

**NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION
CROTON FACILITY MONITORING COMMITTEE MEETING MINUTES**

THURSDAY, NOVEMBER 29, 2007 – 7:00PM

The November meeting of the Croton Facility Monitoring Committee was held on November 29, 2007 at the DEP community office, 3660 Jerome Avenue, Bronx, NY 10467. Attendees, including CFMC representatives, elected officials and their representatives, staff from DEP, its construction manager, design engineer, and members of the public, are listed on the attached sheet. (*Attachment 1*) A few people did not sign in.

The meeting began at approximately 7:12 PM; the agenda (*Attachment 2*) was available.

Welcome

Greg Faulkner, Chair of Community Board #7 and of the CFMC, opened the meeting. Mr. Faulkner clarified that those who speak during the public session will have their name, affiliation, and a brief summary of their comments included in the meeting minutes. Persons wanting their comments more fully referenced in the minutes should submit a written statement which will become an attachment to the meeting minutes. Mr. Faulkner proceeded to the meeting's public segment, inviting persons to speak in the order their speaker's request was provided.

Public Session

Lynn Schwarz, Fort Independence Park Neighborhood Association, distributed her comments dated November 29, 2007 about the cost of the Croton Filter Plant (*Attachment 3*). She recommended a higher community benefit package, commensurate with the higher costs of the project.

Anne Marie Garti, Jerome Park Conservancy, urged the Croton FMC to take action about the costs of the Croton Filter Project. She also mentioned her interest in the architects' landscaping concepts for Jerome Park Reservoir and her continued advocacy for limited access between the perimeter fences at JPR. DEP Deputy Commissioner Anne Canty said that the matter of public access to JPR had been given a lot of consideration but ultimately the DEP and other government agencies concerned with security determined that public access near the reservoir would not be allowed. Mr. Faulkner said that DEP had provided a compelling argument against public access at Jerome Park Reservoir and that he did not believe anything had changed that would now allow such access.

Anthony Riveccio, North Bronx Think Tank, said that not enough action has been taken on the 600 job applications brought to DEP by Elizabeth Thompson and him early in the project's construction. He said that 39 additional job applications were referred to DEP by Assembly Member Diaz and said that nothing has happened with them.

Ezra Glazer, Amalgamated Houses, spoke about various FOIL requests submitted to DEP. He said that if DEP isn't hiding information, the data should be made available to Ms. Argenti and Ms. Sokolow. His statement and copies of the FOIL requests are attached. (*Attachment 4*)

Karen Argenti first read a statement from Dart Westphal, Mosholu Preservation Corporation, about flooding and sewer back ups at the top of Gun Hill Road. His written comments are attached (*Attachment 5*).

Then Ms. Argenti, FIPNA, presented a statement complaining about the way public statements are reflected in CFMC meeting minutes. She also distributed an article from the "Hunts Point Express" concerning a model to keep pollutants out of the Bronx River. Her comments and the article are attached (*Attachment 6*). Council Member Oliver Koppell asked about Ms. Argenti's complaints, and also asked DEP to investigate and report back to the CFMC on Mr. Westphal's flooding complaint.

Jane Sokolow, OASIS, advocated for adoption of a resolution submitted by Father Richard Gorman, Community Board #12, calling for public hearings about the costs of the Croton Filter Plant. Her statement is *Attachment 7*.

Assembly Member Jeffrey Dinowitz said the DEP community office is too crowded and CFMC meetings should be held elsewhere. He reviewed the history of the Croton Filter Plant costs issue, asked for details about the expert panel that evaluated the costs, and said that most of the Bronx Assembly Delegation supports action similar to the Father Gorman resolution.

Lyn Pyle, Knox Gates Neighborhood Association, said she is pleased with Father Gorman's proposal and encouraged hearings and investigation by the NYS Attorney General and the NYC Comptroller.

Following the public speakers, Mr. Faulkner closed the public portion of the meeting.

The CFMC reviewed and adopted the meeting minutes of October 18, 2007 by consensus, upon a motion by Carmen Rosa, Community Board #12, seconded by Parks Borough Commissioner Hector Aponte.

Mr. Faulkner asked Dept of Health/Mental Hygiene Assistant Commissioner Dan Kass to present information about the NYCDOHMH program to reduce the incidence of pests and insects through improved public education and better garbage handling practices. Mr. Kass said that DEP funded the program as part of its community benefits. It has enabled DOHMH to move from a complaint-driven response to problems with rats into a database of objective observations. The program has now been underway for several months, with DOHMH obtaining the software and collecting the data. Based upon findings, DOHMH will begin to notify property owners where infestation has been observed. Property owners will be given time to achieve corrective compliance, will

receive educational tips and instructions about extermination, proper garbage handling practices, and related information. If compliance is not met or if conditions are urgent, DOHMH will abate the problem and charge the owner. Additionally, working with the Consortium for Worker Education, DOHMH will contract for extermination services. As part of the CWE program, some job applicants who filled out an application at the DEP community office and are interested in training to be an exterminator will be referred to the Consortium for training. Mr. Kass' presentation is *Attachment 8*.

Laura Stockstill, Borough President's Office, asked for the geographic boundaries of the DOHMH program. Mr. Kass said he will provide the boundaries.

Mr. Faulkner asked the Grimshaw architects to describe the design concepts for the Croton above ground buildings. Richard Friedman, DEP Special Counsel, said that the CFMC has previously seen two design concepts for above ground buildings. Following those presentations and comments from the CFMC, DEP Commissioner Emily Lloyd asked for a new architectural search for design services. Mr. Friedman introduced Grimshaw, the firm selected by DEP to prepare design concepts for the park and above ground buildings. Mark Husser and David Burke of Grimshaw explained that they were engaged for this work about six months ago and that they are working to integrate environmental best practices, including reuse of the site's groundwater, with preservation of the park's natural resources, always mindful of the Croton Filter Plant's safety and security requirements. The Grimshaw presentation is *Attachment 9*. Mr. Faulkner asked if the design will need to come to the community board for review and consideration. Mr. Husser said that it would. Ms. Stockstill requested the schedule of the above ground buildings design. Mr. Husser said that a historical review as well as developing the schematics has taken the first six months. Developing the design will take another four to six months, with review and input from DEP, the Parks and Recreation Dept and others. Following this initial consultation, Community Board #7 and the Art Commission will have input. That activity is currently scheduled to occur during the first quarter of 2008.

Council Member Koppell said he was impressed overall with the architects' concepts, in particular the environmental sensitivity, including green roofs, that the architects have shown.

Mr. Faulkner requested an update on jobs. Mr. Friedman provided a summary of the latest report, which is attached (*Attachment 10*). Council Member Koppell asked about the percentage goal of local hiring, adding that 21%, as shown in the current report, appears low. Ms. Canty said that the percentage of local workers has been considerably higher in the past and has also been lower. She said the workforce is governed by the timing and tasks of the construction contracts. She added that the Skanska/Tully workforce is beginning to expand, and it is anticipated that more local residents on the job will be reflected in future reports. Mr. Faulkner said he has met with representatives of Skanska/Tully and that Skanska/Tully appears to be supportive of hiring qualified local residents to work at the site. He added that the recent Project HIRE graduation was successful and he praised the efforts of Project HIRE and other area training, especially in a community with such high unemployment rates.

There was no update from the Parks Dept at this meeting, although Commissioner Aponte said that the Parks Dept is under a consent decree for hiring and that it takes about nine months before staff proposed for the agency comes on board.

The CFMC agreed that the resolution proposed by Father Gorman would be considered at a special meeting to be held on December 17th when Father Gorman, Anthony Cassino, DEP Commissioner Emily Lloyd and other principals said they will be in attendance.

Ms. Rosa suggested that Grimshaw be asked to review and possibly eliminate the second fence around the Jerome Park Reservoir as requested by the Jerome Park Conservancy. There was a brief discussion about the security requiring for both fences. Ms. Rosa also requested that budget presentations, in particular, be provided to the CFMC five days in advance of a meeting. Ms. Canty said there is often difficulty in making advance distribution of presentations, as many of them are worked on up to the time of the meeting. Mr. Koppell said that DEP and others should set their own deadlines as being five days prior to an upcoming meeting in order to meet this request. Ms. Stockstill said that whatever can be distributed ahead of a meeting should be, even if the information is not yet in final form. Ms. Canty said that DEP will try to accommodate the request as often as possible.

For the January meeting, Ms. Stockstill requested an update on all of the construction contracts, including Jerome Park work, as well as a current schedule for the construction in addition to the items already scheduled for the January CFMC meeting.

Before adjourning, Mr. Faulkner said the CFMC meeting in December will be in a larger space if possible.

The meeting was adjourned by consensus.

| <u>Name</u> | <u>Organization / Company</u> | <u>Address</u> | <u>Phone</u> | <u>Fax</u> | <u>E-Mail</u> |
|--------------------|--|--|--------------------------|----------------|--|
| Anthony Rivieccio | North Bronx ThinkTank | 3015 Perry Avenue Bronx NY 10458 | (347) 575 5045 | | a_rivieccio@yahoo.com |
| Tom Farrell | URS/MP Construction Manager | 3701 Jerome Avenue Bronx NY 10467 | (718) 696-2000 | (718) 324-3034 | thomas.farrell@shawgrp.com |
| Brian Farrelly | URS/MP Construction Manager | 3701 Jerome Avenue Bronx NY 10467 | (718) 696-2000 | (718) 324-3034 | bfarrelly@pirnie.com |
| Lynn Schwarz | FIPNA | 3332 Giles Place Bronx NY | (718) 543-2457 | (718) 798-3879 | |
| Jim Fagan | Metcalf & Eddy/Hazen and Sawyer JV | 498 Seventh Avenue New York NY | | | jfagan@hazenandsawyer.com |
| Margot Perron | NYC Dept of Parks & Recreation | 1 Bronx River Parkway Bronx NY | (718) 760-6816 | (718) 430-1818 | margot.perron@parks.nyc.gov |
| Hector Aponte | Bronx Parks Commissioner | 1 Bronx River Parkway Bronx NY | (718) 430-1801 | | hector.aponte@parks.nyc.gov |
| Carmen Rosa | District Manager, Community Board #12 | 4101 White Plains Road Bronx NY 10466 | (718) 881-4455 | (718) 231-0635 | cb12@optonline.net ; rgorman@cb.nyc.gov |
| Leon Fendley | NYC Dept of Parks & Recreation | 1 Bronx River Parkway Bronx NY | (718) 231-8470 | (718) 231-8857 | leon.fendley@parks.nyc.gov |
| 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 | (718) 324-3034 | Bdaly@dep.nyc.gov |
| Ed Barboe | Metcalf & Eddy/Hazen and Sawyer JV | 498 Seventh Avenue New York NY | | | ebarboe@hazanandsawyer.com |
| 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 | | lstockstill@bronxbp.nyc.gov |
| Joshua Cinelli | CUNY - Norwood News | 3400 Reservoir Oval East Bronx NY 10467 | (917) 683-9634 | (718) 324-2917 | norwoodnews@norwoodnews.org ; joshua.cinelli@journalism.cuny.edu |
| Fernando P. Tirado | Community Board #7 | 190 E. Mosholu Parkway Bronx NY | (347) 385-6714 | | |
| Michael Signorile | News 12 Bronx | 930 Soundview Avenue Bronx NY | (718) 861-6800 | | news12bx@news12.com |
| Anne Marie Garti | Jerome Park Conservancy | 3967 Sedgwick Avenue Bronx NY | (718) 601-1322 | | annemarie@att.net |

NYC DEP - CROTON FCMC

Page 2 Continued.....

