

**Water Filtration Plant  
Town of Harrison, New York  
Final Scope  
For Preparation of a  
Draft Environmental Impact Statement (DEIS)**

Westchester Joint Water Works

Draft Scope Filing Date: March 23, 2021

Scoping Hearing Date: April 13, 2021

Last Date to Submit Comments: May 10, 2021

Classification of Action: Unlisted

Lead Agency: Westchester Joint Water Works  
1625 Mamaroneck Ave  
Mamaroneck, NY 10543

This document identifies the environmental topics to be addressed in the Draft Environmental Impact Statement (DEIS) for the proposed Westchester Joint Water Works Filtration Plant (Project) in the Town of Harrison, New York, proposed by Westchester Joint Water Works (WJWW, the Applicant, the Project Sponsor, and the Lead Agency). This Scope document meets the requirements of 6 NYCRR Part 617.8 (e) (1) through (7). For the purposes of this Scope, the term “Action” means the proposed construction and operation of the Project and all related funding, real estate transactions, approvals and permits.

## **A. DESCRIPTION OF PROPOSED ACTION**

### **Background**

Westchester Joint Water Works is a non-profit public benefit corporation formed by an Act of the NYS Legislature<sup>1</sup> at the request of the three member municipalities of the Village of Mamaroneck, the Town of Mamaroneck, and the Town/Village of Harrison for the purpose of cooperatively operating a public water works system. WJWW supplies water to its member municipalities for retail sale to their resident consumers and to portions of the City of Rye and the City of New Rochelle, serving a total retail population of over 59,000 persons from over 14,600 service connections. WJWW provides water on a wholesale basis to the for-profit water company Suez Water Westchester, which sells water to the City of Rye, Village of Rye Brook, and Village of Port Chester. WJWW also supplies water to the Village of Larchmont on a wholesale basis. In all, WJWW provides drinking water to some 120,000 consumers in Westchester County.

The water supply for the WJWW system is obtained from the upstate Catskill and Delaware watersheds of the New York City (NYC) water system. WJWW draws its water from two connections to the NYC system: (i) Shaft 22 of the NYCDEP Delaware Aqueduct in Yonkers and (ii) Rye Lake, the eastern portion of Kensico Reservoir, in Harrison. The Proposed Action is related to the water drawn from Rye Lake.

The Rye Lake source water is currently treated with chlorine, fluoride, and corrosion inhibitor at the Rye Lake Pump Station (“RLPS”). The water is pumped from the RLPS to the Purchase Street Storage Tanks where pH adjustment occurs via the addition of sodium hydroxide.

In 1993, New York State Department of Health (NYSDOH) determined that Rye Lake does not meet the criteria established by the State for filtration avoidance. In response to this determination, WJWW took several steps to avoid the need for the construction of a costly filtration plant. These steps included improvements to its chlorination disinfection system and the construction of additional treated water storage capacity to provide additional disinfection contact time. The raw water intake was also moved farther into Rye Lake and placed at a greater

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<sup>1</sup> Chapter 654 of the Laws of New York, 1927 entitled “An Act to authorize two or more municipalities, excepting cities but including water districts, jointly to acquire, construct, lease and maintain a water works system, to provide for the method of financing therefor, to provide for the management, operation, sale and disposition thereof, and otherwise to act jointly concerning the obtaining and distributing of a supply of water.”

depth to access higher quality water from the lake. In addition, a turbidity curtain was installed in the reservoir in the area where storm water runoff from Interstate 684 and the County Airport enters the reservoir in an effort to protect the raw water quality of the intake.

In an action brought by NYSDOH pursuant to section 12 of the Public Health Law, the State Supreme Court for Westchester issued an Order, entered on January 23, 2002, that granted NYSDOH's motion for summary judgment, holding that WJWW violated the State Sanitary Code by failing to construct and operate a water filtration plant. The State Supreme Court's Order was affirmed on appeal in 2003. Upon remand, on June 9, 2004, the Supreme Court granted a permanent injunction requiring WJWW to construct a filtration plant (Judgment and Order of New York State Supreme Court Index No. 13364-99, Justice Louis A. Barone). The permanent injunction was upheld on appeal in 2005. It remains in effect today.

To comply with the injunction, which established a schedule and milestones toward compliance with the mandatory filtration requirement, WJWW prepared to proceed with construction of a membrane filtration plant. The plant was proposed to be located on a 13.4-acre parcel of property it had acquired in the Town of Harrison adjacent to the County Airport. The project was identified as a Type II action under the Type II category that is today codified at 6 N.Y.C.R.R. § 617.5(c)(35) ("a particular course of action specifically required to be undertaken pursuant to a judgment or order"). WJWW determined that it would submit for local approvals and follow the Town/Village of Harrison Planning Board process. Applications for local site plan and special exception use permits were submitted to the Planning Board, which issued a negative declaration under SEQRA and granted approvals on June 21, 2005. The final design of WJWW's original water treatment plant was completed and approved by NYSDOH and the County Department of Health in 2006.

As a result of lawsuits brought by a third party challenging certain permits and approvals for the facility, the Planning Board rescinded its prior approvals and, notwithstanding the prior classification of the action as Type II and negative declaration, issued a positive declaration on June 11, 2007. In accordance with a scope adopted by the Planning Board, WJWW proceeded to prepare a DEIS, which the Planning Board certified as complete on September 25, 2007. A public hearing was conducted on November 15, 2007, and WJWW prepared and submitted a draft FEIS in July 2008.

As part of the EIS process, WJWW explored alternatives to filtration including regional water treatment and conveyance options. After submission of the draft FEIS, there was significant interest among the Planning Board and other project stakeholders in a County-lead regional water treatment and conveyance alternative. These options were further evaluated by WJWW, but ultimately, the regional water utilities pursued treatment options that did not provide any option for WJWW to obtain treated water. With regional water treatment and conveyance options no longer available, WJWW then investigated the viability of another alternative to filtration of Rye Lake water consisting of construction of a pipeline for conveyance of treated water directly from New York City's Shaft 20 in Greenburgh. In 2016, the alternative was rejected due to its exorbitant cost and the identified potential significant impacts.

During this time period, the U.S. Environmental Protection Agency (USEPA) adopted on January 4, 2006 a Stage 2 Disinfectants and Disinfection Byproducts (DBPs) Rule to provide increased public health protection against the potential risks associated with these compounds. DBPs are formed when natural organic matter in the raw water source interact with disinfectants such as chlorine. Stage 2 DBP byproduct chemicals include haloacetic acids and trihalomethanes. Because WJWW serves approximately 120,000 customers, compliance with these new provisions is mandatory. Starting October 1, 2012, WJWW was required to monitor the maximum contaminant levels (MCL) for total trihalomethanes (TTHM) and haloacetic acids (HAA5). The MCLs for TTHM and HAA5 are 0.080 milligram per liter (mg/L) and 0.060 mg/L, respectively, on a Locational Running Annual Average (LRAA) basis. The results submitted for the first, second, and third quarters of 2019 exceeded the MCL for HAA5.

On March 28, 2019, WJWW received a USEPA Administrative Order (AO) to submit a Corrective Action Plan (CAP) outlining provisions to be taken to achieve compliance with the MCLs. On November 26, 2019, the EPA issued a superseding Administrative Order (Index No. SDWA-02-2020-8001) which now, in addition to the Corrective Action Plan for the violation of the DBPs Rule, included an obligation to commence design of the proposed Rye Lake Filtration Plant and begin the SEQRA process by January 31, 2020, with the Filtration Plan to be operational by October 15, 2024.

