



LEAD AGENCY DECLARATION AND NOTICE OF INTENT TO CONDUCT AN ENVIRONMENTAL REVIEW

June 30, 2011

Bay 32nd Street Outfall Project (CEQR#10DEP022Q)

Caswell F. Holloway
Commissioner

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The New York City Department of Design and Construction (NYCDDC), on behalf of the New York City Department of Environmental Protection (NYCDEP), is proposing the Bay 32nd Street Outfall Project. The project area is located in Queens Community Board 14 within the Bayswater and Edgemere sections of Far Rockaway, Queens within the Jamaica Bay watershed. It is largely a residential community with waterfront open space along Norton Basin, including a City Park (Michaelis-Bayswater Park) and a State Park, the Norton Basin Natural Resource Area.

The proposed action involves the replacement of an existing outfall in disrepair with a new stormwater outfall, the installation of new stormwater collection sewers, the relocation of water mains, and the relocation and upgrade of sanitary sewer lines along as well as the reconstruction of affected streets. The corridor within which the proposed storm sewer outfall would be constructed is along Dwight Avenue, a City-owned 60-foot-wide mapped street that extends approximately 1,000 feet west of Bay 32nd Street to the Norton Basin bulkhead line that consists of mowed grass, maritime forest/shrub, dune, and intertidal habitats at the shoreline. Of the total length, approximately 130 linear feet of the street is built and the balance, about 870 linear feet, is not built. Specifically, the proposed action includes the following:

- Replacement of an existing storm sewer outfall with a new storm sewer outfall into Norton Basin extending west from Bay 32nd along Dwight Avenue to the bulkhead line (see Figure C-1). The proposed sewer outfall would be 42 inches in diameter to replace the existing 24 inch storm sewer. The proposed sewer would be a reinforced concrete pipe encased in concrete and supported by 20-ton timber piles. An apron of 500 pound stone boulders will extend approximately 160 linear feet from the end of the outfall into the adjacent areas or tidal wetlands of Norton Basin. The headwall and apron would be constructed within this area.
- Streets affected by the proposed action include Bay 32nd Street (between Dwight and Healy Avenues), Bessemund Avenue (between Bay 32nd Street and Bay 30th Street), Rockaway Freeway (between Beach 32nd Street and Sea Girt Boulevard) and Bay 32nd Street (between Far Rockaway Boulevard and Rockaway Freeway).

- Installation of new stormwater collection sewers over an approximately 34-acre project area (the “drainage area”). The storm collection sewers would be located along segments of Rockaway Freeway, Bay 32nd Street, and Bessemund Avenue.
- Upgrade of the existing 8-inch sanitary sewers to 10-inch sanitary sewers in some locations to comply with NYCDEP’s sanitary sewer design criteria.
- Relocation and replacement of water mains in certain street segments within the bed of the existing built streets.
- All streets and sidewalks affected by the sewer installation work would be reconstructed.
- Restoration of the area affected by the proposed outfall construction would occur on site within the corridor easement. Additional wetland restoration for permanent wetland impacts associated with this project and five other proposed outfall projects within the Jamaica Bay Watershed are included in the Beach 88th/94th Street Restoration Plan located at Beach 88th and Beach Channel Drive.

Design of the proposed Bay 32nd Street outfall has been developed with the objective of limiting disturbance to tidal wetlands, to the extent feasible, while providing the necessary restoration for areas disturbed during construction. All areas disturbed by construction would be restored with in-kind restoration of habitat(s) and restoration of pre-construction grades within the mapped street of Dwight Avenue.

Permanent impacts from the construction of the proposed project would be mitigated as part of the proposed restoration plan encompassing the area surrounding the construction easement at the Beach 88th/94th Street site. The Proposed Beach 88th/94th Street Restoration Plan would provide compensatory mitigation for permanent tidal wetland impacts for this project and five others in the Jamaica Bay Watershed. The mitigation at this site, which is now under the jurisdiction of New York City Department of Parks and Recreation (NYCDPR), will include debris removal, minor regrading, hydro-seeding and targeted planting, and removal of a retaining wall in preparation for NYCDPR to create a formal waterfront park. This plan has been reviewed by the New York State Department of Environmental Conservation (NYSDEC).

Construction of the proposed action is expected to begin in fall 2011 and is expected to be completed in fall 2012. Thus, the duration of construction is expected to be approximately 12 months, including on-site restoration of the project area. Construction of the proposed Beach 88th Street Restoration Plan would take approximately 60-90 days and may be completed in two phases. The Restoration Plan would be initiated once the outfall portion of that project is completed. The Beach 88th/94th Street Outfall Project is scheduled to begin in summer of 2011 and completed summer 2012.

The proposed work may require the following permits and/or approvals:

- New York City Department of Transportation (NYCDOT) street and sidewalk construction permit for the work in local streets.

- New York City Department of Parks and Recreation (NYCDPR) approval to install the proposed new storm outfall within an existing mapped street (Dwight Avenue) and the clearing of trees within that right-of-way.
- NYSDEC Tidal Wetlands Permit for activities in tidal wetlands and tidal wetlands adjacent areas (Article 25).
- NYSDEC Water Quality Certification for the activities in state waters (protection of waters, Article 15, Section 401).
- NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the creation of a new outfall that would be added to DEP's MS4 SPDES Permit (NY0026221).
- NYSDEC Industrial SPDES Discharge Permit for any temporary dewatering during construction and a Long Island Well Permit for groundwater pumping, if necessary.
- U.S. Army Corps of Engineers (USACE) Section 404 of the Clean Water Act (Waters of the United States) permit for the proposed placement of the project outfall within tidal wetlands (dredging and filling activities) and the proposed tidal wetland restoration.
- USACE Section 10 permit for structures in navigable waters.

The construction of the new storm sewer and outfall would be covered under Nationwide Permit 7–Outfall Structures and Associated Intake Structures.

In accordance with the State Environmental Quality Review Act authorized by Article 8 of the Environmental Conservation Law and its implementing regulations as set forth in 6NYCRR Part 617, the State Environmental Review Process (SERP) as required by the State Revolving Loan Fund Program, and the City Environmental Quality Review process as set forth in Executive Order 91 of 1977 and its amendments, this Department believes it is the appropriate lead agency and assumes responsibility for conducting a coordinated review for the above-referenced project. We request that involved agencies contact this office within 30 days from this notification should there be any objection to the Department assuming lead agency for this environmental review.

Attached for your review is a copy of the project's Environmental Assessment Statement (EAS). Any questions or comments regarding the project should be directed to Margot Walker at 718-595-4367 or margotw@dep.nyc.gov within 30 days.



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