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NOTICE OF POSITIVE DECLARATION, INTENT TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT, LEAD AGENCY DECLARATION, DRAFT SCOPE OF WORK, AND PUBLIC MEETING

Gowanus Canal Combined Sewer Overflow (CSO) Facilities Project

CEQR NO. 17DEP040K

March 31, 2017

In accordance with the State Environmental Quality Review Act (SEQRA) (Section 8-0113, Article 8 of the Environmental Conservation Law) as set forth in 6NYCRR Part 617, the City Environmental Quality Review (CEQR) process, as set forth in Executive Order 91 of 1977 and its amendments, and the State Environmental Review Process (SERP), as required by the State Revolving Loan Fund Program, the New York City Department of Environmental Protection (NYCDEP) is hereby issuing a Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS), a Lead Agency Determination, a Draft Scope of Analysis for a DEIS, and a schedule for a public meeting to take comments on the Draft Scope of Work for the Gowanus Canal Combined Sewer Overflow (CSO) Facilities Project.

Attached is a copy of the Draft Scope of Work and Environmental Assessment Statement parts I and II, for your review.

Public Meeting

A public meeting is to be held in the Gowanus neighborhood located in Kings County, Brooklyn, New York to receive oral and written comments on the Draft Scope of Work for the DEIS. This meeting will be held on the following date and time with an informal information and listening session taking place one hour prior to the meeting time on:

Thursday, May 4th, 2017
7:00 PM
P.S. 32
317 Hoyt Street
Brooklyn, NY 11231

Written comments on the Draft Scope of Work will be accepted until May 14th, 2017, and a Final Scope of Work, incorporating changes based on relevant comments received, will be issued. Responses to comments given during the formal meeting and written comments received will be provided as part of the Final Scope of Work. The draft scope of work is available on the DEP website at: www.nyc.gov/dep. Additional hard copies are available upon request.

Project Description

The New York City Department of Environmental Protection (DEP) must prepare the environmental review to disclose potential adverse significant environmental impacts from the construction and operation of two combined sewer overflow (CSO) tank facilities in order to inform City of New York (City) decision makers prior to any decision for siting two tanks that are the subject of land use approvals under ULURP. This Project is required by the EPA to support the remediation of the Canal under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund). The Project will be reviewed in accordance with the New York State Environmental Quality Review Act (SEQRA), City Environmental Quality Review (CEQR), and the Uniform Land Use Review Procedure (ULURP). Following the designation of the Canal as a Superfund site by the United States Environmental Protection Agency (USEPA) in 2010, USEPA issued a Record of Decision (ROD) in September 2013 that described the USEPA-selected remedy to meet preliminary remediation goals (PRGs) for the Canal. These included remediation of industrial contamination within the Canal and control of CSO solids from discharges in order to protect the remedy when completed.

The Head End Facility is proposed to be located at 242 Nevins Street (Block 418, Lot 1) and 234 Butler Street (Block 411, Lot 24), with an area for construction staging located at 270 Nevins Street (Block 425, Lot 1) and would intercept CSO solids primarily from CSO outfall RH-034. The Owls Head Facility would be located at the five parcels consisting of 2 2nd Avenue (Block 977, Lot 3), 110 Fifth Street (Block 990, Lot 21), 122 Fifth Street (Block 990, Lot 16), 22 2nd Avenue (Block 990, Lot 1), and 5th Street (Block 977, Lot 1). The Owls Head Facility would intercept CSO solids from CSO outfall OH-007.

HEAD END FACILITY AT RH-034

The Project would include construction of the Head End Facility at 242 Nevins Street and 234 Butler Street with a construction staging area at 270 Nevins Street (collectively, the Head End Site), bounded by the Gowanus Canal, Butler Street, Nevins Street, and Sackett Street. The design for the Facility is currently under way, and is expected to consist of an approximately 52,000-square-foot (sf) below-grade structure containing the 8 million gallon (MG) tank and tank system, and an approximately 25,700 sf, two-story above-grade structure housing the screening equipment, electrical equipment, odor control system, emergency generator, and crew areas. The above-grade structure would be located at the northern end of the site, with the remainder of the surface area on the site expected to be paved and accessible for maintenance and operations with landscaping and public space provided where appropriate. The design would include a 50-foot setback from the bulkhead wall, and may provide some form of waterfront public access.

Routing of sewer system flows to the Head End Facility would be determined during design, but may, in addition to flows from RH-034, include the elimination and diversion of flow from an outfall that runs through the Head End Site (RH-033) as well as potential diversion of flows from two other nearby outfalls (RH-038 and RH-037). The Nevins Street Pumping Station may also be rehabilitated or relocated to the Head End Site. During wet weather events, flow would be conveyed to the Head End Site by gravity, collected and retained in the storage tank, then pumped to the Gowanus Wastewater Pumping Station for delivery to the Red Hook Wastewater

Treatment Plant (WWTP) once there is sufficient downstream capacity in the sewer system. As the tank is emptied, accumulated solids would be flushed out and removed. Excess flow (i.e., exceeding the capacity of the tank) would pass through the facility and receive limited primary treatment via screening and settling before being discharged through one of the nearby outfalls (RH-034 or RH-038) to the Canal. A tide-gate system would be installed to prevent the Canal from backing up into the tank. The Head End Facility would reduce the CSO volume discharged from outfall RH-034 during a typical year by approximately 76 percent, from 137 MG to 33 MG and solids by 82 percent.