By letter dated April 29, 2021, the U.S. Department of Justice (DOJ) notified WJWW that USEPA had referred “certain violations of the Safe Drinking Water Act” to the “U.S. Attorney’s Office for the Southern District of New York for litigation in the U.S. District Court for the Southern District of New York.” The letter stated that the “violations relate to the failure of Westchester Joint Water Works and its constituent municipalities, the Town of Harrison, the Town of Mamaroneck, and the Village of Mamaroneck ... to comply with the SDWA and an administrative order ... issued by EPA dated November 26, 2019. WJWW failed to comply with the ... MCL ... for ... HAA5 ... and, in particular, exceeded the MCL for HAA5 during the first, second, and third quarters of 2019. While WJWW has implemented interim measures to prevent HAA5 MCL exceedances in the short term, it is presently in violation of the SDWA and the AO, including the requirement that it construct a filtration plant at Rye Lake.” DOJ sent a similar notification letter dated May 26, 2021 directly to each of the member municipalities, the Town/Village of Harrison, the Town of Mamaroneck, and the Village of Mamaroneck.

### Proposed Action

For the protection of public health and safety and to comply with State Court injunction, the SDWA, and the USEPA Administrative Order, WJWW proposes to construct and operate a 30-MGD Dissolved Air Flotation/Filtration (DAFF) water filtration plant (filtration plant or plant) to serve the nearby Rye Lake (Kensico Reservoir) water source. The filtration plant would include enhanced coagulation to remove disinfection byproduct precursors to TTHM and HAA5, which would greatly increase WJWW’s ability to consistently comply with the MCLs for TTHM and HAA5 as required by the Stage 2 Disinfectants and Disinfection Byproducts Rule. It would also allow

WJWW to comply with the USEPA's Surface Water Treatment Rule and Long Term 2 Enhanced Surface Water Treatment Rule.

The filtration plant would have the capacity to meet the maximum day water supply demand of the entire WJWW water system, providing for system-wide quality and quantity reliability and resiliency. In addition to the filtration plant, the Project would include the construction of related improvements including a driveway for operational and emergency access, a parking lot and walkways, facilities to connect water and sewer utilities, and stormwater management features on a 13.4-acre Project site. The sewer line for the project would tie into a County trunk line on adjacent Westchester County Airport property pursuant to an easement that would be granted by the County. As proposed, the filtration plant will be designed to treat water pumped from the RLPS and to supply finished water to the Purchase Street Storage Tanks. The proposed location for the Project is on a portion of property currently owned by Westchester County, managed by the Westchester County Airport and accessed from Purchase Street (Map 1: Site Location).

Construction of the Project would require relocation of the existing Airport secondary fence line to delineate the site from the Westchester County Airport. The facility structure would have a footprint of less than one acre. Proposed impervious features, including a driveway, parking lot, walkways, the facility itself and ancillary facilities, would total approximately 2.4 acres of the 13.4-acre Project site.

The location of the Project is proposed on land now owned by the County. The Project requires WJWW to acquire title to 13.4 acres of the Westchester County Airport property from the County. The County has advised WJWW that the best course of action would be an arrangement which results in no net loss of Airport property to be achieved by a proposed equal land swap. The 13.4-acre parcel of land for the Project would be administratively apportioned from the County Airport property and deeded to WJWW. In exchange WJWW would deed its title to a nearby 13.4 acre parcel adjacent to County-owned land for merging with and incorporation into the Airport property (Map 2: Land Swap Properties).

Together, this work constitutes the Proposed Action.

#### List of Permits & Approvals

A number of permits and approvals would be required in connection with the Project spanning local, state and federal agencies. WJWW would work with Westchester County on the legislative authorization and approval of the land swap and preparation of deed agreements, as well as a sewer easement to connect the Project to the County trunk line located on the Airport property. The Federal Aviation Administration would need to approve the modification of the airport footprint, and the Westchester County Department of Environmental Facilities would need to approve the required sewer connection. The Filtration Plant design would require approval of the NYS and County Departments of Health. A wetland permit from the US Army Corps of Engineers would also be required. In addition, WJWW will continue to coordinate with the Attorney General and NYS Commission of Health regarding compliance with the injunction

ordering filtration, and the Department of Justice and USEPA regarding compliance with the administrative order.

Table 1 shows the anticipated list of permits and approvals that may be required for the proposed action:

<b>TABLE 1: PERMITS &amp; APPROVALS</b>	
<b>Government Entity / Agency</b>	<b>Approval(s) Required</b>
USEPA	Compliance with Administrative Order SDWA-02-2020-8001
USEPA	Water Infrastructure Finance and Innovation Act (WIFIA) Program
United States Army Corp on Engineers (USACE)	Wetlands / Section 404 Clean Water Act
United States Fish and Wildlife Service (USFWS)	Section 7 Consultation
Federal Aviation Administration (FAA)	Notice of Proposed Construction or Alteration (FAA Form 7460-1)
NYSDEC	State Pollution Discharge Elimination System (SPDES) General Permit for Construction Activity
NYSDEC	SPDES Industrial Permit (NY-2C) for Process Emergency Overflow
NYSDEC	401 Water Quality Certification
NYSDEC	Freshwater Wetlands
Environmental Facilities Corporation / NYSDOH	Drinking Water State Revolving Fund Program
Environmental Facilities Corporation / NYSDOH	Water Infrastructure Improvement Act (WIIA) Grant Program
NYSDOH	Compliance with Judgment and Order of New York State Supreme Court Index No. 13364-99, Justice Louis A. Barone
NYSDOH	Approval of Treatment Process and Plant Design
New York State Office of Parks and Historic Preservation (NYSOPRHP)	State Historic Preservation Office (SHPO) Consultation
New York City Department of Environmental Protection (NYCDEP)	Stormwater Pollution Prevention Plan (SWPPP) review and approval
Westchester County Department of Health (WCDOH)	Approval of Completed Works
Westchester County Board of Legislators	Approvals for obtaining property rights and sewer easements
Westchester Department of Public Works	Building Approvals and Road Permits
Westchester County Department of Environmental Facilities	Approval to Connect to County Sewer System
Westchester County Planning Board	Administrative Review
Town of Mamaroneck Town Board	Approval of Funding for Project
Village of Mamaroneck Town Board	Approval of Funding for Project
Town/Village of Harrison, Town Board	Approval of Funding for Project
Town/Village of Harrison Planning Board	Freshwater Wetlands Permit
Town/Village of Harrison Planning Board	Site Plan Approval

TABLE 1: PERMITS & APPROVALS	
Government Entity / Agency	Approval(s) Required
Town/Village of Harrison Town Board	Special Exception Use Permit
Town/Village of Harrison Zoning Board of Appeals	Area Variance
Town/Village of Harrison Architectural Board of Review	Architecture Approval
Town/Village of Harrison Building Department	Building Permit
Town/Village of Harrison Building Department	Tree Removal Permit
Town/Village of Harrison Engineer	Land Disturbance Approval
Town/Village of Harrison Dept of Public Works	Street Opening Permit
Note: The approvals listed from the Town/Village of Harrison and its Planning Board are without prejudice to any contention that the proposed Filtration Plant is exempt from obtaining such approvals under <i>Village of Munsey Park v. Manhasset-Lakeville Water District</i> , 150 A.D.3d 969 (2d Dep’t 2017), and similar cases.	

## B. SITE DESCRIPTION

The proposed site is 13.4 acres located on the east side of Purchase Street and west of the Westchester County Airport (Map 1: Site Location). Access to the site will be directly from Purchase Street.

The site of the proposed filtration plant is currently undeveloped and composed of trees and other vegetation. The grade of the site slopes from south to north at an approximate 2.5 percent slope. Tree surveys conducted in August, September and November of 2019 and December 2020 concluded that there are no tree species that warrant special consideration during the construction of the Project. In August 2014, a wetland delineation confirmed the presence of approximately 1.4 acres of wetland under both NYS DEC and USACE jurisdiction, through which runs an unnamed and unclassified stream. In August 2019, additional wetland delineations were conducted to confirm the presence of these wetlands. In August 2021, the wetland delineations were validated by NYSDEC. The NY Natural Heritage Program did not identify any threatened or endangered species or critical habitats within or adjacent to the project site.