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|-----------------------|---|--|------------------|----------------|--|
| Ezra Glaser | Friends of Jerome Park | 3985 Gouverneur Avenue Bronx NY 10463 | (718) 601-7349 | (718) 601-7278 | ezrabg@aol.com |
| Greg Faulkner | Chair, Community Board #7 | 2559 Sedgwick Avenue Bronx NY 10468 | (718) 482-5193 | (718) 609-2096 | gfaulkner@lagcc.cuny.edu |
| Anne Canty | Dep Comm, Commun. & Intergov. Affairs DEP | 59-17 Junction Blvd. Corona NY 11368 | (718) 595-3402 | (718) 595-3477 | acanty@dep.nyc.gov |
| Alex Kimball | Hazen & Sawyer Metcalf + Eddy JV | 498 Seventh Avenue New York, NY | (212) 539-7122 | (212) 614-9049 | akimball@hazanandsawyer.com |
| Nicole Stent | Community Board #8 | 5676 Riverdale Avenue Bronx NY 10471 | (718) 884-4740 | (718) 796-2763 | brxcb8@optonline.net |
| Lloyd Douglas | LDCC Business Consultant | 165 West 127th Street New York NY 10027 | (718) 292 - 3113 | (718) 292-3115 | |
| Hon. G.Oliver Koppell | City Council Member | 3636 Waldo Avenue Bronx NY 10463 | (718) 549-7300 | (718) 549-9945 | koppellgo@council.nyc.ny.us |
| Stefan Mayer | Cannon Heights | 3400 Ft Independence St Bronx NY | (718) 549-3035 | | stefanmayer2@yahoo.com |
| Karen Argenti | Fort Independence Park Neighborhood Assn | PO Box 346 Bronx NY 10471 | (646) 529 1990 | | KarenArgenti@aol.com |
| Lyn Pyle | Knox Gates Neighborhood Assn | 25 W. Newkirk Bronx NY | (718) 933-5650 | (718) 933-1829 | baylalyn@earthlink.com |
| Jeff Hitt | Construction Manager | 3701 Jerome Avenue Bronx NY 10467 | (718) 696-2000 | | jhitt@pirnie.com |
| Nestor Reyes | BOEDC | | (718) 580-5022 | | |
| Ed Neisch | URS/MP Construction Manager | 3701 Jerome Avenue Bronx NY 10467 | (718) 696-2000 | (718) 324-3034 | eneisch@Pirnie.com |
| Jane Sokolow | OASIS | 2 Spaulding Lane Bronx NY 10471 | (718) 548-8090 | | isbx101@gmail.com |
| Hon. Jeffrey Dinowitz | NYS Assembly Member | 3107 Kingsbridge Avenue Bronx Ny | (718) 796-5345 | | dinowitzi@assembly.nys.us.gov |

NYC DEP - CROTON FCMC

Page 3 Continued.....

| <u>Name</u> | <u>Organization / Company</u> | <u>Address</u> | <u>Phone</u> | <u>Fax</u> | <u>E-Mail</u> |
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| Debra Pucci | DEP Community Partnerships | 59-17 Junction Blvd Corona NY 11368 | (718) 595-6523 | | dpucci@dep.nyc.gov |
| Thomas McNeil | Assistant to Assembly Member Dinowitz | 3107 Kingsbridge Avenue Bronx NY 10463 | (718) 796-5345 | (718) 796-0694 | thomas0330@hotmail.com |
| Elizabeth Thompson | Kingsbridge Heights Nurses Association | 2757 Chaflin Avenue Bronx NY | (718) 884-3864 | | Thompson3864@aol.com |
| Matt Townsend | CUNY - Bronx 8 Reporter | | N/A | | |
| Arne Fareth | DEP BEDC | 46-05 Horace Harding Exp. Corona NY | (718) 595-6189 | | arnef@dep.nyc.gov |
| Dan Kass | Assistant Commissioner - NYCDOHMH | 22 Cortlandt Street New York NY | (212) 788-1219 | | dkass@health.nyc.gov |
| Richard Friedman | DEP Special Counsel | 59-17 Junction Blvd Corona NY 11368 | (718) 595-3604 | | rfriedman@dep.nyc.gov |
| Alan Natter | Metcalf & Eddy/Hazen & Sawyer JV | 498 Seventh Avenue New York NY | (212) 539-7198 | (212) 614-9049 | anatter@hazenandsawyer.com |
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| Mark Husser | Grimshaw | 100 Reade Street New York NY 10013 | (212) 791-2501 | | mark.husser@grimshaw-architects.com |
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Attachment 2

AGENDA

Croton Facility Monitoring Committee Meeting

Thursday, November 29, 2007 – 7:00 PM

DEP Community Office – 3660 Jerome Avenue

Bronx NY 10467 (718) 231-8470

- | | |
|---|---|
| I. Welcome | Greg Faulkner |
| II. Comments from the Public – Sign up to Speak | 3 Minute Maximum - 30 Minutes. |
| III. Consider, Adopt Minutes of 10-18-07 CFMC Meeting | CFMC Principals |
| IV. NYCDOHMH Status Report on Pests Control Outreach Program | Dan Kass, Asst. Commissioner DOHMH |
| V. Conceptual Plans - Above Ground Buildings At Van Cortlandt Park | David P. Burke, AIA, LEED, Grimshaw Architects |
| VI. DEP Report on Jobs & Training | Anne Canty, Deputy Commissioner Rich Friedman, Special Counsel |
| VII. Parks Report on Jobs | Faisal Choudhury, Parks Dept. |
| VIII. CFMC Discussion & Set Next CFMC Meeting | Greg Faulkner, CFMC Principals |
| IX. Adjourn | |

Fort Independence Park Neighborhood Association
Philip McDonnell, President / Karen Argenti and Lynn Schwarz, Vice Presidents / Arax Hogroian, Secretary
3340 Giles Place, Bronx, NY 10463
718-543-5047 Voice / 718-543-2457 Message / fipna@fipna.org

FIPNA Comments to the Facilities Monitoring Committee on November 29, 2007

LYNN SCHWARZ:

This is a comment on the DEP's presentation last month concerning the more than 100% increase in projected costs for the Filter Plant.

1. While the DEP representative provided you with a written explanation, and the public with only a power point, it was one-sided, to say the least. It raised more questions than it answered. The explanation was merely about math – how to add. It did not compare the quotes from expected expenses used to get to the total cost in the EIS. Moreover, the DEP discussed increases in the cost of union wages, inflation, the US Dollar, minerals (such as copper) and materials; but only a few of these items doubled in cost. The total amount of copper was not provided. The FMC should not be happy with the explanation and should demand the DEP answer the questions directly and clearly, and provide the original data used for the projections.

2. Now that we finally have a real cost, and it is clear that it has more than doubled, it is time to request the community benefit package be increased as well. It seems fair to request this increase, given the DEP's explanation for apparently internationally impacted high costs. The local community was not given adequate funding for our local parks, and we think the mitigation should be doubled and raised another \$200 million – most of which should be used for Fort Independence Park and Jerome Park Reservoir. Don't you agree Commissioner Aponte?.

Thank you for your time and consideration. Please respond with your comments.

My name is Ezra Glaser and I am a resident of Amalgamated Housing. I have been involved in this issue for many years – like many in this room, well over a decade. Today I come before you to comment on this project, but specifically about the information as to who is monitoring it, and with questions as to why information is being denied to us.

Attached to my comments are copies of the Freedom of Information Requests currently before the NYC Department of Environmental Protection (DEP). They are:

The Sokolow Argenti FOIL request regarding DEP monitoring of 09/26/07

The Sokolow Argenti FOIL SPDES request to the DEP of 09/25/07, and

The Sokolow Argenti FOIL DEP concerning the CWTP Budget 111407

There are also outstanding Freedom of Information Requests currently before the NYC Department of Parks and Recreation (DPR), specifically:

The two Sokolow-Argenti FOIL requests made to the Parks Department of 08/08/07

The information requested should have been presented to the public in this forum, but since it is now formally requested it should be provided to the FOIL requestors ASAP. It was a promise to the people in the Environmental Impact Study, and it is required by law. By failing to provide this information, and considering that the DEP is again in violation of the Freedom of Information Law, we have to ask: what is the DEP trying to hide?

It is extremely disconcerting that a public agency seems so unwilling to share information involving the monitoring of this extremely significant public project, particularly where, as here, the community has spent so much time and energy fighting against the project and so many promises have been made and broken by the DEP during all the years of its development.

One DEP FOIL concerns the monitoring of the natural resources in Van Cortlandt Park before and during construction. The reports are due at various intervals in the year and none have been made public. A second report concerns a baseline traffic impacts study prior to full construction, which is approaching. These were FOIL'd in September 2007.

Another involves the stormwater permits for groundwater and stormwater, including the most recent changes. This was FOIL'd in September 2007

One FOIL concerns the information upon which the DEP based the cost figures in the EIS. This was FOIL'd in November 2007. We also requested a meeting to discuss the groundwater issues with community experts. We have received no response.

The FOIL's for the Parks Department include the status of the 2004 parks projects, as well as the 1999 Mitigation. These were FOIL'd in August 2007

I was recently pleased to find out from the NYS Open Government Agency that lawyers (a community of which I am a part of) can sue for costs in FOIL litigation (see attached letter). So, if I don't hear from you one way, I will find another way.

Why don't you just provide the information requested, and share what this community needs to know about a project that you have imposed on us in our own backyard? Just provide the information!

Thank you.

Ezra B. Glaser, Esq.
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September 25, 2007

FOIL Records Officer, Bureau of Legal Affairs
Department of Environmental Protection
59-17 Junction Boulevard, 19th Floor
New York, NY 11373

Dear Record Access Officer,

This is a request for any and all information relating to your agency's budget on the "Croton Water Filtration Plant." In particular, we are looking for any and all information relating to the following:

1. **NYS DEC SPDES Stormwater Pollution and Prevention Plan (SWPPP)**, original and updated, if different from one in the FSEIS Appendix.
2. **Notice of Intent (NOI), and NYS DEC approval** of the SWPPP and NOI with expiration date.
3. If you are claiming that the groundwater is an "indirect discharge" and/or "dewatering" covered by the SWPPP, please state where that is explained in the SWPPP and/or the NOI.
4. **Erosion and Sediment Control (E&SC)**, original and current.
5. **NYS DEC SPDES Groundwater Discharge Permit**
6. **NYC DEP Groundwater Discharge Permit, from 2004 to present**

If this information is not available, please provide us with a list of the file names and contents, the names of the file draws, and the name of the person in charge of the preparing permits, requirements for your agency, so we can ascertain the exact name of the documents we need.

Therefore, in accordance with the provisions of the New York State Freedom of Information Law, this is an official request for a copy of the record described above.

If the document is denied in part, please specify the exemptions claimed for each page or passage. For documents withheld in their entirety please state, in addition, the date of and the number of pages in each document. Please allow time to review the documents prior to making a request for copies, as it may be more information than needed.

Please acknowledge this request within five working days, as provided in the "Uniform Rules and Regulations for All City Agencies Pertaining to the Administration of the Freedom of Information Law," Title 43, Rules of the City of New York, Ch. 1. We expect you to release the requested records within ten working days of your acknowledgement, as provided in the Rules. We will deem this request to have been denied if you do not comply with the Rules.

If you have any questions about this request, please contact me by telephone. We look forward to hearing from you soon. Thank you in advance for your cooperation and assistance.

Sincerely,

Jane Sokolow

Karen Argenti

Jane Sokolow and Karen Argenti
Two Spaulding Lane, Riverdale, New York 10471
Fax 646-529-1990
(718) 548-8090 or (646) 529-1990
isbx101@gmail.com or kabx101@gmail.com
September 26, 2007

FOIL Records Officer, Bureau of Legal Affairs
Department of Environmental Protection
59-17 Junction Boulevard, 19th Floor
New York, NY 11373

Dear Record Access Officer,

This is a request for any and all information relating to your agency's budget on the "Croton Water Filtration Plant." In particular, we are looking for updated status of <http://www.nyc.gov/html/dep/pdf/croton/9-02mosholu.pdf>

1. Natural Resources Annual Monitoring Report for each year, including the base year (page 14)

Monitoring of the system would include the following for two years pre-construction, during construction, and three years post-construction:

- Monthly groundwater levels at five monitoring wells in and round the wetland;
- Annual monitoring of tree health and growth in and adjacent to the wetland and around the entire excavation site;
- Twice annual surveys for rare, threatened, and endangered species;
- Twice annual surveys of vegetation plots; and
- Spring, summer, and fall recording of soil moisture at 200 ft. intervals around the excavation.

2. Traffic Mitigation Review of the accuracy of model baseline in preparation for the "after construction begins traffic patterns" in the mitigation section mentioned below and/or construction worker parking situation explained in FSEIS Section 6.9.3.2.2.

