UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 2 4 2011

Erin Reilley
Grant Administrator
City of Glen Cove
City Hall
9 Glen Street
Glen Cove, New York 11542-4106

Dear Ms. Reilley:

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 Glen Cove Creek Stormwater Infrastructure Improvements project, to be constructed at Mill Pond in Pratt Park, and in Glen Cove Creek adjacent to Hendricks Avenue (see Figure 1). Both project areas are located in the City of Glen Cove, Nassau County, New York. This project may be partially funded by a Special Appropriations Act Project grant.

Mill Pond is fed by Cedar Swamp Creek, as well as by several stormwater sewer outflows. In recent years there has been an increase in silt deposits, floatable debris and overgrown marsh vegetation within Mill Pond, all of which contribute negatively to its condition and function. Discharge from Mill Pond flows into Glen Cove Creek, a tidally influenced system which flows into Hempstead Harbor, then ultimately into Long Island Sound. Upstream from Mill Pond, Glen Cove Creek is accessible from Hendricks Avenue. This access area had formerly been the site of sediment and floatables control measures that are no longer operational.

To address these issues, the City is endeavoring to design stormwater improvements for both locations, to improve management of sediment and floatable debris. At Mill Pond, these improvements will include renovation of the existing forebay and micropool, as well as additional wetlands plantings using native species, introduction of floatable control devices, and possible improvements to or reconstruction of the existing weir. The intent is to improve existing management of stormwater pollution, to moderate flow velocity through the weir to prevent scouring and clogging, and to moderate the flow velocity upon exit of Mill Pond, in order to facilitate the growth of stabilizing grasses and wetlands plants downstream.

At the Hendricks Avenue access point upstream, the former sediment and floatables removal system, which is currently not operational, will be redesigned, and access improved to facilitate maintenance and removal of screened materials.

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. While the project will take place within the coastal zone of the state of New York, this project is not expected to significantly affect coastal resources. Nevertheless, the City of Glen Cove is working directly with the New York State Department of State to ensure that the project is consistent with the New York State Coastal Management Program.

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.

