B project was accepted as complete by NYCDEP and issued for public review and comment on November 7, 2005. The Draft EIS was prepared in accordance with City Environmental Quality Review (CEQR) as set forth in Executive Order 91 of 1977 and its amendments creating the Rules of Procedure for CEQR, adopted by the City Planning Commission on June 26, 1991 and revised in October 2001, as well as the State Environmental Quality Review Act (SEQRA), Section 8-0113, Article 8 of the Environmental Conservation Law, as set forth in 6 NYCRR Part 617.

Public review of the Draft EIS began on November 7, 2005 with the issuance of the Notice of Completion and the Draft EIS. As required under CEQR, the Draft EIS was available for public review for a minimum of 30 days following publication. The Draft EIS was circulated to interested and involved agencies and members of the public. A public notice advertising the availability of the Draft EIS and the date, time, and location of the public hearing on the Draft EIS was published in the *City Record* and in newspapers of general circulation in the affected area, including *The New York Post*, *New York Daily News*, and *Our Town*, a local weekly newspaper that is distributed in the Midtown area. The availability of the Draft EIS and information on the public hearing was also published in the New York State Department of Environmental Conservation's *Environmental Notice Bulletin*. The Draft EIS, on CD-ROM, was mailed directly to each member of the public who signed in at the public hearing on the Draft Scope of Work, provided comments on the Draft Scope of Work, or who had submitted comments on the project. In addition, the Draft EIS was posted on the NYCDEP web page and hard copies of the document were made available in local libraries and Community Board offices. NYCDEP also met with the local Community Boards, Community Boards 6 and 8, to present the Draft EIS to each Board on November 14, 2005. NYCDEP also hosted two informational forums to present the Draft EIS methodologies and analyses to the public. These informational forums, held on November 17 and November 21, 2005, were intended to assist the public understanding the scope of the project and to assist the public in its review of the Draft EIS and included a substantial question and answer component. Copies of information presented at these sessions were posted on the NYCDEP website.

As required by CEQR, a formal public hearing was also held during the public comment period, to receive oral testimony from the public and from involved or interested public and private agencies. The public hearing was held on December 5, 2005 at the High School of Art and

Design at 1075 Second Avenue in Manhattan. The public comment period remained open for 45 days, until December 22, 2005.

This document is the Final EIS for the City Tunnel No. 3, Stage 2 Manhattan Leg Shaft 33B. The Final EIS summarizes and responds to all substantive comments made during public review in a new chapter, Chapter 15, “Comments and Responses.” Where appropriate, revisions and clarifications have also been made to the other Chapters of the document in response to public comments. The major changes include the following.

- The discussion in the Final EIS regarding selection of the water main routes has been revised to clarify that the water main route will be selected by NYCDEP for design and construction by the New York City Department of Design and Construction (NYCDDC), the City agency responsible for design and construction of the City’s capital projects. Before construction, NYCDDC will prepare a detailed survey of the alignment, to identify all other buried infrastructure along that route. NYCDDC will also coordinate with any other construction projects that could be occurring at the same time as the water main construction project. Based on the results of the detailed survey and the coordination with other projects and on current and past practices, NYCDDC will endeavor to construct the water main route along NYCDEP’s selected route, but final alignment within the selected route will be determined by NYCDDC. NYCDDC is the agency with experience and responsibility for street work and will take the route that is prescribed by NYCDEP and survey the location, design the job, and implement its construction. Also, NYCDEP will work with NYCDDC to join expertise about possible construction techniques.

The final route will be determined after the Shaft Site has been selected, based on three factors: 1) more detailed survey information to be collected along the route; 2) further investigation into the feasibility of alternative construction techniques that might be used to further minimize the potential environmental impacts of the water main construction project identified in Draft and Final EIS; and 3) ongoing coordination and collaboration between NYCDEP, NYCDDC, and the New York City Department of Transportation (NYCDOT) regarding construction techniques and alignment.

- In response to numerous comments received during the public comment period that the EIS should analyze the cumulative effects of water main construction with shaft construction, the EIS has been revised to more clearly discuss the combined effects of both construction projects. The Draft EIS contained a full and detailed analysis of the environmental impacts associated with construction of the water mains along three feasible alternative routes. An evaluation of each of these routes from any of the potential Shaft Sites was also performed, to allow a reasonable comparison of the alternatives. Potential effects from construction and operation of the water mains along the three routes were not considered in isolation from any potential effects of construction and operation of the Shaft Sites—rather, the cumulative effects of construction and operation of the shaft and the water mains were analyzed for all four sites and all three water main routes and are presented in the EIS. In Sections of the document where that combined analysis was not clear in the Draft EIS, additional text has been provided in the Final EIS.

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- The description of the distribution chamber for Shaft 33B if constructed at the E. 59th Street/Second Avenue Shaft Site has been corrected: the correct width for this chamber is 26 feet.
- The description in the Final EIS of possible permits required for Shaft 33B has been corrected to remove references to the New York State Environmental Facilities Corporation State Environmental Review Process (State Revolving Loan Fund) Certification. Financing will not be sought for Shaft 33B through the State Revolving Fund Program, and therefore the project is not subject to the State Environmental Review Process.
- The New York City Landmarks Preservation Commission reviewed the Draft EIS and made comments requesting revisions to the text about the preferred Shaft Site; this change has been made to the document. A copy of this letter is included in Appendix 5.
- The New York State Office of Parks, Recreation and Historic Preservation, State Historic Preservation Office (NYSSHPO) reviewed the Draft EIS and commented on the potential architectural resources identified during field surveys of the Study Areas. The NYSSHPO determined that one potential architectural resource is eligible for the State and National Registers of Historic Places. The discussion of that resource has been updated accordingly and a copy of this letter is included in Appendix 5.

Modifications made to the document since publication of the Draft EIS are indicated by double underlines.

This Final EIS has been distributed in the same manner as the Draft EIS: the Final EIS, on CD-ROM, was mailed directly to each member of the public on the project's mailing list, including those who provided comments on the Draft Scope of Work and Draft EIS as well as all attendees who signed in at the public hearings on either document and any others who asked to be added to the mailing list. In addition, the Final EIS was posted on the NYCDEP web page and hard copies of the document were made available in local libraries and Community Board offices. No less than 10 days following completion of the Final EIS, NYCDEP will make its final decision on the proposed location for Shaft 33B in the Statement of Findings prepared under CEQR.