"It is routine for counts to be performed at these locations after construction begins to provide actual traffic patterns to support the request for the modification of the signal timings. The potential traffic improvements would be developed in accordance with NYSDOT and NYCDOT design guidelines for approval. In addition, the potential traffic improvements designs would need to be reviewed and approved by the NYSDOT, NYCDOT, and/or other roadway jurisdictional bodies prior to being implemented. If these signal optimization plans to reduce the predicted increases in delay at the intersections in the study area are not adopted, these potential significant adverse traffic impacts would remain unmitigated." (page 3)

If this information is not available, please provide us with a list of the file names and contents, the names of the file draws, and the name of the person in charge of the budgetary and/or fiscal requirements for your agency, so we can ascertain the exact name of the documents we need.

Therefore, in accordance with the provisions of the New York State Freedom of Information Law, this is an official request for a copy of the record described above.

If the document is denied in part, please specify the exemptions claimed for each page or passage. For documents withheld in their entirety please state, in addition, the date of and the number of pages in each document. Please allow time to review the documents prior to making a request for copies, as it may be more information than needed.

Please acknowledge this request within five working days, as provided in the "Uniform Rules and Regulations for All City Agencies Pertaining to the Administration of the Freedom of Information Law," Title 43, Rules of the City of New York, Ch. 1. We expect you to release the requested records within ten working days of your acknowledgement, as provided in the Rules. We will deem this request to have been denied if you do not comply with the Rules.

If you have any questions about this request, please contact me by telephone. We look forward to hearing from you soon. Thank you in advance for your cooperation and assistance.

Sincerely,

Jane Sokolow

Karen Argenti

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FAX 646-349-1047

November 14, 2007

FOIL Records Officer, Bureau of Legal Affairs
Department of Environmental Protection (DEP)
59-17 Junction Boulevard, 19th Floor
New York, NY 11373

Dear Record Access Officer,

This is a request, under the Freedom of Information Law for any and all information relating to the Department's budgetary information on the "Croton Water Treatment Plant" from 2004 to the present, including any and all correspondences, including, but not limited to letters, e-mails, faxes, reports, responses memos between the DEP and any and all parties, including government agencies, elected and appointed officials, representatives of elected and appointed officials, businesses, individuals and any and all other persons or entities regarding the following:

1. Information use to create the budget lines and/or contract types, including those supplied by consultants and other expert reviewers used as the basis for the budgetary impact comparisons for the Final Supplemental Environmental Impact Statement (FSEIS) of June 30, 2004.
2. List and total cost of each proposed contract and/or budget line to be awarded as listed in the background information for the FSEIS 2004 for each site.
3. List and total cost of each proposed contract that was awarded for any and all of the sites in the FSEIS 2004.
4. Bid Description sheet for site preparation for CRO 311 for all three sites, as this estimate was accepted in January 16, 2004 and opened on May 27, 2004 prior to the actual decision to build a plant at the Mosholu site of September 28, 2004. (We have CRO 311 (2) from the August 8 FOIL.)

If this information is not available, please provide us with a list of the file names and contents, the names of the file draws, and the name of the person in charge of the budgetary and/or fiscal requirements for your agency, so we can ascertain the exact name of the documents we need.

Therefore, in accordance with the provisions of the New York State Freedom of Information Law, this is an official request for a copy of the record described above. If the document is denied in part, please specify the exemptions claimed for each page or passage. For documents withheld in their entirety please state, in addition, the date of and the number of pages in each document.

Please allow time to review the documents prior to making a request for copies, as it may be more information than needed. Contact us by email and/or fax as listed above.

Please acknowledge this request within five working days, as provided in the "Uniform Rules and Regulations for All City Agencies Pertaining to the Administration of the Freedom of Information Law," Title 43, Rules of the City of New York, Ch. 1. We expect you to release the requested records within ten working days of your acknowledgement, as provided in the Rules. We will deem this request to have been denied if you do not comply with the Rules.

If you have any questions about this request, please contact me by telephone. We look forward to hearing from you soon. Thank you in advance for your cooperation and assistance.

Sincerely,

Jane Sokolow

Karen Argenti

Jane Sokolow and Karen Argenti
Two Spaulding Lane
Riverdale, New York 10471
(718) 548-8090 or (646) 529-1990
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August 8, 2007

Ms. Amy Klietman, Records Access Officer
New York City Department of Parks and Recreation
Arsenal Building in Central Park
830 Fifth Avenue, Room 313
New York, NY 10021

Dear Ms. Klietman:

This is a request for any and all information relating to your agency's progress on the "Croton Water Filtration Plant" 2004 MOU and (referred to in the attached letter and excel sheet), which states that \$200 million will be spent on improvements to Bronx parks and the identified proposed projects. We have been following the *Bronx Parks for the Twenty-first Century* on the web page (http://www.nycgovparks.org/sub_your_park/croton/html/project_list.html), which does not have sufficient information. In particular, we are looking for updated status of

1. When each project on the list was bid, or if not bid yet, when it is projected to be bid.
2. How much was the award, or if it is about to be awarded, list the bid price.
3. To whom was the bid awarded, or to whom is it about to be awarded.
4. When the project was completed or when is the projected date to completion.
5. If any project was rejected and the reason for the rejection.
6. The replacement for the project rejected, and the date of this decision

Therefore, in accordance with the provisions of the New York State Freedom of Information Law, this is an official request for a copy of the record described above.

If the document is denied in part, please specify the exemptions claimed for each page or passage. For documents withheld in their entirety please state, in addition, the date of and the number of pages in each document. Please allow time to review the documents prior to making a request for copies, as it may be more information than needed.

Please acknowledge this request within five working days, as provided in the "Uniform Rules and Regulations for All City Agencies Pertaining to the Administration of the Freedom of Information Law," Title 43, Rules of the City of New York, Ch. 1. We expect you to release the requested records within ten working days of your acknowledgement, as provided in the Rules. We will deem this request to have been denied if you do not comply with the Rules.

If you have any questions about this request, please contact us by telephone. We look forward to hearing from you soon. Thank you in advance for your cooperation and assistance.

Sincerely,

Jane Sokolow

Karen Argenti

Encl: Letter and Excel sheet dated September 13, 2004 from Benepe and Ward

Jane Sokolow and Karen Argenti
Two Spaulding Lane
Riverdale, New York 10471
(718) 548-8090 or (646) 529-1990
jsbx101@gmail.com or kabx101@gmail.com

August 9, 2007

Ms. Amy Klietman, Records Access Officer
New York City Department of Parks and Recreation
Arsenal Building in Central Park
830 Fifth Avenue, Room 313
New York, NY 10021

Dear Ms. Klietman:

This is a request for any and all information relating to your agency's progress on the "Croton Water Filtration Plant" 1999 ULURP (referred to in the attached letter) and committed as part of the 1999 ULURP proceeding. In particular, we are looking for updated status of

1. When each project was bid, or if not bid yet, when it is projected to be bid.
2. How much was the award, or if it is about to be awarded, list the bid price.
3. To whom was the bid awarded, or to whom is it about to be awarded.
4. When the project was completed or when is the projected date to completion.
5. If any project was rejected and the reason for the rejection.
6. The replacement for the project rejected, and the date of this decision

Therefore, in accordance with the provisions of the New York State Freedom of Information Law, this is an official request for a copy of the record described above.

If the document is denied in part, please specify the exemptions claimed for each page or passage. For documents withheld in their entirety please state, in addition, the date of and the number of pages in each document. Please allow time to review the documents prior to making a request for copies, as it may be more information than needed.

Please acknowledge this request within five working days, as provided in the "Uniform Rules and Regulations for All City Agencies Pertaining to the Administration of the Freedom of Information Law," Title 43, Rules of the City of New York, Ch. 1. We expect you to release the requested records within ten working days of your acknowledgement, as provided in the Rules. We will deem this request to have been denied if you do not comply with the Rules.

If you have any questions about this request, please contact me by telephone. We look forward to hearing from you soon. Thank you in advance for your cooperation and assistance.

Sincerely,

Jane Sokolow

Karen Argenti

Encl: Letter dated September 13, 2004 from Benepe and Ward

**FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
CROTON WATER TREATMENT PLANT**

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9. MITIGATION OF POTENTIAL IMPACTS

9.2. MOSHOLU SITE

9.2.1. Introduction

As design of the proposed Croton water treatment plant (WTP) at the Mosholu Site evolved, many mitigating features have been incorporated into the design of the project based on advanced judgment and public input. For example, the proposed project at the Mosholu Golf Course Site would be built substantially below existing grade and fully covered, allowing the replacement and enhancement of existing park uses. Relocating the existing Golf Club house, replacing the existing driving range, rebuilding and enhancing the existing golf course, and landscaping enhancement are all possible and included in the project design. A vibration prevention and monitoring program would also be implemented during construction. Similarly, noise barriers, paving of some of the interior construction roadways and dust suppression techniques are incorporated in construction plans to eliminate air and noise quality nuisances to the extent feasible. Additionally, some of the planned improvements to traffic conditions would improve the entrance to the Mosholu Golf Course and would improve the 233rd Street/Jerome Avenue/Major Deegan interchange based on the traffic analysis.

This section details mitigation measures that have been developed to address the potential significant impacts that could not simply be avoided. No significant adverse impacts were identified in the following impacts categories and are therefore not considered in this section: Land Use, Zoning, and Public Policy; Open Space; Visual Character; Community Facilities; Neighborhood Character; Infrastructure and Energy; Growth Inducement; Air Quality, Water Resources; EMF/ELF; Solid Waste; Public Health; and Socioeconomic Analysis. The potential impacts on these parameters are described in the appropriate construction and project impact sections.

Below is a listing of potential significant impacts that may occur. Where feasible, mitigation is proposed. Typically, construction-related impacts are not classified as significant because of their temporary nature and because of the impracticability of mitigating them. They are, however, identified below along with mitigation measures where impacts are determined to be severe or to persist for an extended period of time.

9.2.2. Traffic Mitigation

The need for potential traffic improvements for the proposed plant at the Mosholu Site was based on an analysis of the potential for significant adverse traffic impacts in Section 6.9.3, Mosholu Site, Traffic and Transportation, Potential Impacts. The potential traffic improvements for the water treatment plant site are described as follows:

No significant traffic impacts are anticipated during the operation of the proposed facility. However, the construction phase of the proposed project is anticipated to result in traffic impacts at the 233rd Street and Jerome Avenue and Jerome Avenue and the Mosholu Golf Course entrance. A plan has been developed that would require the construction related truck traffic to

use the Major Deegan Expressway 233rd Street exit, and travel south along Jerome Avenue to enter the site. Construction truck traffic exiting the site would be required to travel north along Jerome Avenue to 233rd Street. Combined with the improvements proposed at 233rd Street/Jerome Avenue and the 233rd Street off-ramp of the Major Deegan Expressway, this designated truck route plan is projected to improve current congested conditions and eliminate the potential for the proposed project to adversely affect this intersection.

In order to maximize capacity of these intersections, and to mitigate the potential impacts of the construction traffic and the Future with the Project traffic, the following mitigations measures are recommended and would be committed to by the NYCDEP to be part of the project at the Mosholu Site. Each of these intersection mitigation plans would be based upon the potential construction impacts that would occur during peak construction periods even with the proposed mitigation plan.

It should be noted that the following proposed mitigation plans contemplate the re-apportioning of the “green light time” for critical approaches at different intersections in the study area. This measure is intended to improve the overall intersection LOS and delay in certain intersection. These plans would improve the LOS and reduce delays back to the Future Without the Project conditions. However, in some cases these improvements might actually worsen other approaches to the same intersection (i.e., increase delay or worsen LOS) but overall would improve the intersection conditions and LOS.

1. *East 233rd Street/Jerome Avenue:* The analyses, as well as field inspections, show that there is severe traffic congestion at this location that would worsen with or without the proposed project. Although there is a right-turn channel at Jerome Avenue, queuing prevents vehicles from utilizing the channel because it is located too close to the intersection. This problem can be resolved by widening the ramp, to provide an exclusive, temporary right-turn lane leading into the existing channel. This would allow right-turning vehicles to clear the ramp quickly and also improve the overall queuing condition on this ramp. Since this area was included as part of the alienation legislation authorizing the use of the Mosholu Golf Course as a site for the Croton WTP, if the New York City Department of Parks and Recreation (NYCDPR), New York City Department of Transportation (NYCDOT), and the community make an official request that NYCDEP make this improvement permanent, NYCDEP would endeavor to do so.