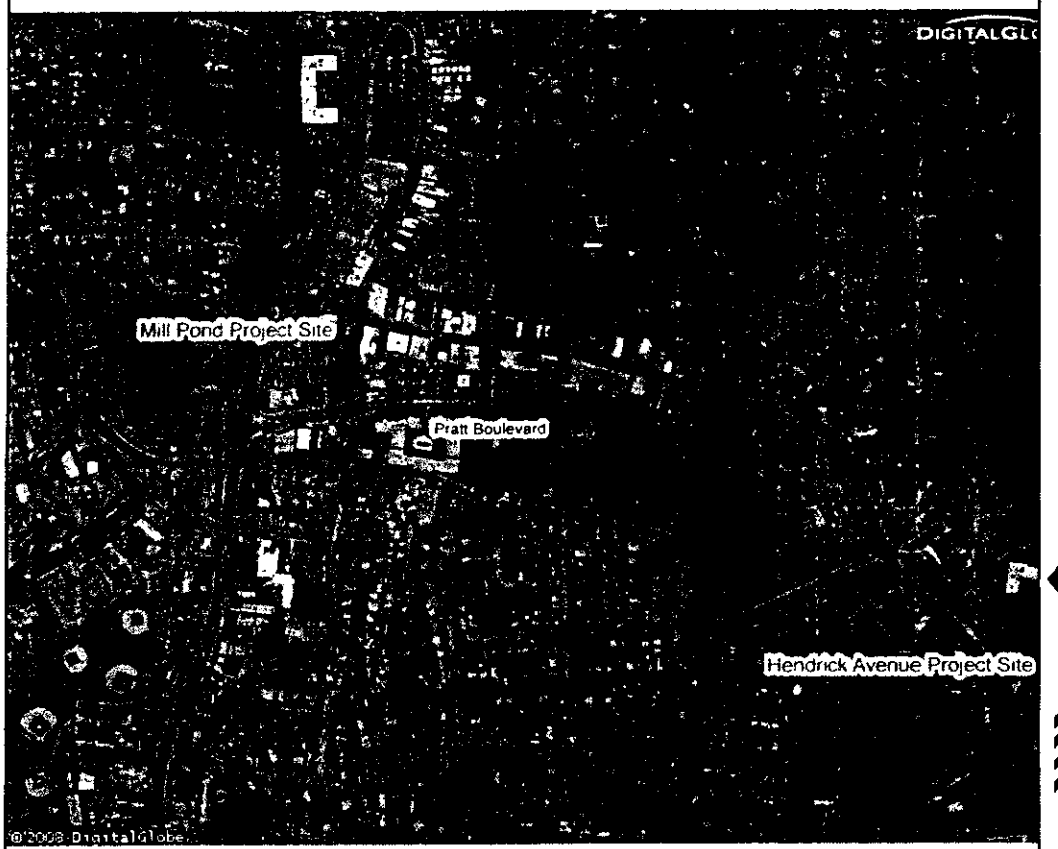
Sincerely,

Judith A. Enck

Judith A. Enck
Regional Administrator

Enclosure

Figure 1: Proposed Project Locations



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/conretro.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

- **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 and http://www.usgbc.org/

- **Implement Water Efficiency**
  Water efficiency can make infrastructure systems more sustainable by reducing the quantity of water treated and distributed through the water supply system, and subsequently by the wastewater treatment and disposal systems. EPA is promoting water use practices that increase efficiency, eliminate waste, and conserve water resources, resulting in a decreased burden on our water resources. The WaterSense program, http://www.epa.gov/watersense, promotes the market for water-efficient products through the use of WaterSense-labeled products and the use of contractors certified through a WaterSense-labeled program. Water supply utilities can also decrease the burden on water and wastewater treatment systems by reducing the amount of drinking water lost from their leaking water distribution pipes. Additional details on the Sustainable Water Infrastructure can be found at
  http://water.epa.gov/infrastructure/sustain/index.cfm.

- **Source Management for Stormwater Runoff**
  Green infrastructure and low impact development approaches can reduce, capture, and treat stormwater runoff at its source. Site-specific practices, such as green roofs, downspout disconnections, rain harvesting/gardens, planter boxes, and porous pavements are designed to mimic natural hydrologic functions and decrease the amount of impervious area and stormwater runoff. Preserving and recreating natural landscape features can create functional and appealing site drainage that treats storm water as a resource rather than a waste product.
  http://www.epa.gov/nps/lid, and

  http://cfpub.epa.gov/npdes/greeninfrastructure/technology.cfm

- **Encourage cost-efficient, environmentally-friendly landscaping**
  EPA's GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping. Designed to help preserve natural resources and prevent waste and pollution, GreenScapes encourages companies, government agencies, other entities, and homeowners to make holistic decisions regarding waste generation and disposal and the associated impacts on land, water, air, and energy use.
  http://www.epa.gov/osw/conserve/rrr/greenscapes/index.htm

- **Use recycled materials in highway and construction projects.**
  Many industrial and construction byproducts are suitable and available for use in road or infrastructure construction. http://www.epa.gov/osw/conserve/rrr/imr/index.htm Use of these materials can save money and reduce environmental impact. The Recycled Materials Resource Center has user guidelines and specifications for recycled material.
  http://www.recycledmaterials.org/tools/uguidelines/index.asp

- **Safely Reuse and/or Recycle Project-related Debris and Waste**
  The *Federal Green Construction Guide for Specifiers* includes a construction waste management specification. http://www.wbdg.org/design/greenspec.php

- **Utilize environmentally preferable purchasing**
  Promote markets for environmentally preferable products by referencing EPA's multi-attribute Environmentally Preferable Purchasing guidance. http://www.epa.gov/epp