



CITY PLANNING COMMISSION

February 10, 2010/Calendar No. 6

C 100110 PSR

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property located at Hannah, Front and Bay streets (Block 487, p/o Lot 100), for construction of a water siphon tunnel shaft and chlorination station for the Staten Island-Brooklyn Water Siphon, Borough of Staten Island, Community District 1.

The application (C 100110 PSR) was filed on September 29, 2009 by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS), for site selection of city-owned property located at Front Street and Murray Hulbert Avenue (Block 487, part of Lot 100), Borough of Staten Island, Community District 1, for construction of a water siphon tunnel shaft and chlorination station.

BACKGROUND

The NYC Department of Environmental Protection (DEP) and Department of Citywide Administrative Services (DCAS) request the site selection of city-owned land to construct a water siphon tunnel shaft and chlorination station in the Stapleton area of Staten Island's Community District 1. The site is located south of Hannah Street, east of Bay Street and the Staten Island Railway tracks, north of Front Street and west of Murray Hulbert Avenue (Block 487, part of Lot 100). The site is an open flat vacant parcel of 1.4 acres zoned M2-1 and is part of a larger zoning lot.

The subject site is part of an approximately 16-acre city-owned zoning lot, containing multiple existing uses and structures. The following uses occupy the site from north to south: the Joseph Lyons Pool and Cromwell Recreation Center (operated by the New York City Department of Parks and Recreation); a privately-operated launch service on property leased from the City (Miller Marine Launch Service); a DEP Chlorination facility; a Staten Island Ferry equipment storage yard and buildings; and, to the west,

the Staten Island Railroad tracks. The 1.4 acre project area is adjacent to and south of the ferry equipment storage site. The site is flat, vacant land with frontage on Murray Hulbert Avenue and Front Street. This site was selected due to its M2-1 zoning, which permits the uses proposed, and its location near related DEP facilities and the harbor shoreline.

The proposed water siphon tunnel shaft and chlorination station will replace two existing water siphons between Brooklyn and Staten Island which are part of the city's water supply system. The two existing siphons, 36-inch and 42-inch diameter water transmission pipelines, function as a backup source of potable water supply for Staten Island, in the event of an outage of the 10-foot diameter Richmond Tunnel, which is the primary source of water supply for Staten Island. The two existing siphons originate in the Fort Hamilton area of Brooklyn, and terminate in the Stapleton and Tompkinsville areas of Staten Island.

The project involves the abandonment of two existing underground water siphons and their replacement with one new water siphon across the New York Harbor and Anchorage Channel between Brooklyn and Staten Island. Replacement is needed to accommodate the proposed dredging of the harbor floor to approximately 54 feet below mean low water which would affect the existing siphons which are located between 56 to 60 feet below mean low water. The channel dredging is part of the harbor deepening program by the Port Authority of NY and NJ and the US Army Corps of Engineers. Dredging will improve maritime shipping access to the Port of New York and New Jersey.

The proposed siphon would be a 72-inch diameter steel pipeline installed within a 12-foot diameter tunnel. The tunnel would be constructed under the harbor at a depth of at least 85 feet below mean high water. The tunnel route would start at a launching shaft to be located at the subject site on Staten Island and end at a reception shaft in Shore Road Park, Brooklyn. The proposed siphon would provide 5 million

gallons per day of normal daily water supply to a small portion of Staten Island, as well as emergency backup water supplies for all of Staten Island when needed. In an emergency, the siphon could be used in reverse to distribute water stored in the existing Silver Lake reservoir from Staten Island to Brooklyn.