Predominant soils found on site include Woodbridge loam (WdB), Udorthents, smoothed (Ub) and Paxton fine sandy loam (PnB). The majority of the site contains slopes of less than 10% and bedrock was not encountered during a preliminary geotechnical investigation up to 50 feet below ground surface. Several preliminary studies were performed in 2019 including a Phase I Archaeological Survey, Phase I Environmental Site Assessment (Phase I ESA) and a Preliminary Geotechnical report, discussed below.

The Phase I Archeological Survey identified a broad scatter of mid-nineteenth through twentieth-century material in low densities in two clustered areas within the project site, a stone fence along the west side of the project site, and a post-1940s poured concrete slab. Based upon the low artifact density, evidence of disturbance to deposits, the age of artifacts recovered, and lack

of any buried cultural features, it was recommended in the report that the recovered artifact assemblage does not represent a potentially significant archaeological resource. This recommendation was accepted by the NYS Office of Parks, Recreation and Historic Preservation. WJWW will submit again to the CRIS system to reflect the updated site plans which includes the sewer line easement.

The 2020 Phase I Environmental Site Assessment (ESA) consisted of performing a review of online and available existing documents, including record drawings and files from NYSDEC, Westchester County, Westchester County Airport, and the Town of Harrison, to obtain sufficient information that would assist in determining the environmental condition of the proposed project site. In addition, the Phase I ESA included a visual assessment of the current conditions at the proposed project site and adjoining areas. A site visit was conducted on November 20, 2019 to identify physical and programmatic constraints, observe field conditions, and develop a Phase I ESA report in general conformance with the requirements of ASTM Standard E 1527-13. The proposed project site was not identified on any of the environmental database listings that were searched. Two Recognized Environmental Conditions (REC), an Historic Recognized Environmental Condition (HREC), and two Business Environmental Risks (BER) were identified on or near the airport property, but further investigation did not detect or identify these conditions or risks within the boundaries of the proposed project site.

A preliminary subsurface exploration program was completed on November 22, 2019 and groundwater samples were collected on December 13, 2019 for the Preliminary Geotechnical Report. Two test pits and three test borings were performed at the project site to obtain preliminary environmental conditions and subsurface information about soil, rock, and groundwater conditions to determine requirements for foundation design, construction dewatering and excavation. Bedrock was not encountered at any of the sites, though groundwater was observed at one boring at approximately 30 feet below ground surface. Soil samples were tested for a number of compounds which were all detected below NYS DEC Environmental Remediation Program criteria for unrestricted use soil cleanup objectives; therefore there are no restrictions for the reuse of excavated subsoil and glacial till on or off site. Finally, groundwater was tested for volatile organic compounds (VOCs) and SVOCs as well as perfluorinated alkyl acid (PFAA) compounds, which are a sub-set of per- and polyfluoroalkyl substances (PFAS). None of these compounds were detected above laboratory detection limits; therefore no treatment for these compounds is warranted.

A Phase I reassessment was conducted in August 2021 and included information on additional groundwater testing conducted in July 2021. The reassessment agreed with the opinions, conclusions, and recommendations issued within the initial Phase I ESA, and no deficiencies or absence of information were found that would necessitate further inquiry. As a result, the reassessment concluded that the preparation of a new Phase I ESA is not necessary at this time. In addition, the three (3) groundwater samples that were collected to assess the groundwater quality at the site to determine if special consideration may be required for anticipated dewatering during future construction activities resulted in no detected volatile organic compounds, pesticides, or PCBs. However, several semi-volatile organic compounds and metals



were detected in separate groundwater samples that exceeded their respective NYSDEC TOGS 1.1.1 Water Quality Standards for class GA (fresh) groundwater. These results would not affect the water that would be treated by the proposed filtration plant because its water source would be obtained from Rye Lake and processed at the Project site in a closed loop system.

**Classification of Action: *Unlisted***

**Lead Agency:**

**Westchester Joint Water Works**

**1625 Mamaroneck Ave**

**Mamaroneck, NY 10543**

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**C. FRAMEWORK FOR ENVIRONMENTAL REVIEW**

The State Environmental Quality Review Act (SEQRA), codified as Article 8 of the New York State Environmental Conservation Law, requires a Lead Agency to analyze the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An Environmental Impact Statement (EIS) is a comprehensive document used to systematically consider environmental effects, evaluate a reasonable range of alternatives, and identify and propose mitigation, to the maximum extent practicable, of any significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose from among alternatives in their decision-making processes related to a proposed action.

An EIS will be prepared in accordance with SEQRA and its implementing regulations found at 6 N.Y.C.R.R. Part 617.

*Environmental Review Process*

The Westchester Joint Water Works is the lead agency and project sponsor for the State Environmental Quality Review of the Action. Westchester Joint Water Works has determined that the proposed project may potentially result in significant adverse environmental impacts and has directed that an EIS be prepared.

Scoping initiates the EIS preparation process and is intended to provide an early opportunity for the public and other agencies to participate. The purpose of the scoping process is to focus the EIS on “potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant.” 6 N.Y.C.R.R. § 617.8(a).

#### **E. DEIS FORMAT**

Unless otherwise directed by this Scope, the provisions of 6 N.Y.C.R.R. § 617.9 apply to the content of the DEIS and are incorporated herein by reference.

The DEIS shall cover all items in this scope and will discuss all relevant and material facts. The DEIS will seek to identify reasonable alternatives to the proposed Action and to evaluate such alternatives.

Information will be presented in a manner that can be readily understood by the public. Narrative discussions will be accompanied by appropriate tables, charts, graphs and figures. Each potential environmental impact area will be presented in a separate section, which will include a discussion of existing conditions, impacts associated with the Proposed Action and any mitigation measures designed to minimize or mitigate any identified impacts. Highly technical material will be summarized and, if it must be included in its entirety, it will be referenced in the statement and included in an appendix.

The DEIS will be made available in both hard copy and electronic formats. The DEIS will be posted on the internet for agency and public review as required by law and printed copies will be distributed to all involved agencies and any party requesting a copy (a charge to cover the cost of printing may be assessed to interested parties). WJWW developed a website dedicated to providing information on the Project, <https://wjwwfiltration.org/>, and all SEQRA documentation will be posted on the Project website, including the DEIS.

#### **F. FORMAT AND SCOPE OF THE DEIS**

Cover Sheet: The DEIS must begin with a cover sheet that identifies the following:

1. Identification of the document as a Draft Environmental Impact Statement;
2. The name and location of the Proposed Action;
3. WJWW as the Lead Agency and Project Sponsor for the Project, and the name, address, telephone number of the contact person for WJWW, and the SEQRA status (Unlisted);
4. The name, address and email address of the primary preparers of the DEIS, and a contact person representing the preparer;
5. The date the DEIS was accepted by the Lead Agency as complete;
6. The date of the public hearing on the DEIS; and
7. The date before which public written comments on the DEIS are due.

List of Consultants Involved with the Project: The names, addresses and project responsibilities of all consultants involved with the project shall be listed.

Table of Contents: All headings that appear in the text should be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents should include a list of figures, a list of tables, a list of appendix items, and a list of additional DEIS volumes, if any.

Chapter I Executive Summary: The major facts, analyses and conclusions contained in the main text will be summarized in the Executive Summary. No information shall be included in the Executive Summary that is not also contained in the main text.

