



MEMORANDUM

TO: Paul Kutzy, P.E. Manager

FROM: Valerie Monastra, AICP
Adriana Beltrani, AICP

RE: WJWW Filtration Plant Site Plan Changes, SEQR Findings

DATE: January 9, 2023

CC: Lori Lee Dickson, Counsel
Philip Karmel, Counsel
Eileen McCarthy Feldman, PE, PMP

Westchester Joint Water Works (WJWW) proposes to construct a 30 million gallon per day Dissolved Air Flotation/Filtration plant for WJWW's nearby Rye Lake water source. A Statement of Findings was issued by WJWW pursuant to the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8, and its implementing regulations codified in Title 6 of the New York Code of Rules and Regulations Part 617 (the "SEQRA Regulations") with respect to the Rye Lake Filtration Plant. The Findings Statement was adopted on October 12, 2022. WJWW received comments following the adoption of SEQRA Findings from the New York State Department of Environmental Conservation (NYSDEC), an involved agency under SEQRA. In response, WJWW has proposed changes to the site plan to further minimize construction within portions of the wetland adjacent (i.e. buffer) area.

According to the SEQR regulations a supplemental Environmental Impact Statement (EIS) may be required if "specific significant adverse environmental impacts [are] not addressed or inadequately addressed in the EIS that arise from: (a) changes proposed for the project; (b) newly discovered information; or (c) a change in circumstances related to the project." 6 NYCRR §617.9(a)(7).

The changes proposed to the project ("revised site plan," attached as Exhibit A) would represent a reduction in overall site disturbance and construction within the wetland adjacent areas and are *de minimis* with respect to the potential environmental impacts studied and disclosed in the EIS.

The revised site plan changes are summarized as follows:

- **Waste Washwater Tanks** have been relocated from the east side of the building, partially within the wetland adjacent area, to underneath the building, outside of the wetland adjacent area.
- The **Pocket Wetland**, designed to treat runoffs for all new impervious areas on the site, has been shifted closer to the building to reduce disturbance within the freshwater wetland adjacent area.
- The **Sanitary Pump Station** has been relocated north, out of the wetland adjacent area.
- **Utility Pads** have been rearranged and shifted west to move all equipment out of the wetland adjacent area.

Table 1
Summary of Project Changes

	SEQR Impacts Studied	Proposed/Revised Site Plan
Overall Site Disturbance	6.16 acres	5.77 acres
Total Impervious Area	2.4 acres	2.1 acres
Permanent disturbance to Wetland Adjacent Area	0.66 acres	0.58 acres
Temporary disturbance to Wetland Adjacent Area	1.7 acres	1.35 acres
Trees removed	579	549
Trees planted	302	302
Construction Duration	36 months	39 months
Daily Peak Truck Trips- Construction	70	54

Table 1 lists the differences between the site plan for which the SEQR Findings Statement was adopted, and the revised site plan resulting from coordination with NYSDEC. The revised site plan limits the ability to construct certain elements of the site concurrently, therefore the construction schedule has been extended by three (3) months from 36 to 39 months. Peak truck trips over that period are estimated to be reduced: where the original construction schedule anticipated approximately 70 trips per day at peak, the revised construction schedule anticipates 54 trips at peak construction. An overview of the revised construction schedule is provided in Table 2.

The revised site plans also reduce overall disturbance and impacts to wetland adjacent areas while maintaining the quality of stormwater management systems proposed for the site. While fewer trees are proposed to be removed, the tree planting and landscaping plans are not proposed to be materially different from that proposed as mitigation for SEQR review, though the plantings will be moved to fit into the revised site plan. In addition, the operations, purpose and need for the project remain the same.

Table 2
Construction Schedule Changes

Original Schedule			Revised Schedule		
Construction Phase	Month	Truck Trips (~#/day)	Construction Phase	Revised Month	Truck Trips (~#/day)
Procurement	1-2	0	Procurement	1-2	0
Mobilization	3-4	1	Mobilization	3	1
Site Work	5-8	17	Site Work	4-7	14
Site Work, Filtration Building Excavation	9-11	70	Site Work, Filtration Building Excavation	8-11	42
Site Work, Filtration Building Substructure, Waste Washwater Tank Excavation	12-13	10	Site Work, Peak Filtration Building Excavation	12	54
Site Work, Filtration Building and Waste Washwater Tank Substructure	14-19	6-7	Site Work, Filtration Building Substructure	13-27	3-5
Site Work, Filtration Building Superstructure and Interior, Waste Washwater Tank Substructure	20-21	9	Site Work, Filtration Building Substructure, Superstructure and Interior	28	8
Site Work, Filtration Building Superstructure, and Interior	22-31	2-8	Site Work, Filtration Building Superstructure, and Interior	29-34	6
Site Restoration, Filtration Building Interior, Startup and Commissioning	32	4	Site Restoration, Filtration Building Superstructure, and Interior	35-37	11
Site Restoration, Startup and Commissioning	33-34	3	Filtration Building Superstructure and Interior, Startup and Commissioning	38-39	5-6
Startup and Commissioning	35-36	1			