This application is for site selection of the 1.4 acre Staten Island site that would be utilized for the tunnel launch shaft. The shaft would be the primary construction site for the tunnel across the harbor; construction will include the removal of excavated materials from the tunnel and placement of the tunnel liner and pipeline. After tunnel construction is completed, permanent facilities would remain on site, including underground access vaults, valve chambers and water main piping. The shaft site would also be used for construction of a chlorination station, which is primarily an underground structure to store and feed chlorine into the water supply as required by State and Federal drinking water regulations. The station would operate automatically and unmanned, and be maintained by DEP staff already assigned to the existing Richmond Chlorination Station, located nearby. The site selection also includes a proposed underground water main that would run from the shaft site to Bay Street, crossing under the Staten Island Railroad track and maintenance yard. The tracks and maintenance yard are on City-owned property which the City leases to the Metropolitan Transit Authority.

Site preparation would begin in Spring/Summer 2010 and the vertical shaft would be completed four to six months later. Next, a tunnel boring machine (TBM) would be lowered into the shaft to construct the subsurface tunnel. The tunnel would be excavated in 2011 and into mid-2012. Excavated materials from the tunnel construction would be taken out of the Staten Island shaft and removed from the site. The TBM would be removed from the Brooklyn side following tunnel completion. Carrier pipes and grout would be installed in summer and fall 2012. Construction of the chlorination station would begin in summer 2012 and be completed in spring 2013.

Land uses in the surrounding area include the Lyons Pool and Cromwell Recreation Center in an R3-2 district to the north. Multi-family residential is located north of Cromwell Center, just beyond Victory Boulevard. Miller Marine Service's waterfront docks and Upper New York Bay are in an M2-1 district to the east. Vacant land in the former Navy Homeport which is now the Stapleton Waterfront Special District (C4-2A) is to the southeast and south, and the Staten Island Railroad tracks and maintenance yard are in an M1-1 district to the west. Retail, office, auto-related and light industrial uses are located further west along Bay Street, also zoned M1-1.

The project was not included in the Citywide Statement of Needs for the FY'09-10, but the DEP formally notified the Borough President about the proposed project in advance of filing by letter dated August 17, 2009 pursuant to Section 204(g) of the City Charter.

ENVIRONMENTAL REVIEW

This application (C100110PSR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.*, and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 07DEP008Y. The lead agency is the Department of Environmental Protection.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on October 2, 2009.

Waterfront Revitalization Program Consistency Review

This application (C 100110 PSR) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by

the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 07-009.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

UNIFORM LAND USE REVIEW

This application (C 100110 PSR) was certified as complete by the Department of City Planning on October 19, 2009, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on November 2, 2009, and on November 10, 2009, by a vote of 27 to 1 with 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

- A community liaison be assigned from The Department of Environmental Protection and the General Contractor hired to do the construction work with a pre-construction meeting to take place.
- All trucks that are used for the project be directed south on Front Street to Bay Street avoiding the Hannah Street Bridge.
- Look at the possibility of loading material onto rail train and unload onto trucks at the foot of SIRTOA access at Bay Street and Vanderbilt Avenues.
- Coordinate with City agencies for residents of Bay Street Landing to utilize City land for parking, i.e., parking lot across from Cromwell Center.
- Additional planting on north side of site.

- No night work permitted for any of the construction, i.e., water siphon, sewer and water construction.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on December 11, 2009.

City Planning Commission Public Hearing

On December 16, 2009 (Calendar No. 5), the City Planning Commission scheduled January 6, 2010, for a public hearing on this application (C 100110 PSR). The hearing was duly held on January 6, 2010 (Calendar No. 27). There were four speakers in favor of the application, and none in opposition.

Two speakers, a representative from DEP and a project engineer consultant to the DEP appeared in favor. They described the project and the requested action. A representative from the Economic Development Corporation also described that agency's coordination of waterfront projects in the area. A fourth speaker, the president of the Bay Street Landing condominiums and cooperatives Home Owners Association, also spoke in support of the application. She described the Home Owners Association's concerns about safety, parking access and egress, construction coordination and, potential damage during work in the bed of lower Victory Boulevard, which is adjacent to Bay Street Landing (BSL). She noted that the involved agencies had already responded to many of the issues. There were no other speakers, and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that the application submitted by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services

(DCAS), for site selection of city-owned property for construction of a water siphon and chlorination facility, is appropriate.