The southbound left-turn at this intersection has restricted capacity due to the high opposing volume. During PM peak conditions, field inspections have shown left turning drivers utilize one of the southbound through lanes as a second left turn lane. This illegal maneuver is allowing additional southbound lefts to get through the intersection than would otherwise occur with the current intersection configuration and signal phasing. To improve the delay for southbound lefts, a left-turn signal phase would be added.

Another problematic approach at this intersection is the westbound left-turn movement on E. 233rd Street. As there are a limited number of east-west roadways in

this area, many vehicles heading south use westbound E. 233rd Street and then make a left-turn at Jerome Avenue. The high number of vehicles and limited green signal time results in delays during rush hours. To address this problem, it is proposed to widen E. 233rd Street and to add a second left-turn travel lane on the westbound approach.

After the physical changes, a signal timing warrant analysis would be conducted and submitted to NYCDOT for review and approval to make the intersection more efficient.

2. *Gun Hill Road and Jerome Avenue:* Optimize signal timing, transfer one second from eastbound/westbound phase to northbound/southbound phase. With mitigation, this intersection would operate at LOS D in the AM peak hour and LOS C in the PM peak hour. The AM peak hour southbound approach would remain at LOS E, but would have reduced delays of 1.7 seconds. The remaining approaches would remain at mid-LOS D or better. All approaches during the PM peak hour would be at mid-LOS D or better.
3. *Jerome Avenue and Bainbridge:* Although this intersection is not predicted to result in potentially significant adverse impacts based on the traffic capacity analysis, it would be used as the primary site access. The existing entrance to Mosholu Golf Course is at a complex intersection where Jerome Avenue and Bainbridge Avenue join at an acute angle. There is limited sight visibility at this intersection because of the columns that support the elevated No. 4 IRT Woodlawn train station. Construction traffic would not likely choose to use Jerome Avenue for access from the south, but several steps would be taken to insure that truck traffic does not use this route. The existing entrance to Mosholu Golf Course would be converted to a one-way exit. The right turn would be marked "No Trucks." A new entrance would be created approximately 150 ft. north of the existing entrance. The northbound approach to this entrance would be marked "No Trucks." Finally, a Traffic Control person would be placed on duty at this intersection during peak traffic periods and to enforce the ban on project-generated truck traffic traveling to and from the south along Jerome Avenue. This would also enhance pedestrian safety.

These traffic improvements primarily call for optimizing signal timings to reduce the potential increase in delay created by construction traffic volumes. The construction volume peaks were predicted conservatively since they were anticipated to arrive during the AM and PM peak hours. The optimum signal timings utilized are approximate. It is routine for counts to be performed at these locations after construction begins to provide actual traffic patterns to support the request for the modification of the signal timings. The potential traffic improvements would be developed in accordance with NYSDOT and NYCDOT design guidelines for approval. In addition, the potential traffic improvement designs would need to be reviewed and approved by the NYSDOT, NYCDOT, and/or other roadway jurisdictional bodies prior to being implemented. If these signal optimization plans to reduce the predicted increases in delay at the intersections in the study area are not adopted, these potential significant adverse traffic impacts would remain unmitigated. The potential significant adverse impacts from the proposed

construction-related activity would be short-term and mainly related to peak construction periods.

Table 9.2-1 shows the comparison of LOS results for these intersections for the Future Without the Project, the Construction Year, and the same year with the mitigation measures.

TABLE 9.2-1. 2008 TRAFFIC CONDITIONS WITH PROPOSED MITIGATION MEASURES

| SIGNALIZED INTERSECTIONS | LANE GROUP | FUTURE WITHOUT THE PROJECT | | | | | | POTENTIAL CONSTRUCTION IMPACTS | | | | | | PROPOSED MITIGATION MEASURES | | | | | |
|--|---------------------|----------------------------|-------------|-------------|----------------------|-------------|-------------|--------------------------------|-------------|-------------|----------------------|-------------|-------------|------------------------------|-------------|-------------|----------------------|-------------|-------------|
| | | WEEKDAY AM PEAK HOUR | | | WEEKDAY PM PEAK HOUR | | | WEEKDAY AM PEAK HOUR | | | WEEKDAY PM PEAK HOUR | | | WEEKDAY AM PEAK HOUR | | | WEEKDAY PM PEAK HOUR | | |
| | | V/C | DELAY | LOS | V/C | DELAY | LOS | V/C | DELAY | LOS | V/C | DELAY | LOS | V/C | DELAY | LOS | V/C | DELAY | LOS |
| | | RATIO | (SEC/VEH) | | RATIO | (SEC/VEH) | | RATIO | (SEC/VEH) | | RATIO | (SEC/VEH) | | RATIO | (SEC/VEH) | | RATIO | (SEC/VEH) | |
| 233rd Street (E-W) at Jerome Avenue (N-S) | EB - LTR | 0.92 | 52.3 | E | 0.91 | 52.7 | D | 1.03 | 74.6 | E | 0.92 | 53.6 | D | --- | --- | --- | --- | --- | --- |
| | EB-LT | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | 0.80 | 46.7 | D | 0.89 | 56.8 | E |
| | EB-R | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | 0.77 | 51.1 | D | 0.28 | 38.3 | D |
| | WB - L | 0.66 | 40.3 | D | 0.59 | 45.2 | D | 0.70 | 42.0 | D | 0.60 | 45.3 | D | 0.38 | 33.8 | C | 0.37 | 45.6 | D |
| | WB - R | 0.88 | 15.3 | B | 0.79 | 16.1 | B | 0.92 | 20.1 | C | 0.79 | 16.1 | B | 1.01 | 44.4 | D | 0.90 | 34.2 | C |
| | NB - T | 0.46 | 38.3 | D | 0.63 | 35.5 | D | 0.47 | 38.5 | D | 0.80 | 41.1 | D | 0.52 | 41.6 | D | 0.80 | 44.5 | D |
| | NB - R | 0.27 | 6.3 | A | 0.36 | 6.9 | A | 0.26 | 6.2 | A | 0.38 | 7.1 | A | 0.29 | 11.2 | B | 0.44 | 14.8 | B |
| | SB - L | 0.86 | 84.1 | F | 1.15 | >150 | F | 0.86 | 85.3 | F | 2.29 | >150 | F | 0.60 | 42.5 | D | 1.06 | 114.9 | F |
| | SB - T | 0.52 | 39.4 | D | --- | --- | --- | 0.63 | 41.9 | D | --- | --- | --- | 0.52 | 34.5 | C | 0.27 | 26.1 | C |
| SB - LT | --- | --- | --- | 0.54 | 35.7 | D | --- | --- | --- | 0.64 | 38.6 | D | --- | --- | --- | --- | --- | --- | |
| | Intersection | | 36.0 | D | | 38.9 | D | | 44.9 | D | | 58.7 | E | | 40.2 | D | | 43.7 | D |
| Gun Hill Road (E-W) at Jerome Avenue (N-S) | EB - LTR | 0.74 | 27.0 | C | 0.53 | 26.1 | C | 0.76 | 27.8 | C | 0.53 | 26.5 | C | 0.78 | 29.4 | C | 0.55 | 28.1 | C |
| | WB - LTR | 0.78 | 29.9 | C | 0.70 | 24.4 | C | 0.67 | 33.5 | C | 0.70 | 24.4 | C | 0.69 | 36.0 | D | 0.71 | 25.7 | C |
| | NB - LTR | 0.60 | 24.3 | C | 0.80 | 31.9 | C | 0.64 | 25.5 | C | 0.81 | 32.6 | C | 0.63 | 24.3 | C | 0.80 | 30.7 | C |
| | SB - LTR | 1.01 | 64.0 | E | 0.80 | 32.1 | C | 1.03 | 69.3 | E | 0.94 | 47.8 | D | 1.00 | 62.3 | E | 0.92 | 43.6 | D |
| | | Intersection | | 37.3 | D | | 28.2 | C | | 39.7 | D | | 32.5 | C | | 38.9 | D | | 31.8 |

ABBREVIATIONS:

EB-Eastbound, WB-Westbound, NB-Northbound, SB-Southbound

L-Left, T-Through, R-Right, E-W: East-West Roadway, N-S North-South Roadway

V/C Ratio - Volume to Capacity Ratio

SEC/VEH - Seconds per Vehicle

LOS - Level of Service

9.2.3. Noise Mitigation

No significant mobile or stationary noise impacts were anticipated as a result of future normal operations of the proposed plant. Predicted construction-generated noise level increases generally exceed the acceptable 3-5 dBA noise increase threshold established by CEQR to define significant adverse noise level increases that would result from a proposed project. Noise sensitive receptors in the vicinity of the proposed water treatment plant at the Mosholu Site would be affected by these noise level increases at four sites (Saturn Playground, Mosholu Golf Course, Shandler Recreation Area, and residences at Jerome Avenue and 213th Street). These noise level increases would last long enough to constitute a significant adverse impact and, therefore, would warrant mitigation. Mitigation would be required due to the long construction period and the potential for subsequent lost enjoyment for the Van Cortlandt Park users and prolonged nuisance from noise that may occur to residential receptors and elsewhere. Woodlawn Cemetery (MGC-S4) may also experience some increased noise levels during the excavation and rock drilling phases of construction. However, the short duration of the noise level increases would be temporary and therefore not significant.

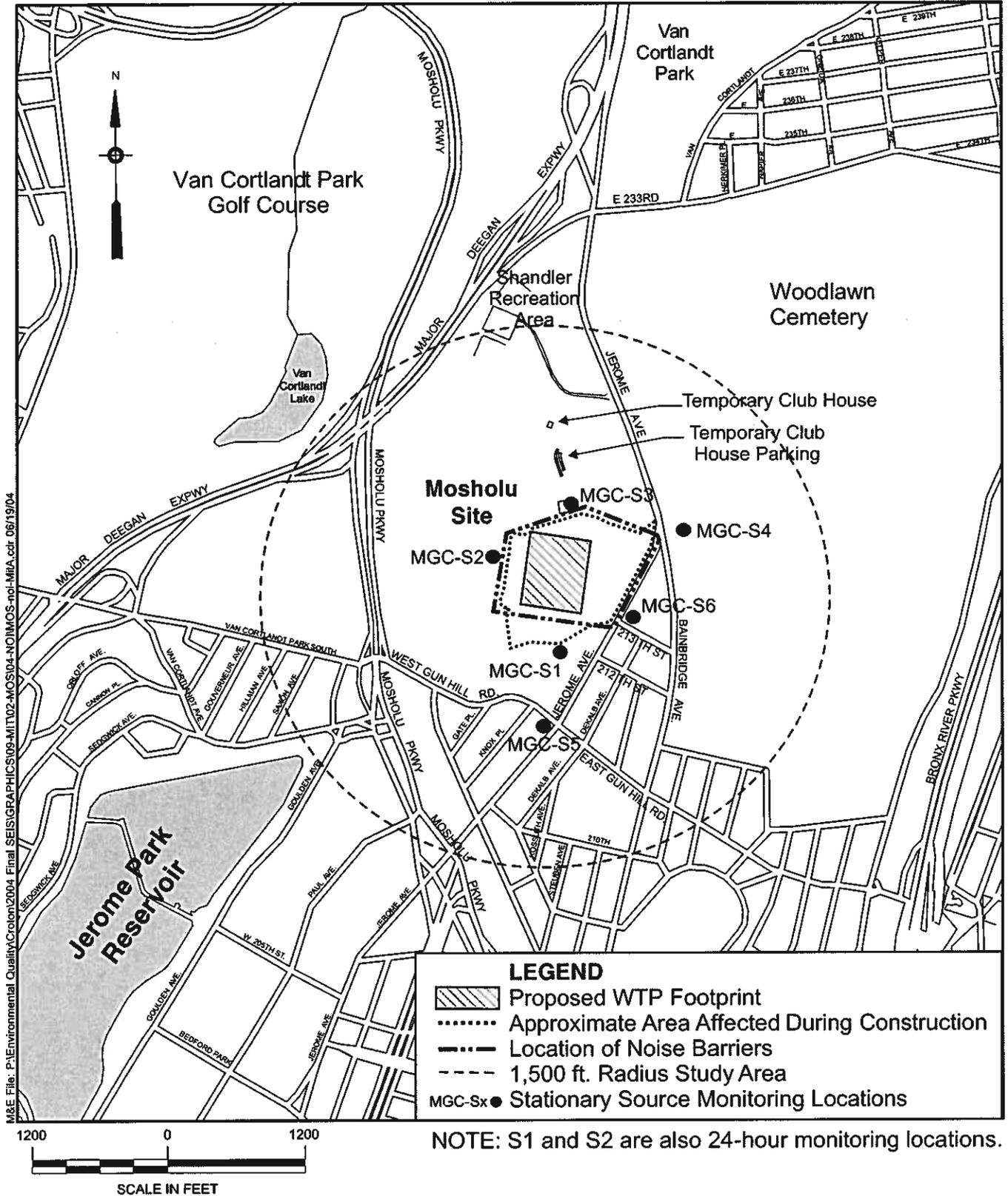
Measures to mitigate potential construction-generated noise impacts at sensitive receptors in the vicinity of the water treatment plant at the Mosholu Site were studied. For each noise-sensitive receptor, predicted project-induced noise levels for the peak construction-noise year (2006) were compared to the predicted future baseline noise levels for 2006. For those receptors that would experience a significant impact, attenuation measures were identified and the noise level at sensitive receptors following implementation of mitigation was estimated.

