

ROBERT LAGA
Chairman

NICHOLAS FANNIN
Vice Chairman

RICHARD FRANZETTI, P.E.
Wetland Inspector

ROSE TROMBETTA
Secretary

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 - Ext. 190
www.ci.carmel.ny.us

BOARD MEMBERS

Edward Barnett
Vincent Turano
Anthony Federice

ENVIRONMENTAL CONSERVATION BOARD AGENDA

FEBRUARY 20, 2020 – 7:30 P.M.

SUBMISSION OF AN APPLICATION OR LETTER OF PERMISSION

<u>APPLICANT</u>	<u>ADDRESS</u>	<u>TAX MAP #</u>	<u>COMMENTS</u>
1. New York City DEP - (Croton Falls Dam)	Near 16 Samantha Ln.	77.-2-7.-2	Drilling of Four (4) Boreholes

MISCELLANEOUS

2. Minutes – 10/3/19 & 01/20/20



Vincent Sapienza, P.E.
Commissioner

Ana Barrio
Deputy Commissioner
Bureau of Engineering
Design & Construction
abarrio@dep.nyc.gov

96-05 Horace Harding
Expressway
Corona, NY 11368

T: (718) 595-3966
F: (718) 595-5999

February 14, 2020

Mr. Robert Laga, Chairman
Town of Carmel Environmental Conservation Board
60 McAlpin Avenue
Mahopac, NY 10541

RE: New York City Department of Environmental Protection
Contract CRO-536: Croton Falls Dam Refacing
Wetland Application for Subsurface Investigation

Dear Chairman Laga and Members of the Board:

The New York City Department of Environmental Protection (DEP) is developing a refacing project located at the Croton Falls Dam, near 16 Samantha Lane, Carmel Hamlet, New York.

DEP is in the initial Facility Planning Phase of the project, and there is a need to investigate the subsurface materials located at the downstream face of the Croton Dam. As such, a drilling program has been identified that proposes to complete four (4) boreholes to a depth of approximately 10 feet. These borings will be located at a distance of approximately 10 feet from the downstream toe of the dam. The intent of the investigation is to confirm soil conditions associated with a proposed shallow foundation for support of a dam face overlay. These boreholes are located so that they are a minimum of 100 feet away from any identified waterbody or wetland, thereby negating the need for a Town of Carmel (or other regulatory agency) wetland work permit or Joint Application Form.

In addition, we intend to collect samples from the dam face at four (4) different locations to confirm the existing dam's concrete strengths. These holes will be cored to a maximum 6 foot depth into the concrete dam face from a suspended platform. These four (4) cored holes will also be more than 100 feet from any identified wetland, although the reservoir is found on the opposite site of the dam face that is being investigated.

Our assessment of the local Town wetland ordinance and its implications for this phase of the project are based on review by the DEP and their consultants of the following resources and activities:

- Town of Carmel Wetland Map, which the Town provides.
- New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper used for the identification and classification of New York State regulated freshwater wetlands and their associated 100 foot wetland buffer (check zone) areas. The nearest identified New York State regulated wetland area and associated buffer zone is over 2,500 feet from the

proposed drilling locations.