Chapter 2 Project Description:

- A. Introduction
- B. Project Background, Need, Objectives and Benefits
  - a. Project Background. Provide brief description of the site and current application's history. Describe the proposed Project in the context of other buildings and uses on adjacent and nearby sites.
  - b. Public Need and Objectives. Discuss the goals of the proposed Project, including compliance with EPA Administrative Order (Index No. SDWA-02-2020-8001) dated November 26, 2019, and the Judgment and Order of New York State Supreme Court (Index No. 13364-99, Justice Louis A. Barone) dated June 9, 2004, and public health benefits and regulatory requirements. Describe the water quality issues that the Project is intended to address.
  - c. Benefits of the proposed Project. Provide discussion of the benefits to accrue from the proposed Project including public health benefits and compliance with EPA Administrative Order (Index No. SDWA-02-2020-8001) dated November 26, 2019, Judgment and Order of New York State Supreme Court (Index No. 13364-99, Justice Louis A. Barone) dated June 9, 2004.
- C. Location and Site Conditions. Using appropriate mapping and/or tables, describe location of site, in terms of adjacent/nearby significant properties, districts, and services. Describe current site conditions and any constraining factors on redevelopment.
- D. Project Design and Layout
  - a. Overall Site Layout. At the level of detail required to undertake the requisite environmental impacts analysis, describe the proposed Project (including the proposed structure, square footages, layout, buffers/setbacks and salient features);
  - b. Locate and Describe Land Apportionment and Property Transfer Process. Explain the location of County and WJWW owned lands and describe the transfer of title process that would take place as an apportionment and transfer of title of the Project site by Westchester County to WJWW in exchange for transfer of title to equally-sized property owned by the Applicant to Westchester County. Available information about any anticipated future use of the land that would be deeded to the County will also be discussed.

- c. Clearing, Grading and Drainage. Describe the clearing and grading programs and associated areas cleared and disturbed, approximate volumes of soil excavated, cut/filled, removed from site, and the anticipated maximum depths of cut/fill. Describe site drainage and the proposed drainage system and provide capacity and function information, as necessary.
- d. Parking, Vehicle Access and Road System. Describe/discuss vehicle access point, internal roadway layout, traffic circulation, adequacy of on-site parking, conformance to design requirements.
- e. Water Supply and Sanitary System. Provide descriptions of water supply and proposed wastewater treatment systems and corresponding use of water supply and sanitary design flow; describe sizes and locations of these systems (including the general location of the proposed sewer and water lines, easements, and access points).
- f. Site Lighting, and Landscaping. Provide available information on the type, amount and location of lighting and landscaping proposed; provide available information on maintenance requirements, hours of illumination, and screening.
- E. Construction Schedule and Operations. Brief description of anticipated construction schedule and processes; discuss construction materials storage/staging areas and construction schedule/estimated duration; workers' parking, hours of construction operations, and overview of construction traffic routes.
- F. Permits and Approvals Required. Brief discussion of the required permits, reviews and approvals; and involved agencies.

### Chapter 3 Existing Conditions, Potential Impacts and Mitigation Measures:

#### A. Land Use, Zoning and Public Policy

##### 1. Land Use

##### a. Existing Conditions

- i. Mapping and a description of the Project site including description of any relevant easements or other rights of use by others. (Map 3: Land Use)
- ii. Using appropriate mapping and/or tables, identify and describe land uses and land use patterns within 1/2 mile of the Project site.

##### b. Potential Impacts

- i. Compare the proposed Project with existing land uses within 1/2 mile of the Project site.

##### c. Mitigation Measures

- i. Discuss and evaluate mitigation measures for any identified significant adverse impacts.

## 2. Zoning

### a. Existing Conditions

- i. General description of the Special Business District (SB-O) zoning requirements including: use, lot and dimensional requirements; review and approval process; and applicable design or site plan standards.
- ii. Using appropriate mapping and/or tables, identify and describe all zoning districts within 1/2 mile of the Project site (Map 4: Zoning).

### b. Potential Impacts

- i. Discuss the compliance of the proposed Project with the SB-O and other relevant zoning regulations.
- ii. Discuss relationship of the proposed SB-O zoning to adjacent zoning districts.

### c. Mitigation Measures

- i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## 3. Policy Documents

### a. Existing Conditions

- i. Review and analyze the goals and recommendations of the following documents as they relate to the Proposed Action:
  - Village/Town of Harrison 2013 Comprehensive Plan
  - Westchester County 2017 Airport Master Plan

### b. Potential Impacts

- i. Compare the consistency of the Proposed Action with the relevant policy documents listed above.

### c. Mitigation Measures

- i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## B. Community Character and Visual Impacts

### 1. Existing Conditions

- a. Using appropriate mapping and photographs, describe the visual and community character of the Project site and area for observers along roadways and from the following public vantage points:
  - Along Purchase Street;
  - Between the Quaker Meeting House and the project site, along the stone wall (as depicted in Map 5: Visual Impact)
  - Intersections of Purchase Street and Lake Street; Purchase Street and Tower Road; and Purchase Street and Oak Valley Lane. (Map 5: Visual Impact)

- b. Visual resources within the vicinity of the Project site will be identified, and may include such landscape elements as water bodies, landmark structures and other cultural resources, parks, unique topographic or geologic features, and critical environmental areas, where applicable.

## 2. Potential Impacts

- a. Describe the proposed Project in relation to surrounding buildings and uses using NYSDEC Program Policy, Assessing and Mitigating Visual Impacts, DEP-00-2 as a guideline.
- b. Provide illustrative renderings and site sections of the proposed Project. Discuss at a level of detail appropriate for inclusion in the DEIS, the proposed materials and architectural design for the proposed structures on the Project site.
- c. Illustrate visibility of the proposed Project from Purchase Street, and between the Quaker Meeting House and the project site through common graphic design photographic simulations. Also include a sight line that distinguishes the existing visibility of the site compared to the visibility of the proposed Project from each direction depicted on Map 5.
- d. Discuss at a level of detail appropriate for inclusion in the DEIS the proposed exterior lighting program, including typical light fixtures maximum foot candles, and how this complies with any applicable Town lighting standards. Any impacts on the neighboring properties will also be discussed.
- e. Discuss any visual screening or other requirement by the Federal Aviation Administration associated with the proposed Project.

## 3. Mitigation Measures

- a. Mitigation measures for any identified significant adverse impacts may include additional screening and directional lighting.
- b. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## C. Fiscal and Economic Impacts

### 1. Existing Conditions

- a. Describe the existing tax revenues generated by the Project site.

### 2. Potential Impacts

- a. Analyze the fiscal impact (taxes generated versus costs incurred) to the Town/Village of Harrison, the Harrison Central School District, Town/Village of Harrison's special districts, and Westchester County as a result of the proposed Project.
- b. A summary and assessment of the impact of the proposed Project on the water rates for WJWW's customers.

- c. Discuss addition of WJWW employees as a result of the proposed Project.
- 3. Mitigation Measures
  - a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

#### D. Community Services

- 1. Demographics
  - a. Existing Conditions
    - i. Describe current population of the Town of Harrison.
    - ii. Describe population being served by the Proposed Action.
  - b. Potential Impacts
    - i. Discuss any potential population changes as a result of the Proposed Action.
  - c. Mitigation Measures
    - i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.
- 2. Police, Fire and Emergency Medical Services (EMS)
  - a. Existing Conditions
    - i. Identify the staff size and organization of the Police and Fire Departments and EMS.
    - ii. Identify the location of police, fire and EMS stations.
    - iii. Identify average response time to the area of the Project site for police, fire and EMS.
  - b. Potential Impacts
    - i. Evaluate increased demand for police, fire and EMS services.
    - ii. Identify concerns of the Police and Fire Departments and EMS (if any).
    - iii. Analyze the adequacy of access to the proposed Project.
    - iv. Assess whether the site plan would adequately provide emergency service access.
  - c. Mitigation Measures
    - i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.
- 3. Solid Waste
  - a. Existing Conditions
    - i. Discuss existing solid waste generation, including recycling, from the Project site and current solid waste collection, including recycling, and disposal for the Project Site.

- b. Potential Impacts
  - i. Discuss anticipated Project generated solid waste and disposal at full build out.
  - ii. Discuss on-site storage location and containers, and removal process.
- c. Mitigation Measures
  - i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## E. Utilities

### 1. Existing Conditions

- a. Discuss the current water supply system and the identified upgrades required for the WJWW drinking water supply system associated with the Proposed Action, including the EPA Administrative Order (Index No. SDWA-02-2020-8001) dated November 26, 2019, Judgment and Order of New York State Supreme Court (Index No. 13364-99, Justice Louis A. Barone) dated June 9, 2004.
- b. Identify location of existing public water and sewer mains and current capacity levels at the Project site. Pressure and flow of the existing water and sewer mains will be discussed and proposed connections and required improvements will be discussed.
- c. Identify current availability of existing electric, telephone, and cellular data.