9.2.3.1. Mobile Source Noise

No significant noise impacts are anticipated from mobile sources as a result of operation or construction at the water treatment plant site. The results of the potential proposed plant operations and construction impacts analysis are presented in Section 6.10. Mitigation measures were not required along noise sensitive route segments.

9.2.3.2. Stationary Source Noise

Mitigation measures required for stationary noise impacts at sensitive receptors were analyzed. Table 9.2-2 presents information regarding the sensitive receptors. Figure 9.2-1 shows the location of the receptors in relation to the proposed construction site.



Mosholu Site Stationary Noise Source Potential Noise Barrier Configuration

TABLE 9.2-2. DESCRIPTION OF NOISE SENSITIVE RECEPTORS FOR STATIONARY NOISE SOURCE ANALYSIS

| Receptor Name | Description of Receptors |
|----------------------|--|
| MGC-S1 | Saturn Playground (Van Cortlandt Park) |
| MGC-S2 | Mosholu Golf Course (west of proposed construction zone) |
| MGC-S3 | Shandler Recreation Area (Van Cortlandt Park) |
| MGC-S4 | Woodlawn Cemetery |
| MGC-S5 | Residences at intersection of West Gun Hill Road and Jerome Avenue |
| MGC-S6 | Residences at intersection of Jerome Avenue and 213 th Street |

Predicted noise levels resulting from construction activities would produce increased noise levels requiring mitigation at receptors MGC-S1, MGC-S2, MGC-S3, and MGC-S6. Significant adverse impacts were anticipated only during weekday construction hours (7:00 AM – 6:00 PM). As discussed in Section 6.10, the residences to the south of the site at the intersection of Jerome Avenue and East Gun Hill (MGC-S5) were not considered in the construction-noise impacts. Saturn Playground (MGC-S1) is located to the south of the site and between the site and MGC-S5. It was assumed that if potentially significant adverse impacts from construction noise were mitigated for MGC-S1, which is much closer to the site than MGC-S5, then the impacts also would be mitigated for MGC-S5.

An analysis was performed to determine what equipment used at what times was responsible for producing the greatest incremental change in noise levels. The maximum noise levels from construction activities would occur during the early phases of the construction period (from approximately April 2006 until July 2007). This period corresponds with earth excavation and removal activities at the site. Equipment most responsible for the increased noise levels would be the rock drills and the large volume of excavators and trucks that would be on site during that period. However, noise levels would exceed the 3-5 dBA threshold used to define significance for the duration of the construction schedule at some receptors (MGC-1, MGC-S2, and MGC-S3).

Site contractors would be required to mitigate construction noise to acceptable levels at each receptor in the vicinity of the Mosholu Site. Required standards to which contractor must adhere are those minimum standards of acceptability as established by the NYC Noise Code and as prescribed by CEQR. The precise mitigation methods employed by the contractor to adhere to acceptable levels would be left to their discretion (subject to NYCDEP review and approval). The following discussion, however, presents some of the more common mitigation techniques that may be employed to reduce noise to acceptable levels.

Noise attenuation systems that would mitigate the noise impacts from construction activities at sensitive receptors neighboring the site were identified. Receptors experiencing significant impacts are predicted to be on all sides of the site. The most affected receptor would be Mosholu Golf Course immediately to the west of the site (MGC-S2). Noise barriers facing the potentially impacted receptors would be installed at fixed locations along the boundaries of the construction site (recommended locations are shown in Figure 9.2-1). Noise barriers placed in a fixed location would not restrict the movement of on-site workers and equipment during construction.

The exact amount of sound transmission loss from a barrier is a function of its height, thickness, material of construction, and precise location with respect to the noise source and noise sensitive receptor. The barriers would act as an acoustical curtain enclosure, effectively shielding the receptors from noise emanating from construction equipment. A barrier approximately 20 feet in height would minimize the noise reaching sensitive receptors due to absorption and diffraction (i.e., bending of the sound waves over the top of the barrier). This type of noise barrier could achieve approximately 13 dBA of sound transmission loss (again, depending on the variables listed above).

The greatest predicted noise level increase due to construction would be 24.5 dBA above the CEQR threshold at receptor MGC-S2. Additional mitigation requirements for this receptor would be discussed in greater detail below. The other receptors (MGC-S1, MGC-S3, MGC-S4, and MGC-S6) each would experience noise level increases ranging from 4.5 dBA to 14.3 dBA above the CEQR threshold. The noise barrier would be capable of attenuating approximately 13 dBA of noise. With the noise barrier in place, the total predicted noise level during construction at MGC-S3 (which is the receptor that may experience 14.3 dBA increase) would be approximately 59.5 dBA. This level represents a 6.1 dBA increase over the lowest Future Without the Project level at this receptor and a 1.3 dBA over the CEQR threshold. As discussed below, additional mitigation measures, such as barriers and mufflers applied to individual pieces of equipment, would be capable of reducing construction-related noise an additional 1.3 dBA to within the 5 dBA threshold used to judge significant adverse noise increases in CEQR. However, with the noise barrier in place, construction related noise exceeding the 3-5 dBA threshold would only be experienced during the period of construction associated with rock excavation and removal (April 2006 – July 2007) and sporadically thereafter. With the noise barrier in place, therefore, the remaining construction noise exceeding the CEQR threshold would be temporary and not significant.

Table 9.2-3 shows the anticipated noise levels at impacted sensitive receptors with and without mitigation measures. With the exception of MGC-S2, construction-related noise would be attenuated to acceptable levels with the noise barriers in place. The residences along Jerome Avenue and the more distant residences on East Gun Hill Road would be mitigated by the installation of the noise barrier. These receptors would not experience a significant adverse impact from the proposed construction following mitigation.

Construction-generated noise still would result in a significant impact at the Mosholu golf course immediately to the west of the construction site (Receptor MGC-S2). With a noise barrier in place, the receptor would experience an increase in noise levels of approximately 11.5 dBA above the CEQR threshold. The future without the project noise levels at this receptor is 52.2 dBA (at its quietest) and the CEQR threshold noise level for this receptor is 57.1 dBA.

A number of options are available to further attenuate noise at this receptor. A noise barrier constructed of a more highly sound absorbent material, such as concrete, masonry, or rock, could be used along the west boundary of the construction site. These materials give a transmission loss of upwards to 25 dBA, which would be enough to attenuate construction noise to an

acceptable level¹. This option has the advantage of not restricting access and movement of construction workers and equipment around the site.

Another option is to identify noise-generating equipment on site that is stationary (such as air compressors, rock drills, welding machines, cranes, etc.) and place portable noise barriers around them. These types of curtains are generally capable of approximately 11 dBA of sound transmission loss (i.e., attenuation) for each piece of equipment to which it is applied. A full 11-dBA reduction would not be observed in the total noise levels experienced at the receptors because there are other pieces of construction equipment on site that also would be generating noise. The disadvantage to this approach is that portable barriers restrict the movement of workers on a construction site and are not considered practicable.

As a supplement to the noise abatement systems that are proposed for the water treatment plant site, NYCDEP would establish a monitoring program and dedicated complaint response system to address any unforeseen construction- or operations-related noise impacts.

¹ US Department of Housing and Urban Development, The Noise Guidebook, June 2002.

**TABLE 9.2-3. NOISE LEVELS AT SENSITIVE RECEPTORS BEFORE AND AFTER MITIGATION MEASURES AT MOSHOLU SITE
(Leq, dBA)**

| Proximate Receptor | Monitoring Period | Future Without the Project Noise Level (2006) | Total Noise During Construction Without Mitigation (2006) | Incremental Change Without Mitigation | Incremental Change above CEQR Threshold Without Mitigation | Approximate Attenuation Due to Noise Barrier | Incremental Change above CEQR With Mitigation | Total Noise Levels During Construction With Mitigation (2006) |
|---------------------------|--------------------------|--|--|--|---|---|--|--|
| MGC-S1 | 8-9 AM | 64.8 | 73.1 | 8.3 | 5.4 | 13 | 0 | 60.1 |
| | 2-3 PM | 60.0 | 72.6 | 12.6 | 7.7 | 13 | 0 | 59.6 |
| MGC-S2 | 11AM-2PM | 55.1 | 81.6 | 26.5 | 21.6 | 13 | 8.6 | 68.6 |
| | 7-8 AM | 52.2 | 81.6 | 29.4 | 24.5 | 13 | 11.5 | 68.6 |
| MGC-S3 | 8-9AM | 56.4 | 72.5 | 16.2 | 11.3 | 13 | 0 | 59.5 |
| | 2-3 PM | 53.4 | 72.5 | 19.2 | 14.3 | 13 | 1.3 | 59.5 |
| MGC-S4 | 8-9 AM | 64.8 | 68.6 | 3.8 | 0 | 13 | 0 | 55.6 |
| | 12-1 PM | 59.1 | 68.6 | 9.5 | 4.5 | 13 | 0 | 55.6 |
| MGC-S6 | 8-9 AM | 66.1 | 70.1 | 4.0 | 1.0 | 13 | 0 | 57.1 |
| | 12-1 PM | 65.5 | 70.1 | 4.6 | 1.0 | 13 | 0 | 57.1 |

9.2.4. Natural Resources Mitigation

9.2.4.1. *Vegetation and Trees*

The necessary clearing and grading for the proposed water treatment plant facilities would result in the direct loss of 278 trees.

In addition, trees immediately adjacent to the proposed limit of construction line or close to the proposed infiltration trench (described in the Stormwater Pollution Prevention Plan (SWPPP) described below and in Appendix G) could be threatened by compaction of soils over their roots, changes in surface or groundwater drainage patterns, or accidental damage, if special care is not taken to protect them. There are 166 trees that would fall into this category. Even though the NYCDEP plans to protect these trees by placing Jersey barriers at least twenty feet from their canopies and by other means described below, for the purpose of this environmental analysis, the trees are considered potentially lost and part of the characterization of potentially significant adverse impacts on natural resources.

Finally, a group of 16 trees, mostly white pines (*Pinus alba*), would be threatened by the proposed temporary widening of the Major Deegan off-ramp at 233rd Street proposed as a temporary traffic improvement measure.

Trees of this nature and associated vegetation in a preserved park environment are rare in New York City and, since it is not possible to regain lost value promptly by replanting since trees need several years to mature, their loss would represent a potentially significant adverse impact.

In order to mitigate this impact and the potential adverse impact to the five-acre floodplain forest wetland area discussed below, a comprehensive reforestation and monitoring program has been developed in conjunction with the NYCDPR. The NYCDPR reforestation program would consist of the planting of trees to replace the trees that would be lost during the construction of the proposed water treatment plant, to preserve the forested wetland area discussed below, and to restore and preserve other natural resources of Van Cortlandt Park. Funds are also available for parks improvements throughout the Bronx. The monitoring program would start prior to construction and extend for at least three years after the proposed water treatment plant operations commence, representing a ten-year effort.

9.2.4.2. *Wetlands*

The dewatering of the water treatment plant foundation would locally lower the water table. This could result in a potential change in the stormwater and groundwater hydrology of the site area that could adversely affect the five-acre floodplain forest wetland north of the site entrance roadway in the Shandler Recreation Area. The change to this forested wetland would represent a potential significant adverse impact.