- NYSDEC Environmental Resource Mapper used for the identification and classification of New York State waterbodies. The Croton Falls Reservoir is identified as a standard AA(T) waterbody while the West Branch of the Croton River has an A(TS) classification. AA classifications are reserved for the highest classification of a waterbody and their identification as a source for potable consumption. A(TS) streams or rivers are also considered a NYSDEC Part 608 protected stream and require a special permit obtained via a Joint Application Form if work is being conducted within 50 feet of their bed and banks. The work proposed for this task will not be completed within 50 feet of the Croton River or in any way impact or contaminate the reservoir or its outflow.
- NYSDEC Environmental Resource Mapper classification used to identify Federal wetlands including Federally listed waterbodies, riverine habitats and freshwater wetlands. The mapper also identified a National Wetland Inventory (NWI) area approximately 800 feet east of the project site. This area will not be affected by the drilling program. The West Branch of the Croton River is considered a regulated riverine habitat and the Croton Falls Reservoir is considered a lacustrine deep-water system. The investigation work proposed for this task will not impact the Croton River or Reservoir. Therefore, no submission of a Joint Application Form is required.
- An onsite inspection was performed by an Environmental Scientist on December 5 and 6, 2019. The inspection along with a review of other materials (e.g., aerial photographs, topographic maps, soils maps) did not identify any wetland indicators within a 100 foot boundary of the proposed work. As a result, a formal wetland delineation was not performed as it was determined that there were no reasons to justify a delineation in the proposed work areas or the adjacent lands.
- The NY State National Heritage Program data indicates the site is located within a Northern Long-Eared Bat (NLEB) buffer zone. However, based on DEP and their consultant's environmental review and a DEP-issued Type II memo, the nearest NLEB hibernacula is over one (1) mile away.

DEP and their consultants have reviewed the Town of Carmel Wetland Permit and Letter of Permission Application that is required to be completed in support of any project that involves work in a wetland or adjacent area. Our interpretation is that this requirement should not apply to the limited scope of work being proposed at this time. In order to provide additional protective measures, the Drilling Contractor will be required to put in place Erosion and Sediment Control (ES&C) measures around each of the drill sites consisting of silt fence, hay bales, etc. that will prevent the release of any sediments from the immediate work areas.

However, in an effort to keep the Town informed and abide by the intention of the Local Wetland Ordinance, we are submitting a Permit Application and requesting a Letter of Permission to perform the limited investigation program. Four (4) copies of the following materials are enclosed:

1. Application Form for Wetland Permit or Letter of Permission
2. Croton Falls Dam Location Map
3. Croton Falls Dam Refacing Boring Location Plan
4. Croton Falls Dam Corehole Location Plan
5. SEQR Short Environmental Assessment Form Part 1
6. DEP CEQR Type II Determination Memo

DEP will be discussing this project at the next Environmental Conservation Board meeting. If you have any questions or require additional documentation, please call or e-mail me at (718) 595-5470 or pcosta@dep.nyc.gov.

Very truly yours,



Paul Costa, P.E.
Portfolio Manager

Enclosures

ROBERT LAGA
Chairman

NICHOLAS FANNIN
Vice-Chairman

ROSE TROMBETTA
Secretary

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Edward Barnett
Vincent Turano
John Starace

APPLICATION FOR WETLAND PERMIT OR LETTER OF PERMISSION

Name of Applicant: Paul Costa, P.E. - Portfolio Manager, New York City Department of Environmental Protection

96-05 Horace Harding Expressway

Address of Applicant: Corona, NY 11368

Email: pcosta@dep.nyc.gov

Telephone# 718-595-5470

Name and Address of Owner if different from Applicant:

N/A

Property Address: Croton Falls Dam, 16 Samantha Lane

Tax Map # 77.-2-7.-2

Agency Submitting Application if Applicable: NYCDEP

Location of Wetland: None in area of investigation activities

Size of Work Section & Specific Location: less than 0.03 acres at base of Croton Falls Dam

Will Project Utilize State Owned Lands? If Yes, Specify: No

Type and extent of work (feet of new channel, yards of material to be removed, draining, dredging, filling, etc). A brief description of the regulated activity (attach supporting details).

Request a Letter of Permission for completion of four shallow (10 ft deep) vertical borings at toe of Croton Falls

Dam. And four coreholes (six (6) ft deep) into the downstream face. See additional information attached.

Proposed Start Date: Mar. 2020 **Anticipated Completion Date:** Jun. 2020 **Fee Paid \$** 150.00

CERTIFICATION

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief, false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. As a condition to the issuance of a permit, the applicant accepts full legal responsibility for all damage, direct or indirect, or whatever nature, and by whomever suffered, arising out of the project described here-in and agrees to indemnify and save harmless the Town of Carmel from suits, actions, damages and costs of every name and description resulting from the said project.