### 2. Potential Impacts

- a. Discuss the impact on the population being serviced by the Proposed Action and its compliance with the EPA Administrative Order (Index No. SDWA-02-2020-8001) dated November 26, 2019, Judgment and Order of New York State Supreme Court (Index No. 13364-99, Justice Louis A. Barone) dated June 9, 2004.
- b. Discuss potential cumulative impacts associated with the additional on-site water demand as a result of the construction of the filtration plant in combination with other proposed or approved projects in the Town of Harrison. The preliminary design for the proposed on-site water system and expansion of water lines to serve the site shall be clearly explained with discussion of output and fire flow capacities.
- c. Estimate the potential sewage generation from the proposed Project. Identify the sewer district in which the site is located and the location where the sewage is treated and discharged. The new sanitary forced main to the Westchester County's airport collection system and any required upgrades needed for the Proposed Action will be discussed and any resulting environmental impacts will be assessed.
- d. Discuss any proposed upgrades or installation of electric, telephone, and cellular data.



### 3. Mitigation Measures

- a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## F. Stormwater

### 1. Existing Conditions

- a. Identify and map existing drainage infrastructure on site and in the vicinity of the property.
- b. Discuss existing drainage patterns and hydrologic characteristics of the site. Identify and discuss ultimate points of existing stormwater discharge from the site.
- c. Prepare a pre-development hydrologic analysis to determine existing peak rates of runoff from the Project area during the statistical 1-, 10-, 25-, 100, and 500-year storm events. This analysis will be considered in determining stormwater management requirements.
- d. Discuss and map land coverage and hydrologic soil groups within the tributary watershed area.

### 2. Potential Impacts

- a. Discuss any changes to the quality or quantity of stormwater runoff due to the Project.
- b. Discuss the proposed drainage collection system.
- c. Prepare a post-development hydrologic analysis to determine the changes in the pre-development peak runoff rates for the 1-, 10-, 25-, 100, and 500-year storm events.
- d. Summarize the draft Storm Water Pollution Prevention Plan and discuss compliance with local stormwater management regulation (Town Code Chapter 130 Stormwater Management and Erosion and Sediment Control), NYSDEC general permits and NYC DEP Stormwater regulations.
- e. The access to, ownership of, and responsibility for maintenance requirements during construction and long-term maintenance of any stormwater management facilities shall be discussed.
- f. Discuss the capacity of the proposed storm sewer system and any connections to the existing storm sewer or adjacent watercourses.

### 3. Mitigation Measures

- a. A Stormwater Pollution Prevention Plan (SWPPP) will be required.
- b. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## G. Geology – Soils, and Topography

### 1. Existing Conditions

- a. A topographic survey based on a two-foot contour interval will be prepared. Existing topography will be mapped based on the following slope categories: 0-15%, 15-25%, and 25% and greater. A comparison of existing and proposed topography will be evaluated. The following will be described:
  - i. A preliminary cut and fill analysis, including an analysis of the disposal of excess cut or the import of fill materials, if fill is required, as well as identification of areas where cut will reach the water table and contingency plans to deal with discharge of groundwater to the surface.
- b. Describe regional and bedrock geology.
- c. Identify and list soil types on the site, with discussion of soil characteristics and suitability for construction. Include a soils map.

### 2. Potential Impacts

- a. Provide preliminary grading plan and limit of disturbance line.
- b. If excess earth materials will need to be removed from the site, estimate the number of tons and truck trips necessary to carry out the construction and identify the routes the trucks will take and describe the method of removal.
- c. Discuss the proposed Project's compliance with Chapter 199, Steep Slopes Protection, of the Town Code.

### 3. Mitigation Measures

- a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## H. Vegetation and Wildlife

### 1. Existing Conditions

- a. Describe the vegetation, including trees, found on-site and the pattern of this vegetation; describe the habitat of the site and quality of each; describe observed and expected wildlife species; consult Breeding Bird Atlas for site and area species; conduct field inspections by staff biologist; contact NY Natural Heritage Program/ review NYSDEC Environmental Mapper database for site file information; identify any rare wildlife, vegetation, and/or habitats/ ecological communities.
- b. Incorporate any current ecological studies conducted on the Project site.

### 2. Potential Impacts

- a. Discuss changes in vegetation pattern and habitats on-site.
- b. Discuss tree clearing and impacts regarding changes to habitat on site and in the area; discuss impact on expected and identified wildlife species; discuss significance of any information obtained from NY Natural Heritage

Program, NYSDEC Environmental mapper, Breeding Bird Atlas, and site inspection by qualified professional.

- c. Discuss the proposed Project's compliance with Chapter 220, Trees, of the Town Code.
  - d. Discuss plantings to be included in the landscaping for the facility.
3. Mitigation Measures
- a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

#### I. Wetlands, Waterbodies, Watercourses, and Floodplains

- 1. Existing Conditions
  - a. Delineate and map existing streams, waterbodies, wetlands and wetland buffers under federal (U.S. Army Corps of Engineers), State, and Town jurisdictions, including as required by federal regulations.
- 2. Anticipated Impacts
  - a. Describe any impacts to the wetlands, waterbodies, watercourses, and floodplains.
  - b. Discuss the proposed Project's compliance with Chapter 146, Flood Damage Prevention, and 149 Freshwater Wetlands, of the Town Code.
  - c. Discuss compliance with U.S. Army Corps of Engineers protocol to avoid and minimize impacts and identify any applicable permits that may be required.
- 3. Proposed Mitigation
  - a. A Stormwater Pollution Prevention Plan (SWPPP) will be required.
  - b. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

#### J. Archeological and Historical Resources

- 1. Existing Conditions
  - a. A description of current correspondence with New York State Office of Parks, Recreation and Historic Preservation (NYOPRHP) as part of the SEQRA consultation process will be provided including a summary of Phase 1 Archeology Report.
- 2. Potential Impacts
  - a. Identify potential impacts to archeological or historical resources, if any, based on the results of the project notification paperwork in accordance with NYOPRHP.
- 3. Mitigation Measures
  - a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## K. Traffic and Transportation

### 1. Existing Conditions

- a. A site visit will be performed to observe the existing roadway network and adjacent land use. An inventory of roadway and regulatory conditions will be provided of the roadway network within ½ mile of the site. Information collected will include:
  - i. Traffic control devices;
  - ii. Pavement width and condition;
  - iii. Number of travel lanes and lane designation;
  - iv. Sidewalks, curb ramps and bus stops
  - v. On-street parking restrictions and posted speed limits;
  - vi. Transit facilities and services;
  - vii. Accident data
- b. Discuss existing on-site parking conditions.
- c. Traffic Data Collection. Existing traffic conditions will be documented for the weekday AM and PM peak hours from historical data and by conducting turning movement manual counts from 7:45 a.m. to 10:15 a.m. and 4:00 p.m. to 6:15 p.m. at the following intersections:
  - Purchase Street at Lake Street;
  - Purchase Street at Tower Road

### 2. Potential Impacts

- a. “No Build” Traffic Volumes/Capacity Analysis – to include background traffic growth and other proposed projects in the area, to the extent known and taking into account any information received from the Town of Harrison Building Department and Planning Board. “No Build” and “Build” traffic volume analyses will be estimated for the year 2027 (estimated year of operation).
- b. “Build” Traffic Volumes/Capacity Analysis – Using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10<sup>th</sup> Edition anticipated trip generation will be modeled for the Proposed Action including construction and operations. Arrival and departure distributions will be developed based upon a review of existing traffic volumes on the roadway network and data provided by WJWW. The pre- and post-construction traffic volumes will be added to the No-Build traffic volumes to get the “Construction Traffic Volumes” and the “Build” traffic volumes. The Site Generated Traffic Volumes will be assigned to the roadway network based on the anticipated arrival and departure distributions. The Site Generated Traffic Volumes will be combined with the No Build Traffic Volumes to obtain the Build Traffic Volumes for each of the peak hours. A Synchro network model will be developed to model the intersections and assess the differences in traffic operation between build and no-build conditions.