The revised site plan does not change the SEQR findings or warrant supplemental SEQR review, as detailed below:

- 1. Land Use, Zoning and Policy-** The revised site plan continues to conform with local laws and policies reviewed as part of the EIS. The proposed use of the site has not changed from what was analyzed in the EIS. Area variances for the height of the fence and encroachment of the access gate into the 100-foot buffer are still required and were assessed in the SEQR review.
- 2. Community Character and Visual Impacts-** The revised site plan reduces the overall site disturbance and does not significantly change the building envelope or landscaping plans. Mitigations described in the EIS including extensive landscaping and muted façade treatments are not proposed to change. No significant adverse impacts to visual resources and community character are anticipated based on the revised site plan.
- 3. Fiscal and Economic Impacts-** The revised site plan does not change the SEQR analysis and Findings for this section as the purpose and need and fiscal considerations for building the project remains the same.
- 4. Utilities-** Utility connections and demand are not changed as a result of the revised site plan, therefore the SEQR analysis and Findings Statement remain the same for this section.

5. **Stormwater-** Methods of stormwater management for the revised site plan remain the same as those studied for the EIS. A 0.66-acre pocket wetland is designed to treat stormwater runoff for all new impervious areas on site for the one, ten, 25 and 100-year design storms. This pocket wetland would continue to operate as part of the series of stormwater management practices, including a bioretention cell and underground stormwater detention chambers, to manage stormwater runoff at the site. The requirements for the Stormwater Pollution Prevention Plan have not changed, and the applicant continues to coordinate with NYCDEP with respect to its review and approval of same. The revised site plan does not present any changes to the SEQR Findings for Stormwater.
6. **Geology-** Many components of the proposed project, including the waste washwater tanks were proposed completely or partially below ground in the original site plan. The original design had also included excavation below the building. Therefore, the redesign, including relocating the wash water tanks below the building and the associated grading for the revised design, does not change the cut or fill quantities assessed in the EIS.
7. **Vegetation and Wildlife-** Total overall site disturbance is reduced from 6.16 acres to 5.77 acres, 30 fewer trees are proposed to be removed for the revised site plan, and the proposed mitigations have not changed. Approximately 300 trees will be replanted and over 55 native and site appropriate species will be planted on site. The revised site plan does not present any changes to the SEQR Findings for this vegetation and wildlife.
8. **Archaeological and Historic Resources-** The New York State Office of Parks, Recreation and Historic Preservation concluded that no archaeologically or historically sensitive resources are located on the project site. The revised site plan does not present any changes to the SEQR Findings for this topic.
9. **Traffic and Transportation-** The revised site plan and construction schedule reduces the peak construction truck trips that were assessed in the EIS. The use and management of the site during operations remain unchanged, therefore the revised site plan does not present any changes to the SEQR Findings for traffic and transportation.
10. **Noise-** The revised site plan does not change the operations of the plant. Noise mitigation measures incorporated into the project will be applied to the revised site plan, including containing noise from equipment within the building, the use of acoustical noise reducing enclosures and sound barriers including landscaped buffers. The revised site plan does not present any changes to the SEQR Findings for noise.
11. **Air -** The revised site plan reduces peak construction truck trips and does not change the traffic volume under operation, or anticipated type of fuel or energy consumption. Mitigation measures identified in the EIS including truck washing stations, on-site dust control and soil stabilization will be applied to the revised site plan for the duration of the construction process. The revised site plan does not present any changes to the SEQR Findings for air.
12. **Public Health-** The EIS concludes that no environmental contaminants were found on the project site that would necessitate remediation or abatement. The construction of the plant continues to be necessary to maintain the health and safety of WJWW customers and to comply with a United States Environmental Protection Agency (USEPA) Administrative Order, a New York State Supreme Court Order, and the USEPA and New York State Sanitary Code surface water filtration requirements. The proposed action will provide safe and reliable drinking water to WJWW consumers. The revised site plan does not present any changes to the SEQR Findings for public health.
13. **Construction-** The revised site plan would require an extended construction schedule which would reduce the intensity of construction activities on the site, including peak truck trips. Construction

methods and equipment would be the same as that analyzed in the EIS, therefore, the revised site plan does not present any changes to the SEQR Findings for construction.

14. **Energy Use and Conservation-** The revised site plan does not change construction methods or building functionality as it pertains to energy use and conservation. The mitigations proposed for energy SEQR analysis for energy use and conservation.