



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

MAY 12 2011

Marit Larson, Deputy Director  
Wetlands and Riparian Restoration  
City of New York Parks and Recreation  
Natural Resources Group  
Arsenal North  
1234 Fifth Avenue  
New York, New York 10029

Dear Ms. Larson:

This is in response to your request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the Bronx River Shoelace Park Stormwater Management Project, to be constructed adjacent to the Bronx River in Shoelace Park, Bronx County, New York. This project may be partially funded by a Special Appropriations Act grant.

This project is intended to manage stormwater that is flowing untreated from streets, carrying sediment and pollutants into the Bronx River and causing erosion, sedimentation, and flooding problems in the park. Stormwater also flows into combined sewer systems, contributing to combined sewer overflows (CSO) at discharge points further downstream along the river.

Four separate projects are proposed (see Figure 1):

**1) Site A, Bronx River Parkway**

This site lies adjacent to the Bronx River Parkway, along the west side of the river. Currently, stormwater from the Bronx River Parkway drains from catch basins directly into the Bronx River. The proposed project will direct stormwater generated from storms of less than one inch of rainfall to a bioretention and filtration system, or bioswale, to detain and filter it before discharge to the river. The bioswale will be designed to require minimal, but clearly defined, maintenance, and will not interfere with the current management of the Parkway right-of-way. Site A is located within the 100-year flood zone for the river, and may have a slight, but immeasurable, effect of increasing flood storage.

**2) Site B, 227<sup>th</sup>-228<sup>th</sup> Street**

This site lies along the east side of the Bronx River. Currently, stormwater from Bronx Boulevard and 228<sup>th</sup> Street drains to CSO HP007. When catch basins are clogged, flow collects against the concrete wall, flows to the sides, overtops curbs, and erodes the slope. The proposed project includes several measures to divert stormwater from CSO HP007 and detain, filter, infiltrate, and evapotranspire it in a vegetated system. Approximately 10,000 square feet of slope stabilization is included, using plantings and coir, to address existing erosion problem in the park. In addition, approximately 15 linear feet of repair to street curbs, to provide an inlet for runoff from street to drainage swales, and 60 linear feet of stone-lined swale, to prevent

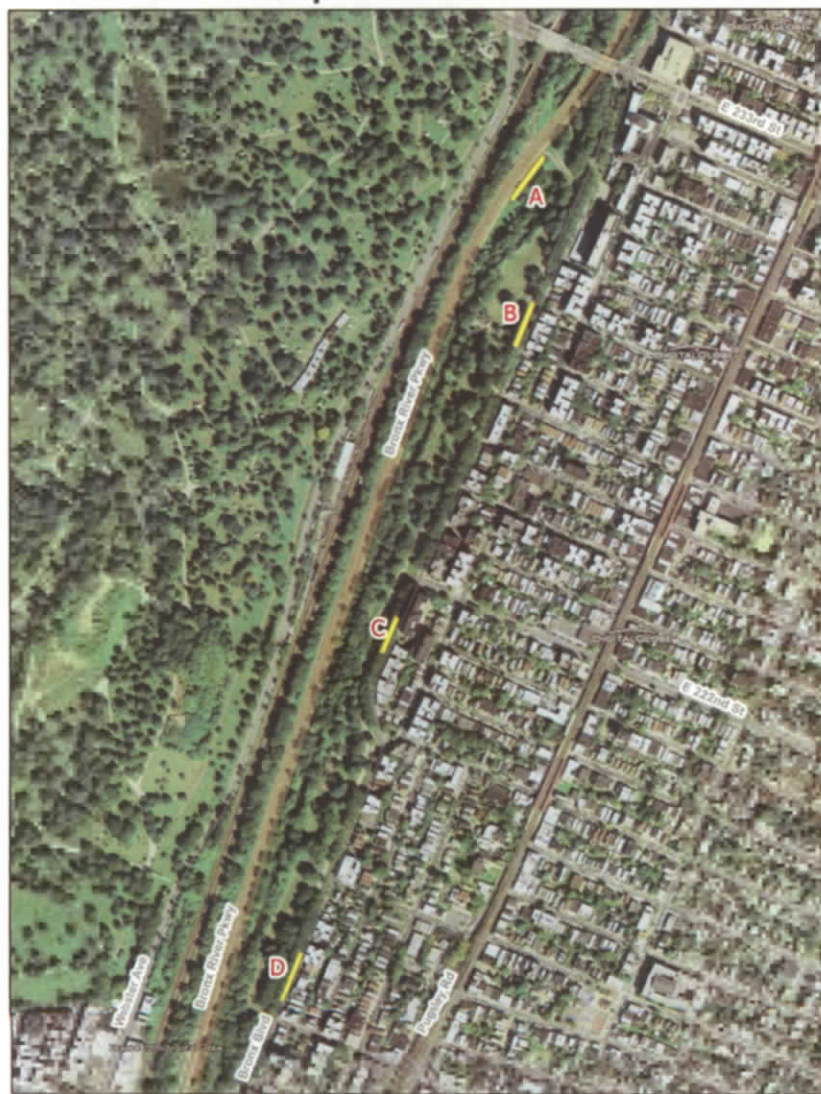
slope erosion by containing flows and directing runoff to the existing catch basin in Shoelace Park, will be included.