- i. Impacts will be analyzed for traffic capacity by comparing accident rates to the statewide average. In addition, an increase in traffic volume above 5% of the existing condition might indicate that mitigation is warranted.
  - ii. Changes in levels of service (LOS) will be analyzed and compared to acceptable industry standards. Where the existing LOS is A or B, a change in two LOS might warrant mitigation. Where existing LOS is C, D or E, an increase in turning delay beyond 10 seconds might warrant mitigation.
- c. Describe on-site traffic access and circulation, including stopping sight distances and truck turning analyses at the site driveway and intersections identified to assess whether fire apparatus, construction and delivery vehicles will be able to access, circulate and leave the site.
  - i. Impacts for access and circulation will be analyzed based on whether or not turning radii or sight distance meet the minimum criteria using ITE industry standards.
- d. Describe potential impacts to character of surrounding streets and provide a qualitative analysis on the proposed truck route and its safety.
- e. Provide a parking analysis for proposed uses on site.
- f. Discuss any temporary or permanent measures that may be required or become necessary.
- 3. Mitigation Measures
  - a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## L. Noise

- 1. Existing Conditions
  - a. Provide a quantitative description of the existing noise environment at the Project site, accounting for both mobile and immobile noises through monitoring. Existing, ambient noise levels will be measured along the property's boundaries during weekday peak traffic times. Special attention will be paid to sound/noise levels that occur as a result of substantial contributors to the existing, ambient condition. Sound source additions to the property will then be calculated at property boundaries per Chapter 177, Noise, of the Harrison Town Code.
- 2. Potential Impacts
  - a. Provide a quantitative analysis of potential operational noise impacts from the Project. The propagation of the sound to the property boundary and closest residential property toward the west as a result of the Project will also be calculated. This section will consider noise impacts both on the Project area and/or residents, receptors from other surrounding land uses as well as from the project itself using available data from the

manufacturer and the applicant. Short term construction impacts will also be qualitatively described.

- b. During operations, truck traffic is not anticipated to enter the site more than twice per week, producing minimal noise concerns, therefore noise related to operational traffic will be qualitatively discussed.
  - c. Provide discussion of the construction related impacts of noise and the Project's adherence to the Chapter 177, Noise, of the Harrison Town Code.
  - d. Provide discussion of post construction noise and the Project's adherence to the Chapter 177, Noise, of the Harrison Town Code.
3. Mitigation Measures
    - a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

#### M. Air

1. Existing Conditions
  - a. Summarize existing ambient air quality conditions in the region and the Project Site based on the National Ambient Air Quality Standards promulgated under the federal Clean Air Act.
2. Potential Impacts
  - a. Provide a qualitative analysis of the potential air impacts, including odors, resulting from site preparation, and post-construction activities.
3. Mitigation Measures
  - a. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

#### N. Public Health

1. Drinking Water
  - a. Existing Conditions
    - i. Summarize the current drinking water requirements and the current water quality.
  - b. Potential Impacts
    - i. Discuss the impacts of implementing the Proposed Action on drinking water.
  - c. Mitigation Measures
    - i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.
2. Hazardous Waste
  - a. Existing Conditions
    - i. Summarize the findings of the Phase I Environmental Site Assessment of the site and the Preliminary Geotechnical Report.
  - b. Potential Impacts

- i. If any environmental contaminants are discovered on site, describe methods for abatement that would occur prior to commencement of or during construction activities.
  - ii. Discuss chemicals and any hazardous materials that may be required for plant operations and methods of storage and disposal.
- c. Mitigation Measures
  - i. Discuss and evaluate mitigation measures for all identified significant adverse impacts.

## O. Construction

1. Potential Impacts
  - a. Describe the construction schedule and construction phasing plan.
  - b. Qualitatively assess potential construction-related impacts to air.
  - c. Qualitatively assess potential construction-related impacts to noise and traffic.
  - d. Discuss impacts on adjacent land uses associated with proposed construction activities, including access to the site for construction vehicles, effects of construction traffic on adjacent roadways, effects of construction noise on adjacent receptors, construction staging and management of fill export and import.
  - e. Provide proposed techniques for rock removal, should it become necessary during construction. Describe potential impacts to adjacent properties that could result from rock removal. Any required pre-blast surveys, photo/video demonstration, and seismic monitoring should be discussed.
2. Mitigation Measures
  - a. To minimize dust, the construction contractor would be required to develop and comply with a dust mitigation plan as part of the construction contract.
  - b. The DEIS will discuss and evaluate mitigation measures for all identified significant adverse impacts.

## Chapter 4 Other Environmental Impacts

Based on the discussion in Chapter 3, any of the following areas of impact will be summarized and considered cumulatively.

1. Unavoidable Adverse Environmental Impacts.
2. Irreversible and Irretrievable Commitment of Resources.
3. Growth-Inducing, Secondary and Cumulative Impacts. A cumulative analysis of the proposed action and the proposed UV Treatment Facility that will be located at 900 Lake Street in Harrison New York will be discussed. Growth-inducing aspects of the proposed action include its direct and indirect effects that promote

additional development in the area. The nature of such anticipated growth as related to the Proposed Action will be described, and the impacts of that growth will be assessed. The cumulative impacts of the Proposed Action will be analyzed in consideration of the policies and development activities in adjoining communities.

4. Energy Use and Conservation. Provide a brief discussion on those aspects of the proposed project which would contribute to an increase in energy as well as potential options for conservation; discuss impacts from greenhouse gas emissions. A mitigation measure under consideration is the use of photovoltaic panels to reduce the net energy consumption from the plant's operation.
5. Measures to Avoid or Reduce Impacts on Climate Change. Provide a brief discussion on the filtration plant's operational carbon footprint and any associated impacts due to the effects of climate change such as sea level rise and flooding. Provide a qualitative analysis of the carbon impact of the construction of the Project and tree removal and replacement.

## Chapter 5 Alternatives

Summarize prior alternatives investigated to achieve regulatory compliance.

1. Alternative 1: No Action (Discuss the scenario where the status of existing land use remains unchanged.)
2. Alternative 2: Alternative Site Plan (Discuss locating the plant on the WJWW property that is outside the Kensico Reservoir Basin and is part of the land swap in the proposed action as shown in Map 2).
3. Alternative 3: Alternative filtration technology (Discuss the potential of meeting the EPA Administrative Order (Index No. SDWA-02-2020-8001) dated November 26, 2019, Judgment and Order of New York State Supreme Court (Index No. 13364-99, Justice Louis A. Barone) dated June 9, 2004, and current federal drinking water standards through another technology other than what is proposed in the Proposed Action).
4. Alternative 4: Alternative façade treatments for the filtration plant will be discussed.
5. Alternative 5: The use of Tower Road as an alternative entrance to the proposed site will be discussed.
6. Alternative 6: Alternative Site Plan Tower Road (Discuss locating the plant along the north side of Tower Road.)
7. Alternative 7: Alternative Site Plan at Rye Lake Pump Station (Discuss locating the plant at the current Rye Lake Pump Station Site).
8. Alternative 8: Alternative Site Plan Harrison SBL 0097.-1 (Discuss locating the plant on property near the intersection of Purchase Street and New King Street, currently owned by New York City).
9. Alternative 9: Shaft 20 Alternative (Discuss the construction of a pipeline connecting to the New York City Shaft 20 in Greenburgh)



## Chapter 6 References

Provide listing of the various documents and information sources utilized in the preparation of the Draft EIS.