SIGNATURE

2-17-20

DATE

1/30/2020

Hemlock Dam Rd - Google Maps



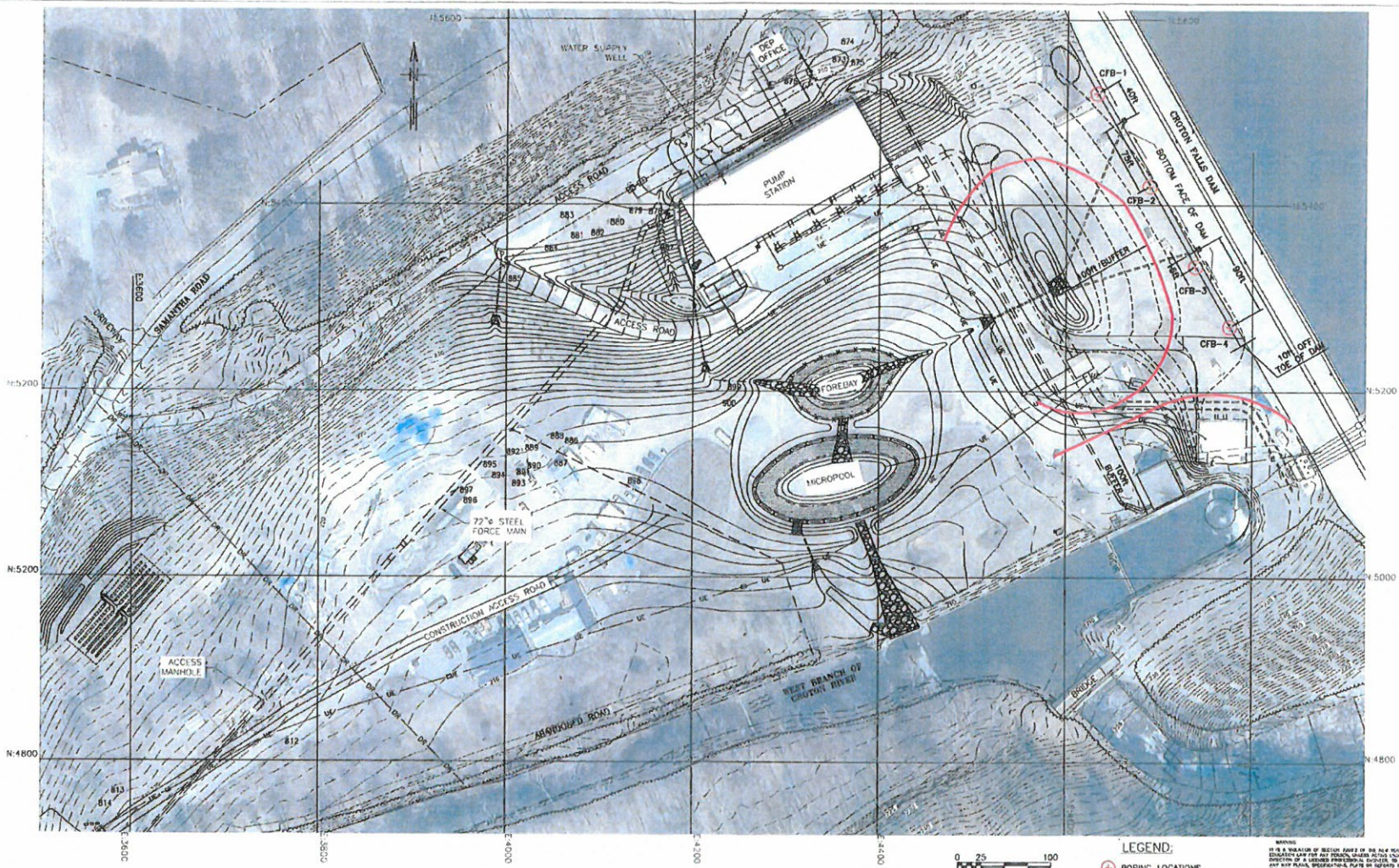
Hemlock Dam Rd

Croton Falls Dam - Location Map



Imagery ©2020 CNES / Airbus, Maxar Technologies, New York GIS, USDA Farm Service Agency, Map data ©2020 1000 ft