To mitigate this impact, a number of actions would be taken. First, during excavation, any fractures that leak water into the excavation would be sealed with grout under pressure. This

would seal rock fractures and reduce the potential for water to flow from the wetland to the excavation site. Second, a SWPPP would be implemented to maintain the existing hydrology, to the extent possible.

The SWPPP calls for the construction of infiltration structures adjacent to the site access road and to the south of the forested wetland. The infiltration structure would extend from near Jerome Avenue westward parallel to the western side of the proposed water treatment plant footprint. Water would be collected along the west and northwestern side of the proposed water treatment plant at an elevation of 180 feet, along the top of the bedrock. This is the flow, which currently drains toward the wetland. This flow would be supplemented with tap water as needed based on the monitoring of water levels at monitoring wells adjacent to the wetland. These flows would maintain a base flow equal to the volume that would migrate through bedrock toward the bottom of the foundation. This water would be passed to a series of infiltration galleries (horizontal underground diffusion devices) north of the water treatment plant footprint. The galleries would be about 10-15 ft. below grade so that the existing grade would not be altered. Overflow from the galleries would be channeled to an infiltration trench adjacent to the site access road. The infiltration trench would be an open structure that would be adjacent to the site entrance. Storm flows would be collected from rooftop drain lines on the water treatment plant after the water would pass through the soil that would be on the roof. This infiltration trench would also receive storm flows from the parking area after it passes through an oil/water separator. The reasons why storm flows would be channeled to the infiltration trench are: 1) to mitigate discharges to the combined sewer system and 2) to temporarily raise the groundwater levels during storm events around the forested wetland in order to mimic existing conditions. Excess storm flow would pass through a weir to the combined sewer on Jerome Avenue. These devices would replenish groundwater and produce a mound of water, which would prevent flows from leaving the wetland area to travel toward the proposed water treatment plant facilities. Once built and calibrated, these stormwater/groundwater control devices would require no pumping, active control devices, or extensive maintenance. None of the water in the infiltration system would be discharged to the wetland. Instead, the water would infiltrate to groundwater, preventing the lowering of the water levels in the wetland.

During construction of the water treatment plant, water collected in the excavated areas would be pumped to the combined sewer on Jerome Avenue. The infiltration galleries and trench would be constructed and connected to the city water supply system and calibrated to preserve the local hydrologic conditions as described above while construction dewatering operations are taking place.

Initial operation of this system would be monitored by NYCDEP in conjunction with NYCDPR. Additional numerical modeling would be utilized to adjust the rate of flow, if necessary. Once the flow to the infiltration device is shown to be maintaining the existing hydrology, no additional adjustments or maintenance would be required except for periodic cleanout of the infiltration trench.

The efforts described above would minimize impacts to the floodplain forest wetland area by providing a base flow that would allow the existing groundwater characteristics to be maintained at the existing average standing water elevation during dry weather. It would also provide storm

flow that would replicate stormwater events thereby providing wet weather and seasonal variability. This would be a passive system, requiring no pumping or active control devices.

However, even with these measures in place, the hydrologic regime would change to some extent leading to natural resource changes. It is likely soils near the infiltration trench may become over-saturated leading to the loss of trees unable to adjust to this condition. The number of threatened trees would be approximately thirty-six. (This estimate is included in the total number of 166 threatened trees discussed above under vegetation and trees.) In addition, the understory of the wetland would likely change in character because of the changes in hydrology. The understory changes are not anticipated to be significant. Overall, the potential loss of trees and changes to the wetland understory are not anticipated to be significant if the SWPPP is properly functioning and the area is monitored and actively managed. Monitoring of the system would include the following for two years pre-construction, during construction, and three years post-construction:

- Monthly groundwater levels at five monitoring wells in and around the wetland;
- Annual monitoring of tree health and growth in and adjacent to the wetland and around the entire excavation site;
- Twice annual surveys for rare, threatened, and endangered species;
- Twice annual surveys of vegetation plots; and
- Spring, summer, and fall recording of soil moisture at 200 ft. intervals around the excavation.

In summary, the combination of constructing the control devices and the implementation of the NYCDPR/NYCDEP reforestation and monitoring program is anticipated to mitigate any potential significant adverse impacts to natural resources. However, should the monitoring and reforestation programs prove less successful than predicted in this Final SEIS, the NYCDEP would work with the NYCDPR to adjust the mitigation program and would be responsible for replacing any unforeseen natural resource losses.

9.2.5. Public Health Mitigation

In response to public concerns about the potential for construction activities to increase movement of nuisance rodents, NYCDEP has developed a rodent control and monitoring plan that would be implemented at this site if it is selected for the proposed water treatment plant. An active program would be instituted to control the existing population, prevent the opening of conduits for rodents to and from the site, and a hygiene program during construction to prevent the creation of new food sources. This type of program has been proven to be successful on other large construction sites (e.g., “the Big Dig” in Boston) where very extensive tunneling and deep excavation occurred.



**STATE OF NEW YORK
DEPARTMENT OF STATE
COMMITTEE ON OPEN GOVERNMENT**

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Dominick Tucci

October 1, 2007

Executive Director

Robert J. Freeman

Ms. Jane Sokolow
Ms. Karen Argenti
Two Spaulding Lane
Riverdale, NY 10471

The staff of the Committee on Open Government is authorized to issue advisory opinions. The ensuing staff advisory opinion is based solely upon the facts presented in your correspondence.

Dear Ms. Sokolow and Ms. Argenti:

I have received your letter concerning unanswered requests for records of the New York City Department of Parks and Recreation and the Department of Environmental Protection.

In this regard, the Freedom of Information Law provides direction concerning the time and manner in which agencies must respond to requests. Specifically, §89(3) of the Freedom of Information Law states in part that:

"Each entity subject to the provisions of this article, within five business days of the receipt of a written request for a record reasonably described, shall make such record available to the person requesting it, deny such request in writing or furnish a written acknowledgement of the receipt of such request and a statement of the approximate date, which shall be reasonable under the circumstances of the request, when such request will be granted or denied..."

It is noted that new language was added to that provision on May 3, 2005 (Chapter 22, Laws of 2005) stating that:

"If circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part."

Ms. Jane Sokolow
Ms. Karen Argenti
October 1, 2007
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Based on the foregoing, an agency must grant access to records, deny access in writing, or acknowledge the receipt of a request within five business days of receipt of a request. When an acknowledgement is given, it must include an approximate date within twenty business days indicating when it can be anticipated that a request will be granted or denied. However, if it is known that circumstances prevent the agency from granting access within twenty business days, or if the agency cannot grant access by the approximate date given and needs more than twenty business days to grant access, it must provide a written explanation of its inability to do so and a specific date by which it will grant access. That date must be reasonable in consideration of the circumstances of the request.

The amendments clearly are intended to prohibit agencies from unnecessarily delaying disclosure. They are not intended to permit agencies to wait until the fifth business day following the receipt of a request and then twenty additional business days to determine rights of access, unless it is reasonable to do so based upon "the circumstances of the request." From my perspective, every law must be implemented in a manner that gives reasonable effect to its intent, and I point out that in its statement of legislative intent, §84 of the Freedom of Information Law states that "it is incumbent upon the state and its localities to extend public accountability *wherever and whenever feasible*." Therefore, when records are clearly available to the public under the Freedom of Information Law, or if they are readily retrievable, there may be no basis for a delay in disclosure. As the Court of Appeals, the state's highest court, has asserted:

"...the successful implementation of the policies motivating the enactment of the Freedom of Information Law centers on goals as broad as the achievement of a more informed electorate and a more responsible and responsive officialdom. By their very nature such objectives cannot hope to be attained unless the measures taken to bring them about permeate the body politic to a point where they become the rule rather than the exception. The phrase 'public accountability wherever and whenever feasible' therefore merely punctuates with explicitness what in any event is implicit" [Westchester News v. Kimball], 50 NY 2d 575, 579 (1980)].

In a judicial decision concerning the reasonableness of a delay in disclosure that cited and confirmed the advice rendered by this office concerning reasonable grounds for delaying disclosure, it was held that:

"The determination of whether a period is reasonable must be made on a case by case basis taking into account the volume of documents requested, the time involved in locating the material, and the complexity of the issues involved in determining whether the materials fall within one of the exceptions to disclosure. Such a standard is consistent with some of the language in the opinions, submitted by petitioners in this case, of the Committee on Open Government, the agency charged with issuing advisory opinions on

Ms. Jane Sokolow
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FOIL"(Linz v. The Police Department of the City of New York,
Supreme Court, New York County, NYLJ, December 17, 2001).

If neither a response to a request nor an acknowledgement of the receipt of a request is given within five business days, if an agency delays responding for an unreasonable time beyond the approximate date of less than twenty business days given in its acknowledgement, if it acknowledges that a request has been received, but has failed to grant access by the specific date given beyond twenty business days, or if the specific date given is unreasonable, a request may be considered to have been constructively denied [see §89(4)(a)]. In such a circumstance, the denial may be appealed in accordance with §89(4)(a), which states in relevant part that:

"...any person denied access to a record may within thirty days appeal in writing such denial to the head, chief executive, or governing body, who shall within ten business days of the receipt of such appeal fully explain in writing to the person requesting the record the reasons for further denial, or provide access to the record sought."

Section 89(4)(b) was also amended, and it states that a failure to determine an appeal within ten business days of the receipt of an appeal constitutes a denial of the appeal. In that circumstance, the appellant has exhausted his or her administrative remedies and may initiate a challenge to a constructive denial of access under Article 78 of the Civil Practice Rules.

I note that on August 16, 2006, legislation became effective that broadens the authority of the courts to award attorney's fees when government agencies fail to comply with the Freedom of Information Law (S. 7011-A, Chapter 492). Under the amendments, when a person initiates a judicial proceeding under the Freedom of Information Law and substantially prevails, a court has the discretionary authority to award costs and reasonable attorney's fees when the agency had no reasonable basis for denying access to records, or when the agency failed to comply with the time limits for responding to a request.

I hope that I have been of assistance.

Sincerely,


Robert J. Freeman
Executive Director

RJF:tt

cc: Amy Kleitman
Marie Dooley

Mitigation needs to happen as conditions evolve.

One problem that we have in this community, and particularly here at the top of the Gun Hill is sewer back ups. The company I work for, Mosholu Preservation Corporation, owns two properties on the hill within three blocks of here. Significant rainstorms cause flooding the both of our buildings and throughout the area. Our buildings just south of Gun Hill road do not have as big a problem.

It is my understanding that the people in the Cooperative on Kings College Place just south of 211th street have the same problem.

Two things increase our concern.

One is the imminent construction of a new school building next to PS 94 on Kings College Place between 211th Street and Gun Hill Road. This construction is bound to introduce debris into the storm system near the construction even though we are sure the School Construction Authority and the Contractor will make every effort to maintain a clean site.

The second of course is the discharge of more water from the Croton plant construction site than was originally forecast.

Can DEP provide intensive maintenance of the sewer mains in this area to mitigate this impact?

On another note I understand that there has been a first run at designing the area around the Jerome Park Reservoir. What is the status of that design and of the improvements for Van Cortlandt Park such as Schandler Field and the Aqueduct trail itself? What is the status of the feasibility study for the bridge to bring the aqueduct trail over the Major Deegan Expressway?

*Dart Westphal
718-324-4461
Mosholu
Preservation
Corporation*

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION
CROTON FACILITY MONITORING COMMITTEE MEETING MINUTES

THURSDAY, OCTOBER 18, 2007 – 7:00PM

Public Session

Karen Argenti, FIPNA, distributed her comments dated October 18, 2007 (*Attachment 3*) concerning the anniversary of the Clean Water Act and criticizing the city and DEP for inadequate watershed protection, uncontrolled combined sewer overflows, and insufficient public information on the internet.

This is not appropriate. I handed in my comments, and emailed them to Martha Holstein. It should have stated that:

Specifically, she noted that DEP grants permits for ground water and stormwater discharges that continue to pollute our sewers and rivers. Instead they should strive to match predevelopment runoff, meaning restricting runoff to zero and groundwater to recharge areas of need, not throwing water down the drain as the current project does.