Construction of the Head End Facility is expected to take approximately five years.

OWLS HEAD FACILITY AT OH-007

The Project would include construction of the Owls Head Facility on five parcels: 2 2nd Avenue (Block 977, Lot 3), 110 5th Street (Block 990, Lot 21), 122 5th Street (Block 990, Lot 16), 22 2nd Avenue (Block 990, Lot 1), and 5th Street (Block 977, Lot 1), with portions of this area used for construction staging (collectively, the Owls Head Site). The site is bounded by the Gowanus Canal and 2nd Avenue near the 6th Street turning basin. As with the Head End Site, the Owls Head Site is currently in design, but is expected to consist of an approximately 31,000-sf below-grade structure containing the 4-MG tank and tank system, and an approximately 17,600 sf, two-story above-grade structure housing the screening equipment, electrical equipment, odor control system, emergency generator, and crew areas. A portion of the site (Block 977, Lot 3) contains a New York City Department of Sanitation (DSNY) facility that would be incorporated at the Owls Head Facility. The five parcels where the Project would be located would accommodate both the existing DSNY facility and the Owls Head Facility. The remainder of the surface area on the site expected to be paved and accessible for maintenance and operations with landscaping where appropriate.

Construction at the Owls Head Site would include upgrades to existing sewer infrastructure in the area. In particular, an existing regulator (the 2nd Avenue Regulator, located just north of the 2nd Avenue and 5th Street intersection) and the existing outfall (OH-007, located at the end of 2nd Avenue) would be demolished, and a new regulator and outfall would be constructed to handle the design flow rates of the Owls Head Facility. In addition, the 2nd Avenue Pumping Station adjacent to the site would be demolished and a new, similar pumping station would be constructed adjacent to or within the Owls Head Site.

Operation of the Owls Head Facility would be similar to that of the Head End Facility, with flow conveyed to the facility by gravity, collected and retained in the storage tank, and then pumped to the Owls Head Interceptor through a regulator located at the intersection of 3rd Avenue and 7th Street. A new force main would be constructed to connect the facility to the Owls Head Interceptor for delivery of flow to the Owls Head WWTP once there is sufficient downstream capacity in the sewer system. As the tank is emptied, accumulated solids would be removed on-site. Excess flow (i.e., exceeding the capacity of the tank) would pass through the facility and receive limited primary treatment via screening and settling before being discharged through a new OH-007 outfall to the Canal. The existing outfall would remain in service during construction and would be closed off once the Owls Head Facility is operational. A tide-gate

system would be installed to prevent the Canal from backing up into the tank or the new 2nd Avenue Pumping Station. The Owls Head Facility would reduce the CSO volume discharged from outfall OH-007 during a typical year by approximately 85 percent, from 58 MG to 9 MG and solids by 87 percent.

Construction of the Owls Head Facility is expected to take approximately five years.

Both the Head End and Owls Head Facilities would be largely automated and would not require permanent staffing, although workers would access the facilities to perform regular maintenance. Both facilities are expected to be in operation approximately 40 to 50 times per year, and overflow events (where excess flows would pass through the facilities and receive some primary treatment before being discharged into the Canal) are expected to occur infrequently (approximately six times per year at RH-034 and five times per year at OH-007).

Required Approvals

The construction of the Gowanus CSO Facilities may require several discretionary actions, including approval by the federal, state, county and local entities. For a full list of potentially required permits and approvals, please refer to the Draft Scope of Work, enclosed herein.

Statement if Potential Significant Effect(s)

On behalf of DEP, the Bureau of Environmental Planning and Analysis has determined the proposed program is a Type I Action and that it may have potential significant effects on the environment. Based on preliminary analyses, DEP has concluded that an Environmental Impact Statement should be prepared to fully disclose the complex issues associated with the proposed project.

Lead Agency Determination

DEP believes that it is the appropriate lead agency, and DEP wishes to undertake a coordinated review with all involved agencies. DEP's Bureau of Environmental Planning and Analysis contact person should be notified within thirty (30) days of the date of this letter if any of the potentially involved parties objects to DEP's lead agency status. If no objections are heard within that time frame, DEP will continue to act as lead agency for the purposes of this environmental review.

Contact Person

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- Sayar Lonial– Chairperson, Brooklyn CB 6
- Craig R. Hammerman– District Manager, Brooklyn CB 6
- Raju Mann – Director of Land Use, NYC Council
- Jeffrey Zappieri- NYSDOS
- Steve Watts – NYSDEC
- Ruth Pierpont – NYSSHPO
- Timothy Burns – NYSEFC
- Hilary Semel – MOEC
- Naim Rasheed – NYCDOT
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