<https://www.google.com/maps/place/Hemlock+Dam+Rd,+Carmel,+NY+10512/@41.35595,-73.6658061,3295m/data=!3m1!1e3!4m5!3m4!1s0x89c2b2bdf49bcc10xfc78268eb36a7a57!8m2!3d41.36041...> 1/1



LEGEND:
 ○ BORING LOCATIONS
 — BUFFER

NOTICE:
 THIS IS A PRELIMINARY DESIGN. THE LOCATION OF A LATER PROVISION IS SUBJECT TO THE APPROVAL OF THE CITY OF NEW YORK. THE LOCATION OF A LATER PROVISION IS SUBJECT TO THE APPROVAL OF THE CITY OF NEW YORK. THE LOCATION OF A LATER PROVISION IS SUBJECT TO THE APPROVAL OF THE CITY OF NEW YORK.

REV	BY	DATE	DESCRIPTION

REVISED BY: _____
 DATE: _____

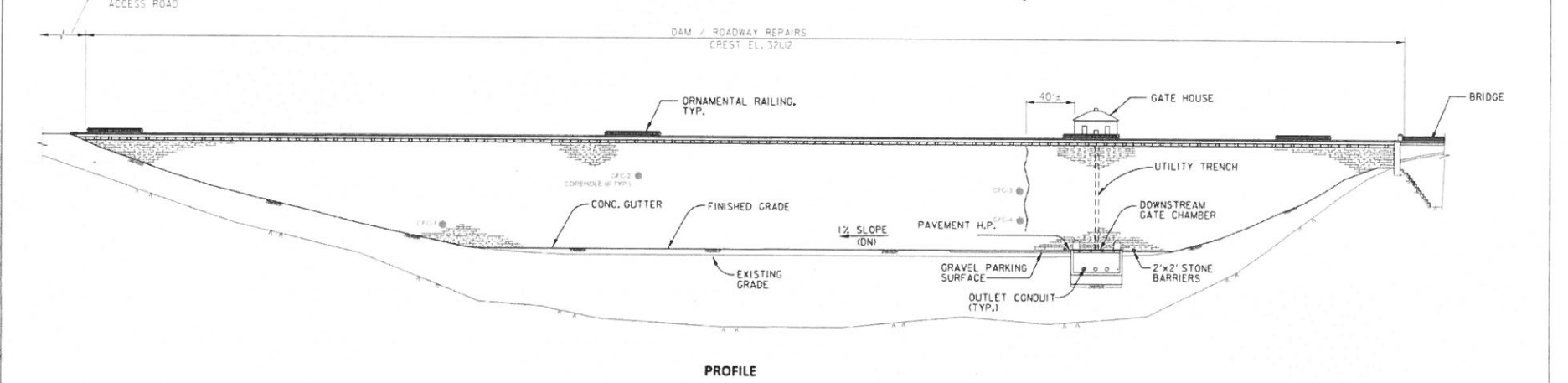
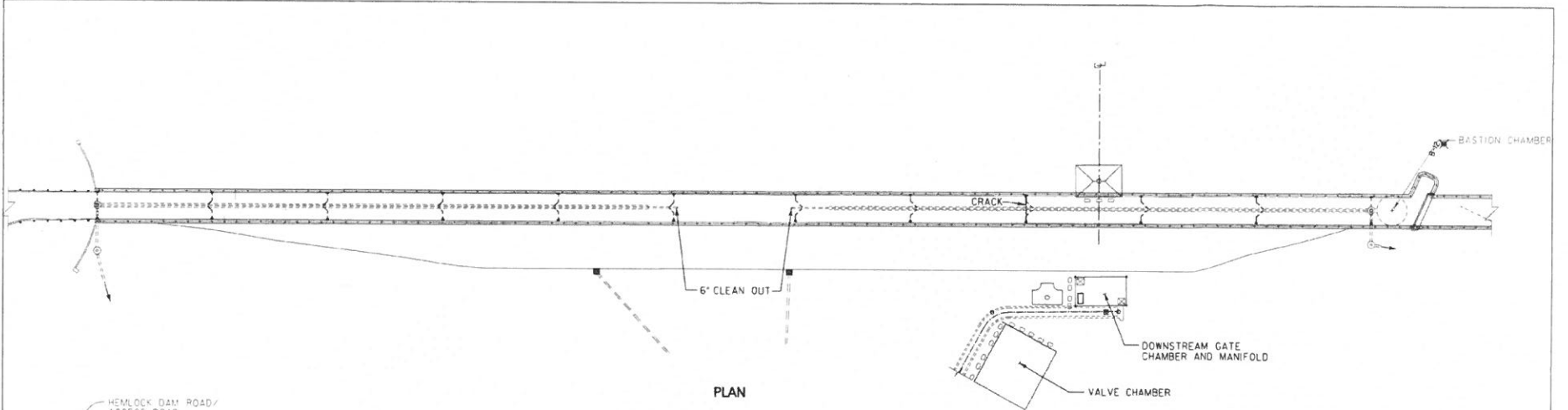