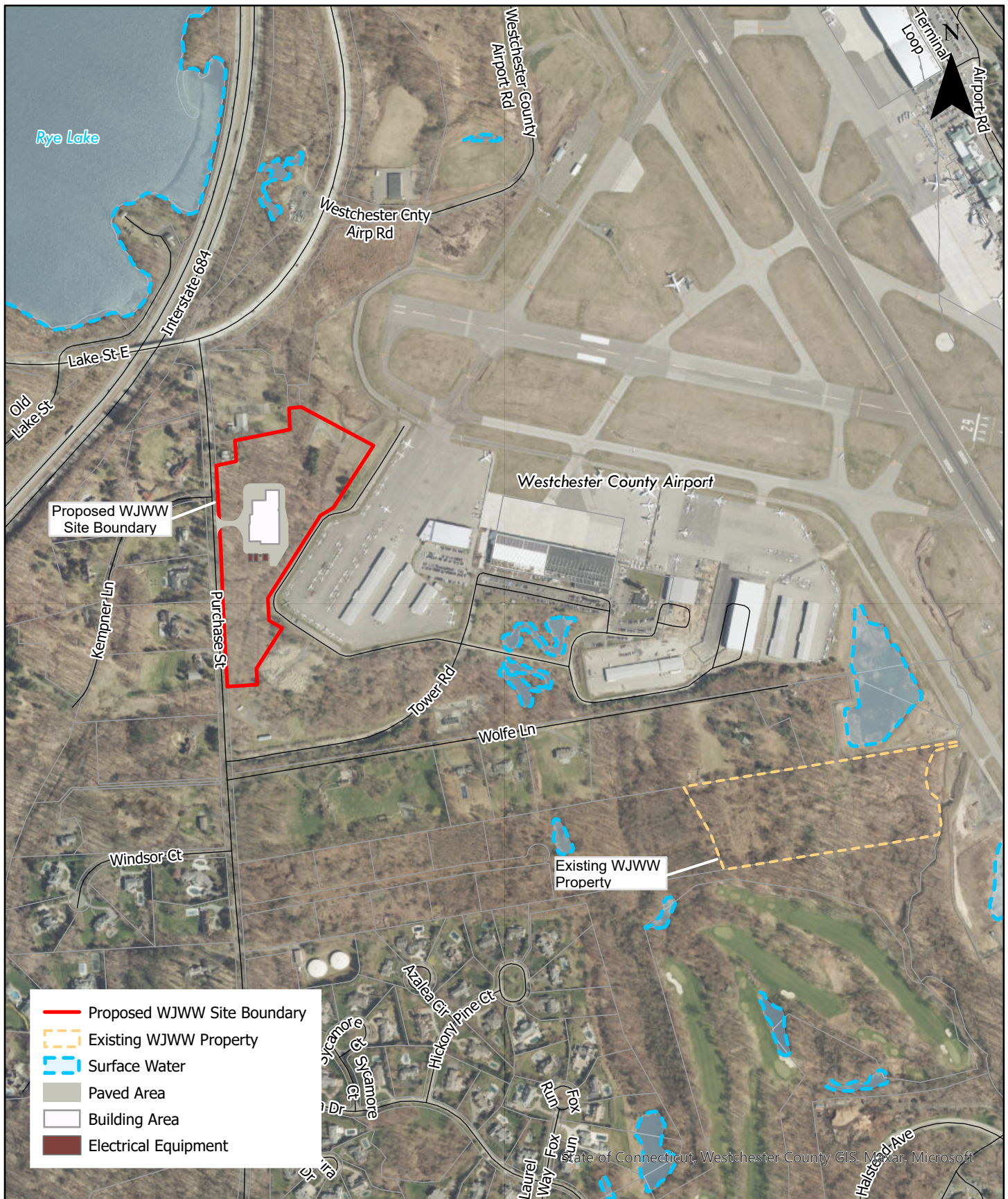


## Map 1 : Site Location

Sources: Westchester County GIS 2020;  
Scale: 1 inch equals 400 feet

Westchester Joint  
Water Works  
Water Filtration Plant





State of Connecticut, Westchester County GIS, Mapbox, Microsoft

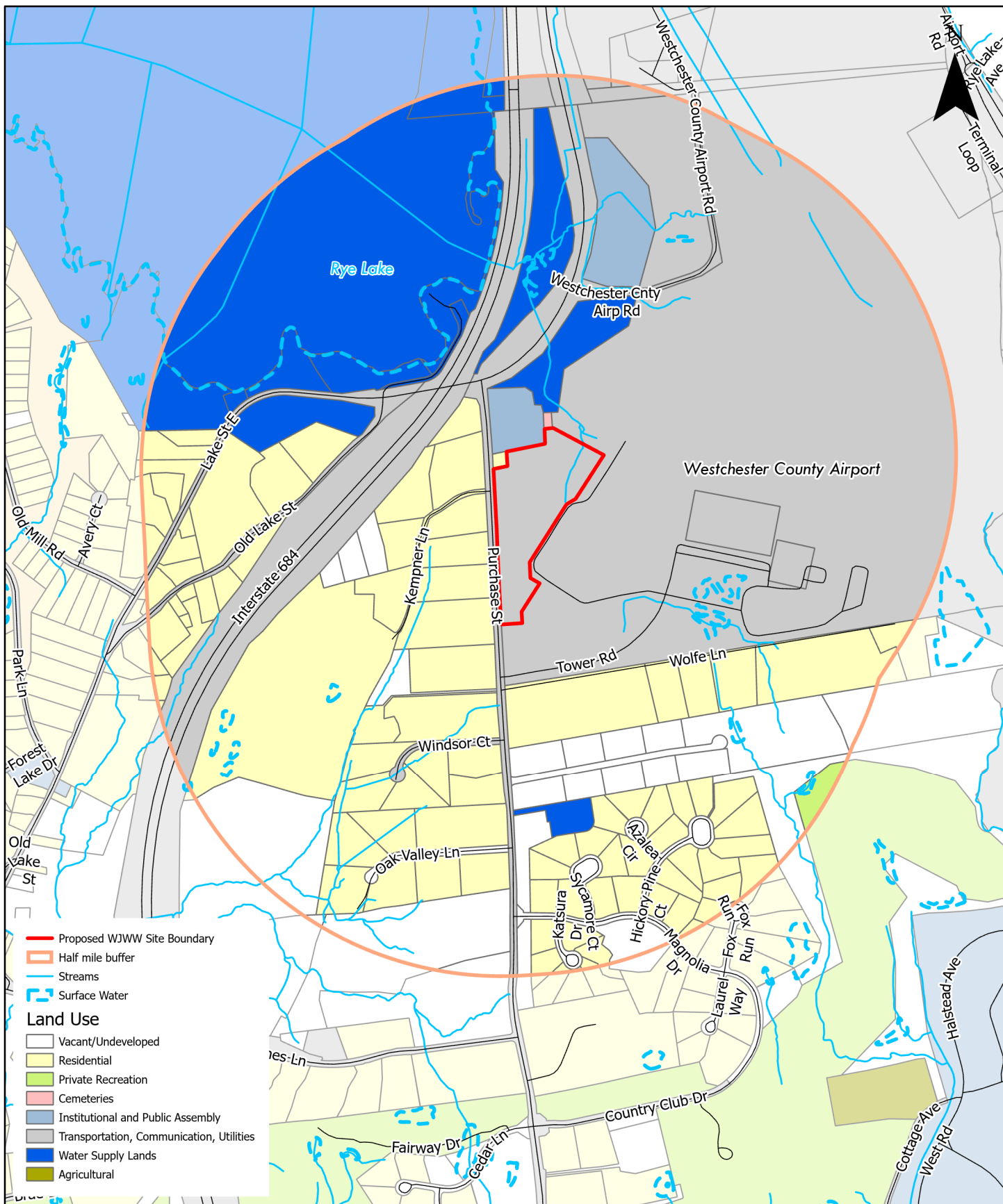


## Map 2: Land Swap Properties

Sources: Westchester County GIS 2020;  
Scale: 1 inch equals 700 feet

Westchester Joint  
Water Works  
Water Filtration Plant



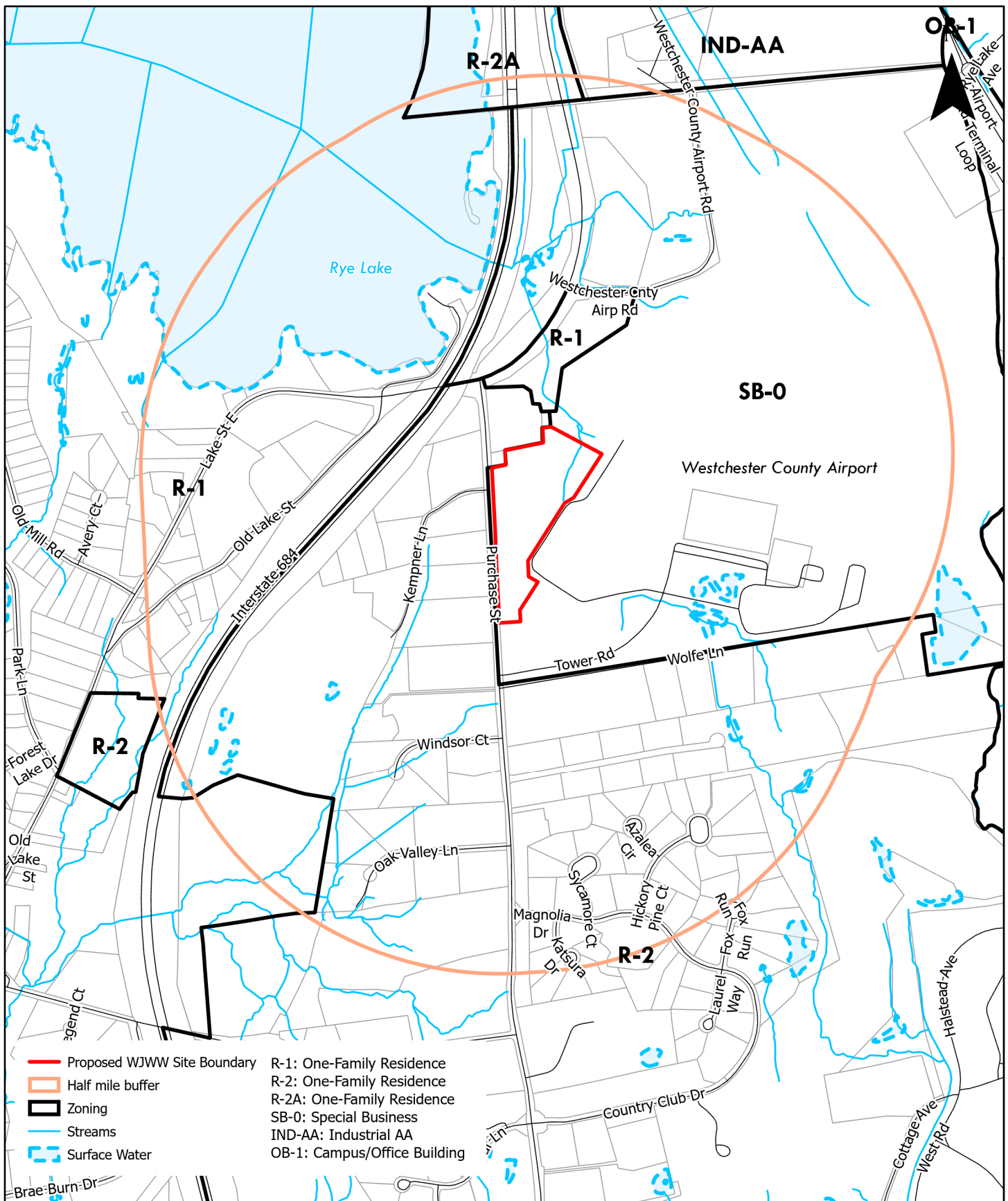