Now on to the comments as presented in last month's stormwater and groundwater presentation:

I call your attention to a model project written up in a new local newspaper, the "Hunts Point Express." They recently presented a story on "**Keeping pollutants out of the Bronx River.**" If a private entity can do it there, then the question is why can't the biggest, best and most expensive consultants do it here? Please read the article by Eliot Caroom about Simms Metal. It talks about some new and efficient best management practices like wet meadows, underground chambers to capture rain and swales to direct rain to artificial wetlands, and green walls and gardens with groundwater pumped in. Not mentioned in this article is our concern here in Van Cortlandt Park, we can discuss other BMPs to enhance our water starved environment. Our community of concerned residents needs to meet with the DEP on these issues.

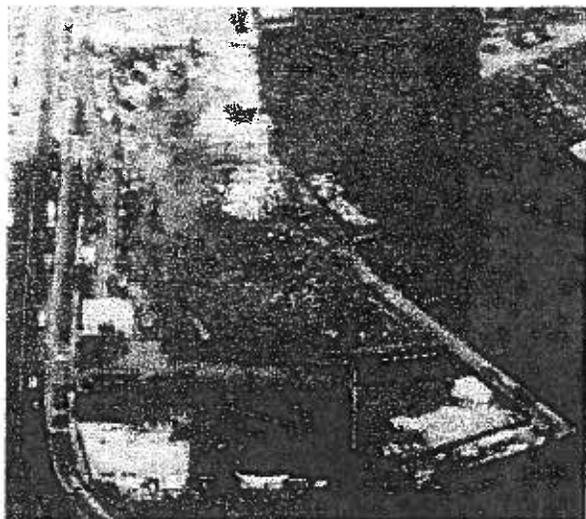
Karen Argenti 11/29/07

Keeping pollutants out of the Bronx River

Hunts Point industrial site tries going green

By Eliot Caroom Eliot.caroom@journalism.cuny.edu

Hunts Point Express, Fall 2007



An aerial view of the Sims Metal recycling facility in Hunts Point, before construction began on its green wall and wet meadow

Hunts Point Riverside Park is a pristine patch of green surrounded by rusting metal: train tracks line one side of the park, and mountains of scrap metal another. But the salvage yard where the Sims Metal recycling company collects discarded metal will soon include its own patch of green: a wall covered in moss and ferns, and a wet meadow with native plants.

The plants are part of a \$2-3 million water treatment system aimed at keeping pollutants out of the Bronx River by imitating natural wetlands.

“It will have a huge impact on how the site behaves,” said Paul Mankiewicz, executive director of the Gaia Institute, a Bronx-based non-profit environmental engineering firm that designed the project.

In the past, the company has relied on machinery to separate oil from rainwater in an effort to keep contaminants from the river. Once the green wall is in place and the marsh plants take root, they will capture rainwater and filter pollutants, explained Mankiewicz, who is also a member of the board of the Bronx River Alliance.

Sims Metal and its predecessor, the Hugo Neu company, have already won praise for sharing waterfront access with local youth groups from The Point and Rocking the Boat.

“Hugo Neu is making efforts to be a good neighbor,” said Maggie Greenfield, communications director for the Bronx River Alliance. “They’re very reasonable and flexible, and very willing to work with . . . folks who are trying to use the river for recreation and enjoyment.”

The idea for the water filtration project came when Hugo Neu President John Neu and Mankiewicz were riding a ferry to a clam-bake hosted by Andy Willner, executive Director of Baykeeper, an environmental organization devoted to protecting New York and New Jersey waterways.

"They're really green-oriented people," Mankiewicz said of Neu and his wife Wendy. "I told them, 'If you want to make your site work, you've got to catch storm water,' and they said, 'Tell us how to do it.'"

After the project began, Hugo Neu's recycling division merged with Sims Metal, another major recycling company. Sims Metal continued to support the project.

"Both companies share a commitment to the environment and our communities," said Dan Strechay, a spokesman for Sims Metal. "Taking care of the waterfront has always been a priority for our company."

Storm water runoff is an important factor in the water quality of the Bronx River, the city's only freshwater river. A century ago most of Hunts Point was marshland. Rainwater was filtered naturally: soil acted like a sponge, absorbing and cleaning the water, and evaporation returned the moisture to the air.

Now that most of the surface is paved, polluted storm water runs into the Bronx River.

When construction at the salvage yard is completed, the water will be pumped into a "wet meadow," sponge-like ground that seeks to recreate the marshy land that bordered the river before it was filled in.

The new system is complex and expensive. It will include 240 underground chambers, at a cost of \$2-3 million, according to Mankiewicz. By the time it is complete in early 2008, the underground array will have a capacity of almost half a million gallons, enough to hold 5-6 inches worth of rainfall for the entire site.

Specially created drainage ditches called "swales" will direct rainfall towards this series of artificial wetlands. From the wetlands and an underground holding well, groundwater will be pumped to the top of the green wall by an array of eight solar-powered pumps.

The green wall, which will border Edgewater Road, will be constructed from recycled materials. Wetland plants like liverworts and ferns will grow from the wall, allowing evaporation rates of 1-2 inches a day.

Once the wetlands are built, some 30 different native plants including Atlantic White Cedar will grow there. Students at Rocking the Boat will help to maintain the wetlands.

In addition to helping to clean the Bronx River, "this project will also beautify and green the face" of the recycling yard, Greenfield said.

Mankiewicz believes that if more companies follow Sims and Hugo Neu's lead, they could literally change the climate of New York, lowering temperatures year-round.

"If you had a 10 percent increase in green space, you could notice an effect across the city," Mankiewicz said.

"Everybody in this country is going to have to comply with storm water regulations some day," John Neu said. "My attachment is not to the water, it's to the globe. People have to understand, if we don't take a proactive stand, everything is about to change.

"That's the way a lot of people feel, and I guess we just have more time and money to pay attention to it."

This entry was posted on Wednesday, October 31st, 2007 at 4:07 pm and is filed under [Stories](#).

<http://fm.hunter.cuny.edu/huntspointexpress/?p=219>

Statement of Jane Sokolow to the Croton Filtration Monitoring Committee Meeting

Thursday, November 29, 2007 – 7:00 p.m. DEP Community Office

My name is Jane Sokolow and I have been actively involved with the filtration plant issues for well over a decade. Today I would like to comment on the issues of the escalating costs of constructing this plant and a public and transparent explanation of these costs.

I understand that the Monitoring Committee will have before you tonight a Resolution that Father Gorman has written with regards to asking for the NYS Assembly and Senate to initiate public hearings to explain in detail the filtration plant construction cost overruns. I urge you to pass this Resolution tonight without delay.

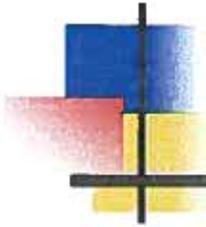
I also understand that Commissioner Emily Lloyd has asked that the Committee delay action on this Resolution until she has the opportunity to come and speak before the Committee on this topic.

Commissioner Lloyd has at least two representatives who attend these meetings regularly. Neither of them has been able to adequately respond to questions regarding these cost overruns, nor has Commissioner Lloyd herself been able to answer questions about costs in meetings with community representatives. Delaying the passage of the Resolution will serve no purpose other than to delay public hearings and to prevent the public's right to full disclosure on the costs.

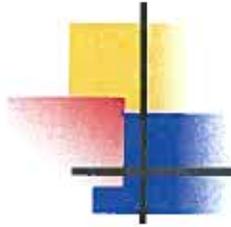
Jane E.S. Sokolow
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Riverdale, New York 10471

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jane.sokolow@lonetreemesa.com

DEP/DOHMH Enhanced Pest Control Program

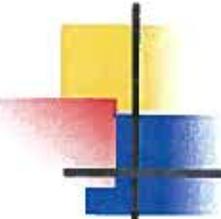


Daniel Kass
Assistant Commissioner
Bureau of Environmental Surveillance and Policy
NYC Department of Health and Mental Hygiene



Project Overview

- Pilot program for rodent control
 - Semi-annual inspection of all properties
 - Rapid notice to landlords
 - Compliance checks, notices of violation and rapid extermination
- Enhanced rodent control in parks
 - DOHMH will deploy staff to Parks to evaluate and exterminate
 - Van Cortlandt
 - Greenways, playgrounds
- Public outreach and information to residents
 - Vendor to be selected in December
- Pest control professional job readiness training
- Indoor integrated pest management in 200 apartments annually



Progress To-Date

- Property assessments
 - 3361 tax lots indexed
 - 2714 no signs of rats (80.7%)
 - 526 light infestations (15.7%)
 - 97 moderate infestations (2.9%)
 - 24 severe infestations (0.7%)
- Indoor Apartment IPM
 - 28 apartments referred, 22 completed

Outreach and Education

HEALTHY HOMES

Pests

Pests - Including roaches and mice and asthma triggers in the home. Use safer products may also be unhealthy. Use safer products in the home.

Things You Can Do

Deny pests food and water

- Keep your home clean and dry.
- Store food in sealed containers.
- Fix leaks and dripping faucets quickly.
- Wash and dry dishes after each use.
- Empty your kitchen garbage every day.

Deny pests entry and shelter

- Use caulk and plaster to seal holes in walls, floors, and ceilings.
- Reduce clutter, cardboard and newspapers.

Use safer products: avoid foggers, bombs and sprays. Never use products called "Tempo", "Tres Pasitos"

A report from the New York City Commission on

NYC Health
nyc.gov/health

NYC Vice

New York City Department of Health and Mental Hygiene

Pests Can Be Controlled

Many Yorkers live with or near cockroaches, rodents, and other pests. Insects and rodents in the home contribute to illness and reduce the quality of life. For example, people with asthma who live in infested homes are more likely to have an asthma attack. And, many people with pests in their homes overuse hazardous pesticides that can cause poisonings and other health problems.

Some pest control products are being regulated. People are trying to live in homes free of pests can

Too many New Yorkers live with cockroaches

- Adults in nearly 30% of households (880,000 households) report having cockroaches in their home, and nearly 25% (680,000 households) report seeing mice or rats, or signs of mice or rats, in their home or residential building.
- Cockroaches are common in Central

Percent households with cockroaches

| | | | |
|--------|---------|---------|---------|
| 4%–10% | 11%–25% | 26%–40% | 41%–57% |
|--------|---------|---------|---------|