- 3) **Site C, approximately 221<sup>st</sup> Street**
- 4) **Site D, 213<sup>th</sup> Street**

These sites lie along the east side of the Bronx River. Currently, stormwater runoff from Bronx Boulevard causes eroding and flooding in Shoelace Park. The proposed project includes a range of measures, including the construction of stormwater drains from stabilized curb cuts to permeable pavement and swale bio retention systems within Shoelace Park adjacent to Bronx River Parkway.

**Figure 1**

**Locations of Proposed BMPs in Shoelace Park**



0 62.5 125 250 375 500 Meters

This proposed project is part of a larger adjacent multi-site project, funded by the New York City Department of Environmental Protection, that will capture additional stormwater. These complimentary and interconnected stormwater management projects aim to reduce the volume of stormwater entering the combined sewer system in the Bronx River watershed, and to reduce the amount of untreated stormwater entering the Bronx River.

This project meets the CATEX eligibility criteria found in 40 CFR 6.204(a)(1)(ii). This category includes “actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.”

This project does not involve a new or relocated discharge to surface or ground water, an increase in the volume or loading of pollutants to receiving water, or capacity to serve a population 30 percent greater than the existing population. Further, it is not contrary to any state or regional growth plan or strategy; and it is not primarily for the purpose of future development.

Additionally, the information you provided concerning the proposed action indicates that none of the specific criteria for not granting a CATEX, found in 40 CFR 6.204(b)(1) through (b)(10), are present.

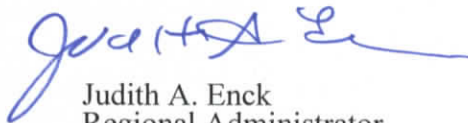
Based on our review of the supporting documentation, EPA approves a CATEX for the project. Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- changes in the proposed action render it ineligible for exclusion;
- new evidence indicates that serious local or environmental issues exist; or
- federal, state, or local laws would be violated.

Furthermore, EPA strongly encourages project sponsors to incorporate green practices into all phases of a project, including planning, design and construction. Such practices can promote sustainable infrastructure, support development of a “green” workforce, and reduce long-term operation and maintenance costs. EPA notes that this project strives to be a template for green infrastructure projects, and strongly supports the City’s efforts to incorporate green practices in future projects. Towards that end, we are enclosing a list of recommendations that should be given consideration for this and other City-sponsored projects.

This CATEX is available for public viewing on EPA Region 2's website, <http://www.epa.gov/region02/spmm/r2nepa.htm#r2docs>. Should you have any questions regarding this decision, please address them to Grace Musumeci, Chief, Environmental Review Section, at the above address.

Sincerely,

A handwritten signature in blue ink, appearing to read "Judith A. Enck", with a long horizontal flourish extending to the right.

Judith A. Enck  
Regional Administrator

Enclosure

**EPA Region 2**  
**Green Project Recommendations and Resources**  
**May 2011**

EPA strongly encourages that the concepts outlined below be considered by those receiving federal grant assistance for water, wastewater, stormwater, or water quality protection projects. In this regard, project sponsors are encouraged to use local and/or recycled materials; to recycle materials generated onsite; to utilize low-emissions technologies and fuels; and to incorporate renewable-energy (e.g., solar, wind, geothermal, biogas, and biomass) and energy-efficient and environmentally sustainable technology in project design, construction, and operation.

- **Utilize Clean Diesel Technology** <http://www.epa.gov/otaq/diesel/>  
Diesel controls, cleaner fuel, and cleaner construction practices can be utilized for both on-road and off-road equipment used for transportation, excavation, and other construction activities. Particular consideration should be given to the following concepts:
  - 1) Strategies and technologies to reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and establishing and enforcing limits on idling time.
  - 2) The use of ultra low sulfur diesel fuel in non-road applications.
  - 3) The use of add-on control technologies like diesel oxidation catalysts and particulate filters, repowering, or newer, cleaner diesel equipment.  
<http://www.mass.gov/dep/air/diesel/conetro.pdf>
  - 4) Contract specifications can be used to require contractors to use advanced pollution controls and clean fuels. <http://www.epa.gov/diesel/construction/contract-lang.htm>. A model specification is available online at <http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>.
  
- **Use Alternative and Renewable Energy**  
The U.S. Department of Energy's "Green Power Network" (GPN) provides information and markets that can be used to supply alternative generated electricity. The following link identifies several suppliers of renewable energy.  
[http://apps3.eere.energy.gov/greenpower/buying/buying\\_power.shtml](http://apps3.eere.energy.gov/greenpower/buying/buying_power.shtml)
  
- **Incorporate onsite energy generation and energy efficient equipment upgrades into projects at drinking water and wastewater treatment facilities**  
Promote the use of captured biogas in combined heat and power systems and/or renewable energy (wind, solar, etc.) to generate energy for use onsite as well as upgrades to more energy efficient equipment (pumps, motors, etc.).  
<http://water.epa.gov/infrastructure/sustain/goinggreen.cfm>
  
- **Utilize Energy Star/Multi-media building and land design practices**  
Consideration should be given to including building practices which have multi-media benefits, including energy efficiency, water conservation, and healthy indoor air quality. Apply building rating systems and tools, such as Energy Star, Energy Star Indoor Air Package, and Water Sense for building construction. [http://www.energystar.gov/index.cfm?c=business.bus\\_bldgs](http://www.energystar.gov/index.cfm?c=business.bus_bldgs) and <http://www.usgbc.org/>