**NPV**

### Map 3: Land Use

Sources: Westchester County GIS 2020;  
Scale: 1 inch equals 1,000 feet

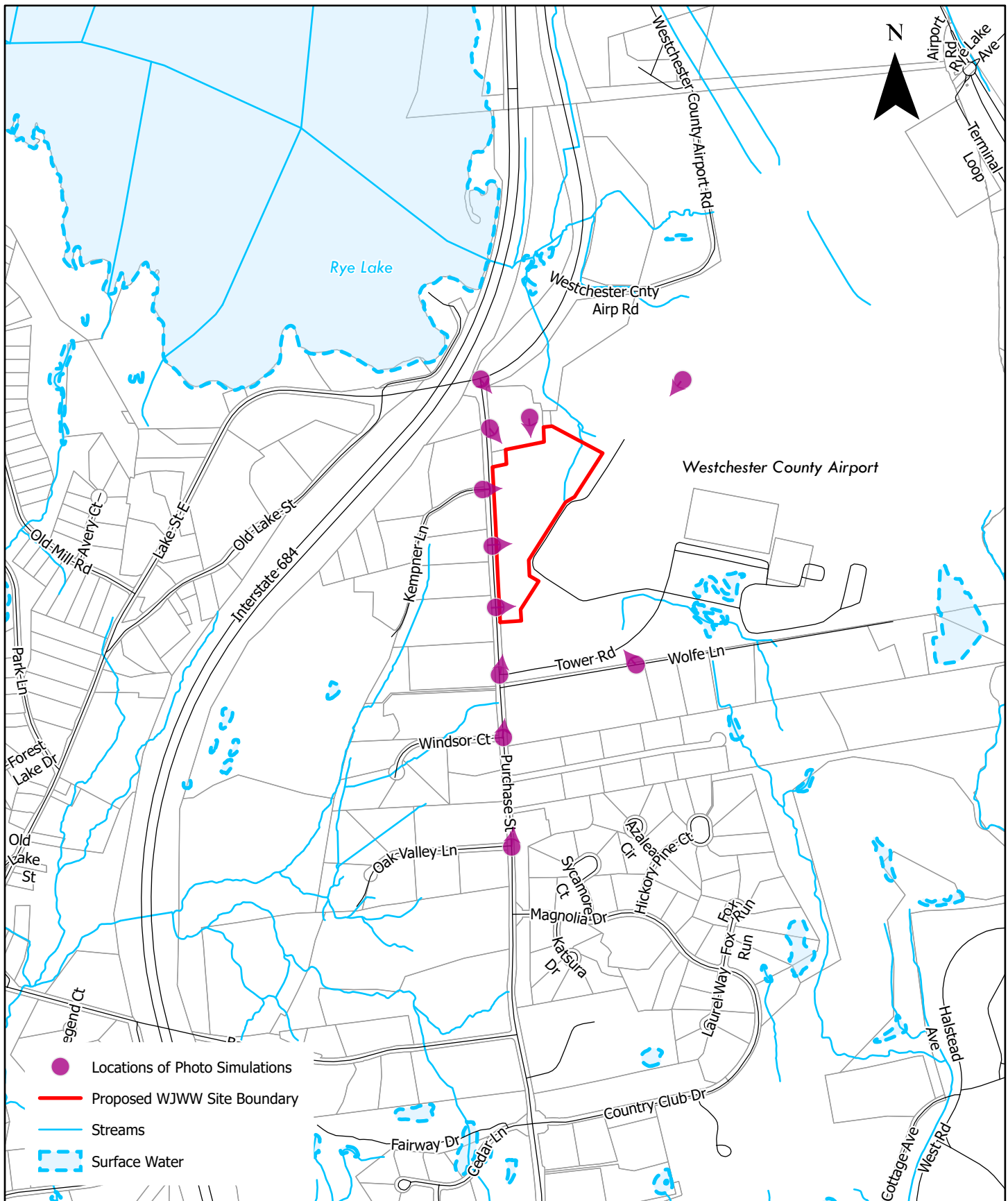
Westchester Joint  
Water Works  
Water Filtration Plant



## Map 4: Zoning

Sources: Westchester County GIS 2020;  
Scale: 1 inch equals 1,000 feet

Westchester Joint  
Water Works  
Water Filtration Plant



## Map 5: Visual Impact

Sources: Westchester County GIS 2020;  
Scale: 1 inch equals 1,000 feet

Westchester Joint  
Water Works  
Water Filtration Plant