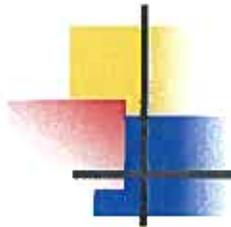
How to Control Pests Safely

Getting Rid of Roaches and Mice

A Healthy Homes Guide

NYC Health
THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE





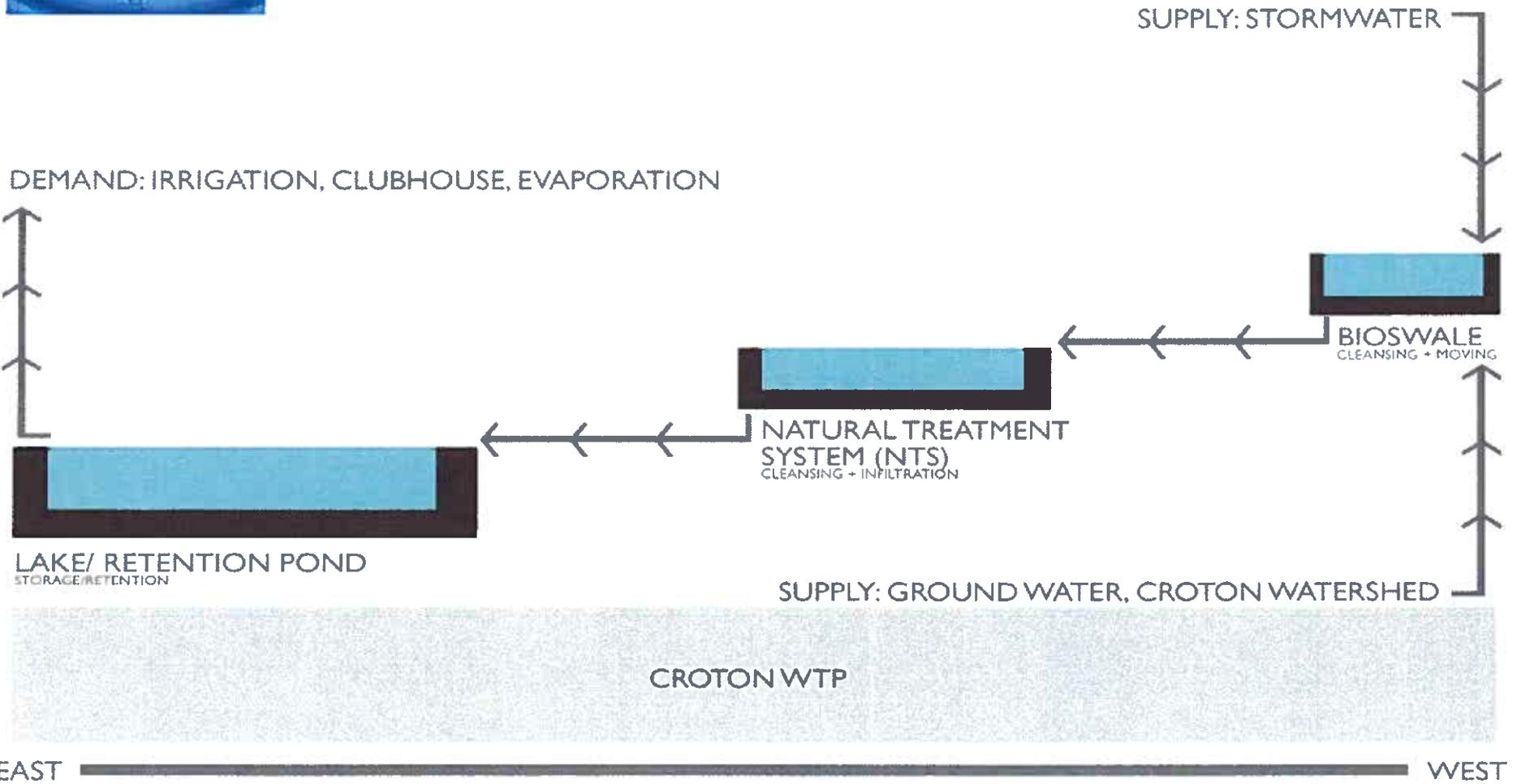
Contacting Us

- To report a rat complaint
 - Call 311
- To refer an apartment for interior pest management (preference given to those with asthmatic children)
 - Call 212-690-1905 or email Marta Hernandez at mhernan1@health.nyc.gov



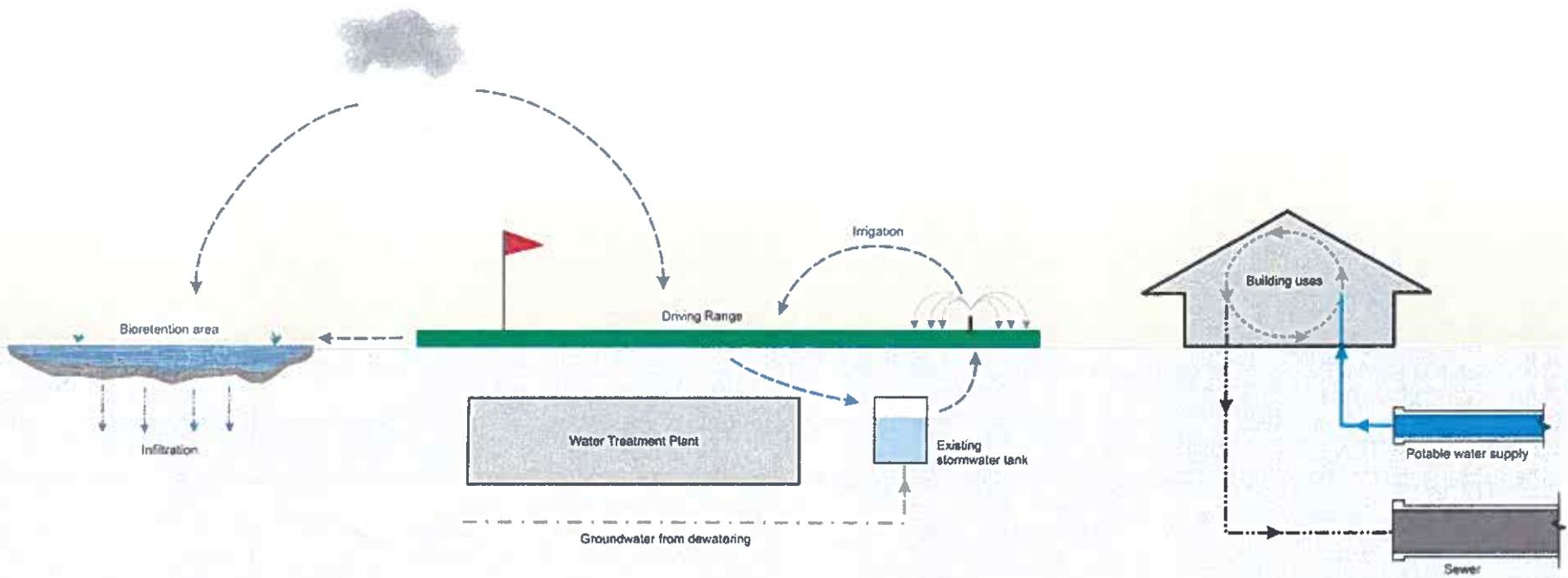


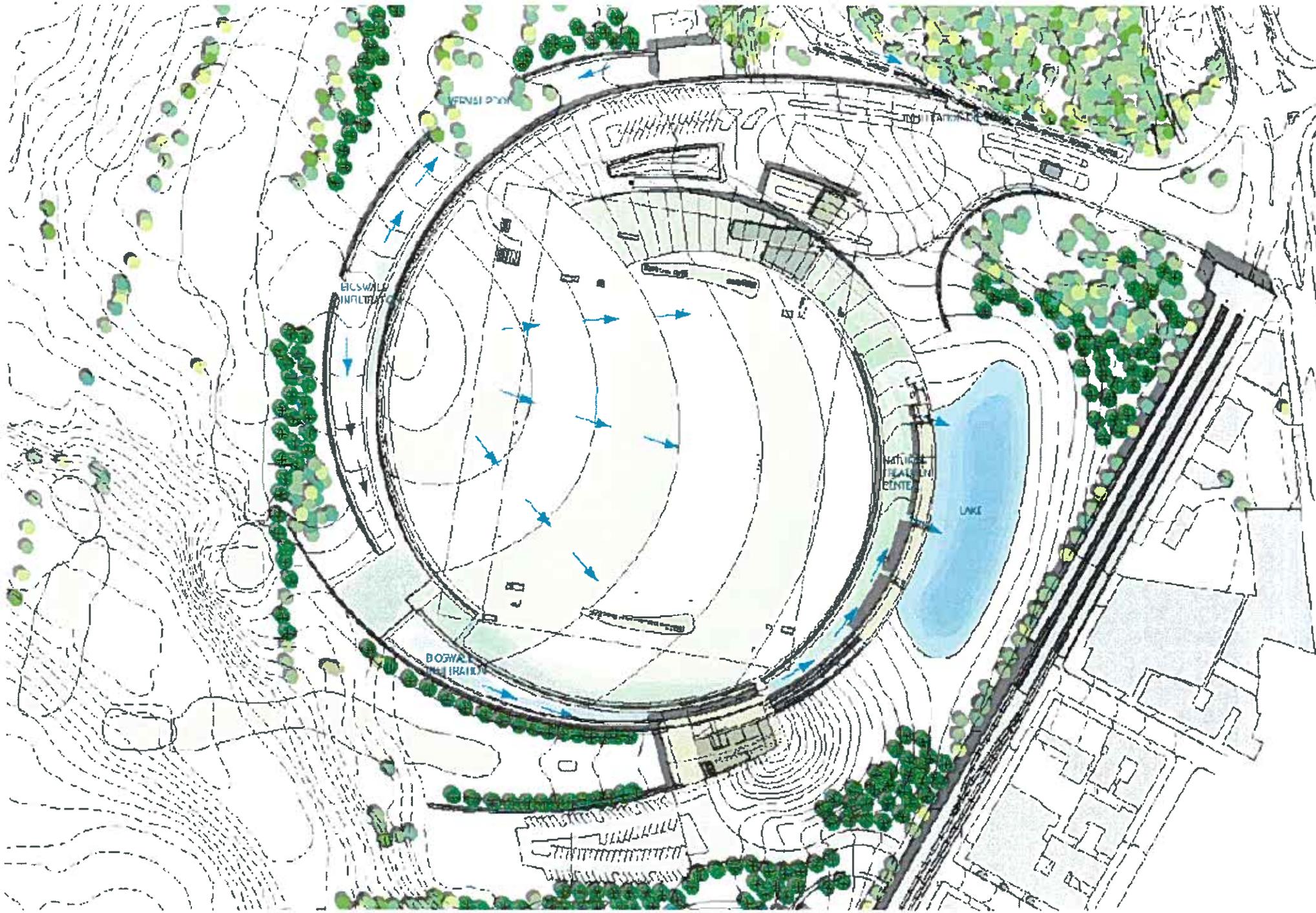
- KEY
- BUILDINGS
 - PARKING
 - DRIVING RANGE
 - PRIMARY CURB CUT ACCESS
 - PROPOSED CURB CUT ACCESS
 - PEDESTRIAN ACCESS
 - GOLF BALL FLIGHT
 - WIP



Site Reuse Strategies

- Potable water
- Stormwater
- Greywater
- .-.- Blackwater
- - - Groundwater









Croton Filtration Plant Project: Report on Jobs & TrainingNovember 2007

As part of DEP's extensive community outreach efforts in the Bronx, the following standard reporting form was developed to track job training and hiring initiatives:

General Statistics

- ◆ Total number of applicants who have applied for jobs and/or training: **1176** (additional **163** inactive)
- ◆ Total number who reside in the Bronx : **946** (**746** Non-union, **200** Union)
- ◆ Total number who have either been hired or accepted for training: **334**
- ◆ Percent of non-union Bronx residents who have been or are in training or working: **45%**

GED Courses

- ◆ Total number of applicants who require a GED for apprenticeship programs and/or jobs: **245** (**209** from the Bronx)
- ◆ Number of applicants from original list accepted into two GED classes: **65**
 - **26** completed the first class, and **30** recently completed the second class
 - New class will begin in January
 - Number of applicants awaiting January GED class: **43**

Pre-Apprenticeship Programs

- ◆ Number of applicants accepted into any pre-apprentice program: **143**
 - **7** in OAI (Office of Applied Innovation and Minority Workers Training)
 - **15** applicants sent to OAI orientation
 - **5** in Strive
 - **1** in NEW (Non-traditional Employment for Women)
 - **95** in Project HIRE:
 - **4** graduated previous program, with **2** placed in unions
 - **61** accepted and **29** graduated on November 9th
 - **10** of these have already been placed in apprenticeship programs
 - Additional interviews now occurring with Con Ed, DC9, 731 (Laborers) and Local 1 (Bricklayers)
 - **30** began new session on November 26th
 - Remedial courses are now being offered to applicants to prepare them for Project HIRE:
 - Those scoring at a 6th grade level or above can begin Bronx Community College (BCC) classes now
 - Those scoring below 6th grade level, can begin BCC classes in January
 - **35** in CityTech/Building Works program. Of these:
 - **23** graduated, of whom:
 - **6** placed in Carpenter's Union
 - **2** placed at Con Ed
 - **2** placed at DEP
 - **1** placed in electrician's union
 - **1** placed at Port Authority
 - **3** pending placement at Port Authority
 - **1** placed in Laborers Local 78
 - **1** pending placement in DC16 Concrete workers
 - **2** working construction
 - **4** are enrolled in current class
 - **20** applicants sent to SOBRO's YouthBuild Transformation Academy
- ◆ Number of pre-apprenticeship trainees now union apprentices: **25** (**10** from Project HIRE, **13** from Building Works, **2** directly applied to Union per recommendation of outreach office).

Other Training

- ◆ Workforce 1: **93** recently went through career counseling assessment, and **11** were recently placed at jobs

Workers On-Site

- ◆ Number of workers at Croton during October: **246**
- ◆ Of those, how many live in the Bronx: **51**
- ◆ Bronx residents as percent of total Croton workforce during October: **21%**

Goods and Services

- ◆ **\$132m** purchased or to be purchased in the Bronx