CITY OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION
 CONTRACT CRD-536 CFP5-G
 RECONSTRUCTION OF CROTON FALLS REFACING

**CROTON FALLS DAM REFACING
 BORING LOCATION PLAN**

SCALE: 1"=100'

DATE: DECEMBER 2019
 DWG. NO: C-06
 SHEET NO: _____ OF _____
 FILE NAME: CFP5-C-05



LEGEND

CFD ● APPROXIMATE COREHOLE LOCATION

1 COREHOLE DRILLING PLAN
SCALE: 1" = 40'-0"

0' 20' 40'
SCALE: 1" = 40'-0"

NOTES:
1. THIS INFORMATION IS FOR THE USE OF THE CITY OF NEW YORK AND IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE CITY OF NEW YORK IS NOT RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS INFORMATION. THE CITY OF NEW YORK IS NOT RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS INFORMATION.

REVISIONS	
NO.	DATE

DES	XX
DWN	HN
CRD	XX

APPROVED FOR THE CITY OF NEW YORK



CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION
CONTRACT CRO-536 CFPS-G
RECONSTRUCTION OF CROTON FALLS REFACING

COREHOLES AT CROTON FALLS

SCALE AS INDICATED

DATE: DECEMBER 2019
DWG NO: C-XX
SHEET NO: 1 OF X
FILE NAME: CFPS-C-06

DWG NO: C-XX
 SHEET NO: 1 OF X
 FILE NAME: CFPS-C-06
 DATE: DECEMBER 2019
 CONTRACT: CRO-536 CFPS-G
 PROJECT: RECONSTRUCTION OF CROTON FALLS REFACING

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.


Part 1 – Project and Sponsor Information				
CRO-536 for New York City Department of Environmental Protection (NYCDEP)				
Name of Action or Project: Subsurface Investigation for CRO-536 Croton Falls Dam Refacing				
Project Location (describe, and attach a location map): At base of Croton Falls Dam (near 16 Samantha Lane, Carmel Hamlet, NY)				
Brief Description of Proposed Action: No excavation or filling in any wetlands or wetland buffer (100 ft) area will occur. Propose to undertake four shallow borings (maximum depth 10 ft) to identify subsurface conditions at base of Croton Falls Dam. Information from these borings will be used to assess possible foundations to support an overlay of the dam face. These borings will be at least 100 ft from any waterbody or wetland. We would also be undertaking four cores to a maximum depth of 6 ft in the dam face, one at each of the four locations. These would be used to determine the dam concrete strength.				
Name of Applicant or Sponsor: Mr. Paul Costa, P.E. - Portfolio Manager, NYCDEP		Telephone: 718-595-5470 E-Mail: pcosta@dep.nyc.gov		
Address: 96-05 Horace Harding Expressway				
City/PO: Corona		State: NY	Zip Code: 11368	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: New York City Department of Environmental Protection			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____			<0.03 acres	
b. Total acreage to be physically disturbed? _____			<0.03 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____			~332 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ N/A		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ N/A		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input checked="" type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <p>a. Will storm water discharges flow to adjacent properties?</p> <p>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</p> If Yes, briefly describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Paul Costa, P.E.</u> Date: <u>February __, 2020</u> Signature: <u><i>Paul Costa</i></u> Title: <u>Portfolio Manager</u>		



Memorandum

To: Paul Costa, BEDC
From: Sangamithra Iyer, BEPA 
Date: November 7, 2019
Subject: Cross River and Croton Falls Dams Geotechnical Boring and Dam Coring Program

CEQR No: 20DEP025U

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, New York 11373

The Bureau of Environmental Planning and Assessment (BEPA) has reviewed the proposed to conduct subsurface geotechnical and coring investigations to support the restoration of the faces of the Cross River Dam located off Reservoir Road in the Town of Bedford, Westchester County and the Croton Falls Dam located off Samantha Road in the Town of Carmel, Putnam County. The dams are part of New York City's Croton Watershed. The proposed project would take place exclusively on New York City Department of Environmental Protection property. The proposed action consists of the following components: 1) seven (7) exploratory geotechnical borings, 2) seven (7) core holes in the dam faces, and 3) laboratory testing that would provide necessary data on the subsurface and dam conditions. The boring and drilling locations have been located to best supplement existing subsurface and dam information (See Tables 1 and 2).

Based on existing site conditions, a track/ATC drill rig would most likely be used for the subsurface geotechnical borings. The borings would be of a limited nature. Borings would be to a maximum depth of 10 ft. The first 5 feet would be hand augured to clear utilities that may be in the area. Continuous sampling will occur between 5 feet and 10 feet. A drill rig would advance the casing after the split spoons are collected. The holes will be backfilled and grouted upon completion. For the core hole drilling, an electric or small gas coring drill would be bolted to the face of the dam at selected locations. This device would use water to cool the diamond coring bit. Each hole would be advanced to 4 to 6 feet perpendicular to the dam face to collect samples for testing. The core holes would be 3 inches in diameter and backfilled with grout upon completion.

Table 1: Proposed Geotechnical Borings

Boring ID	Name of Dam	Town	County	Location	Estimated Depth of Boring (ft)
CRB-1	Cross Rivers Dam	Bedford	Westchester	Downstream, within 20 ft of toe of dam	10
CRB-2	Cross Rivers Dam	Bedford	Westchester	Downstream, within 20 ft of toe of dam	10
CRB-3	Cross Rivers Dam	Bedford	Westchester	Downstream, within 20 ft of toe of dam	10
CFB-1	Croton Falls Dam	Carmel	Westchester	Downstream, within 20 ft of toe of dam	10
CFB-2	Croton Falls Dam	Carmel	Westchester	Downstream, within 20 ft of toe of dam	10
CFB-3	Croton Falls Dam	Carmel	Westchester	Downstream, within 20 ft of toe of dam	10
CFB-4	Croton Falls Dam	Carmel	Westchester	Downstream, within 20 ft of toe of dam	10

Table 2: Proposed Dam Corings

Coring ID	Name of Dam	Town	County	Location	Estimated Depth of Coring (ft)
CRC-1	Cross Rivers Dam	Bedford	Westchester	Face of dam	6
CRC-2	Cross Rivers Dam	Bedford	Westchester	Face of dam	6
CRC-3	Cross Rivers Dam	Bedford	Westchester	Face of dam	6
CFC-1	Croton Falls Dam	Carmel	Westchester	Face of dam	6
CFC-2	Croton Falls Dam	Carmel	Westchester	Face of dam	6
CFC-3	Croton Falls Dam	Carmel	Westchester	Face of dam	6
CFC-4	Croton Falls Dam	Carmel	Westchester	Face of dam	6

The subsurface drilling would take place within the immediate vicinity of the toes of the dams, and last 7 days for each site, for a total of 14 days. The coring of the dams is anticipated to take 3 days per dam, for a total of 6 days. The drilling and coring activities would likely occur sequentially rather than at the same time. The total area of disturbance for the Cross River Dam site would be between 100 sq. ft. and 350 sq. ft., located immediately downstream (within 20 ft of the exposed toe of the dam). The total area of disturbance for the Croton Falls Dam site would be between 130 sq. ft. and 450 sq. ft. immediately downstream (within 20 ft of the exposed toe of the dam).

The borings would be advanced using flush-jointed casing with drive and wash drilling techniques using a 4-inch drag bit. Drilling fluids, if used, would consist of water and commercially available drilling additives to form a highly colloidal gel resulting in slurry-like fluid capable of transporting drill cuttings to the surface and to support the boring sidewalls. Oil-based drilling additives would not be permitted. Blasting is not permitted at the work sites.

The equipment for this work would be transported to the proposed boring location via local roadways. Soil erosion and sedimentation control measures such as straw bales and berms would be employed for all work and laydown areas around the boring and coring locations to prevent erosion of the work area and any spills to release into the nearby waterways. No stockpiling would be permitted on site, and drill cuttings and fluids would be placed in drums and disposed of offsite. The site work area for each boring is anticipated to be about 100 to 350 sq. ft at the Cross River Dam site and 130 to 450 sq. ft at the Cross Falls Dam site, depending on access and actual locations. All areas temporarily disturbed, would be restored at the conclusion of the work.

Westchester County and Putnam County are known to contain potential habitat for several federally listed endangered/threatened species including Indiana bat and Northern long-eared bat (NLEB). The nearest NLEB hibernaculum is greater than 1 mile from all proposed locations. Therefore no potential impacts on bats or bat habitat are anticipated. In addition, the state listed (threatened) Bald Eagle (*Haliaeetus leucocephalus*) is also present in Westchester County. The nearest Bald Eagle nest is greater than 1 mile from all proposed locations. No impacts to bald eagles or habitat are anticipated by the proposed borings and core drilling. According to data from the New York Natural Heritage Program, there are no records of rare or state-listed animals or plants, or significant natural communities, at the site.

Cross River and Croton Falls dams are both eligible to be listed on the National and Historic Registers. However, all work would be conducted within 20 feet of the dams, and there are no other above ground structures within the proposed work limits. In addition, all borings

and corings would be backfilled upon completion of work activities, and no core holes would be above 45 feet off of the existing grade. Therefore, no adverse impacts on historic and cultural resources are anticipated.

Based upon the information provided, BEPA has concluded that this action would fall within the scope of a Type II action under 6NYCRR Part 617.5, as long as appropriate permits/approvals are obtained prior to the start of the drilling program. Specifically, the proposed action described above would fall under the following category: 617.5(c)(18) "information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action." Therefore, in accordance with Part 617, this action, as a Type II action, does not require an environmental impact statement or any other determination or procedure.

If you have any questions or comments, please contact David Lee via email at dlee@dep.nyc.gov or by telephone at (718) 595-6066.

cc: Mark Page, BEPA
Kathryn Kelly, BEPA
David Lee, BEPA
Edin Bašić, BEDC