The Commission notes that the site selection would facilitate construction and operation of a replacement siphon that would ensure a backup water supply for Brooklyn and Staten Island, and provide 5 million gallons of water daily to a section of Staten Island. The two underground siphons to be replaced are too close to the surface of the harbor floor and may be affected by the harbor deepening program planned by the Army Corps of Engineers and the Port Authority of New York and New Jersey. Dredging will deepen the shipping lanes and allow larger vessels to use the Port of New York and New Jersey.

The Commission believes that selection of this site is appropriate due to its M2-1 zoning which permits the uses proposed, and its location near related DEP facilities and the harbor shoreline.

In response to Commission concerns about the site's location adjacent to the future Stapleton Waterfront Esplanade, the Commission notes that the applicant has added more trees and shrubs than originally proposed and has changed the proposed boundary fence from chain link to steel picket to improve the project appearance. In a letter dated February 1, 2010, the Department of Environmental Protection also stated that DEP staff will maintain the submitted landscaping concept for the proposed chlorination structure, including but not limited to the proposed green roof, green walls, shrubs and lawn using in-house staff from their Reservoir Operations group. The Commission further notes that the sharp bend in the current roadbed of Front Street will be

resolved by the future realignment of Front Street pursuant to the Stapleton Waterfront Master Plan.

The Commission is aware that the EDC plans to construct two segments of waterfront esplanade in the project area. A section of the North Shore Esplanade is proposed from Victory Boulevard south along Murray Hulbert Avenue and on part of Hannah Street. The next section, from Hannah Street south, is along the shoreline on city-owned land to the east of the proposed siphon site. Together, these esplanade sections would connect to the future Stapleton Waterfront Esplanade to the south. The Commission is concerned with the coordination of the construction and phasing of these two important initiatives. DEP and EDC have informed Department staff that the construction of the proposed water siphon and the esplanade will be phased so that the siphon-related work in the beds of Victory Boulevard, Murray Hulbert Avenue and Front Street will be completed before any esplanade work is started.

In response to the Community Board's concerns, the Commission notes that DEP has assigned a community liaison to this project to keep the Bay Street Landing (BSL), a residential development on the waterfront immediately north of Victory Boulevard, and other residents apprised of the status of this project. Further, DEP has changed the truck route to Front Street south to Bay Street which will avoid the Hannah Street Bridge which is used by local residents. In addition, the applicant is working with the Parks Department to secure resident parking for those displaced during construction in a parking lot under the Department of Parks and Recreation jurisdiction near the Cromwell Center. Construction hours have been changed to

disallow night work, except that the underground excavation for the siphon tunnel on the siphon site will operate 24 hours. However, there will be no truck trips to haul excavated material from 11 pm to 7 am at night. In addition, the applicant contacted the Staten Island Railroad (SIR) regarding the potential to transport excavated material by rail. Such transport is not feasible because the SIR is a passenger railroad only.

With respect to a concern raised during the public review regarding the construction of new water mains and emergency access to Victory Boulevard, which provides the only means of access and egress to Bay Street Landing, the Department has received construction documents from the Department of Transportation indicating that local and emergency access must be provided to allow access for emergency vehicles and local residents. The Commission encourages the DOT, EDC and DEP to work with the community board and with the Bay Street Landing Association during construction to ensure that there is minimal disruption to area residents.

The Commission believes that the site is an important city facility that would ensure an adequate water supply to a section of Staten Island and a backup source of water supply to Staten Island and Brooklyn.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will be consistent with WRP policies, and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property located at Hannah, Front and Bay streets (Block 487, p/o Lot 100), for construction of a water siphon tunnel shaft and chlorination station for the Staten Island-Brooklyn Water Siphon, Borough of Staten Island, Community District 1, is approved.

The above resolution (C 100110 PSR), duly adopted by the City Planning Commission on February 10, 2010 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners