



NEW YORK STATE SENATOR

Liz Krueger

## Testimony Before the New York City Department of Environmental Protection Regarding Construction of Shaft #33b for Water Tunnel No. 3 on Monday, December 5th, 2005

LIZ KRUEGER July 12, 2010

My name is State Senator Liz Krueger and I represent the 26<sup>th</sup> Senate District covering the East Side of Manhattan and parts of Midtown. Thank you for the opportunity to testify regarding the Department of Environmental Protection's (DEP) plans to construct Shaft #33b for Water Tunnel No. 3 at 59<sup>th</sup> Street and First Avenue.

It is clear that DEP's preferred site for Shaft #33b will result in several temporary adverse impacts to the East Midtown community. While I continue to oppose siting the shaft at East 54<sup>th</sup> Street, I urge the DEP to fairly consider all possible sites for shaft construction as you continue the environmental review process.

The community surrounding the proposed water shaft has requested that the comment period for the Draft Environmental Impact Statement (DEIS) be extended so they can fully review the dense document. I have supported their request in written correspondence to DEP and again ask that your agency extend the comment period to accommodate the

community's request.

Since DEP has designated the site at 59<sup>th</sup> Street and First Avenue as the preferred site, my comments will focus largely on the impacts associated with construction at that site and the water mains down First Avenue.

In the DEIS, DEP states that it will need to blast at 59<sup>th</sup> Street and First Avenue for a period of 8 months. During 4 of these 8 months, DEP will blast close enough to the surface that it will need to stop traffic between 1 and 5 minutes. Stopping traffic for this time will likely create significant temporary traffic impacts and I support DEP's plans to dispatch Traffic Enforcement Agents to mitigate these effects. Blasting and drilling will also create significant temporary adverse noise impacts and DEP must employ modern blasting techniques and construct the 20 foot wall described in the DEIS to properly mitigate these impacts. Also, a working group would help mitigate problems that may arise during this period and keep the community informed on blasting schedules.

In the description to the Draft Scope of Work, DEP states that "The NYC Department of Design and Construction (NYCDDC) would construct the water mains according to a plan provided by NYCDEP." DEP goes on to say that "The exact timing, route and methods of this construction are not typically defined by NYCDEP, but by NYCDDC, which is the agency that implements the design and construction of water mains in New York City." These sentences seem mutually exclusive, and have caused a great deal of confusion within the community and a sense that DEP was not forthright in the early stages of the environmental

review process.

Construction of the water mains down First Avenue will create significant impacts and DEP must ensure that DDC adequately mitigates these impacts. The construction period will last approximately 41 months and DEP estimates that the neighborhood will experience 100 weeks of severe temporary adverse impacts causing traffic to queue between 3 and 5 blocks further south than under normal circumstances. DEP and DDC must ensure that DOT temporarily closes parking on the west side of First Avenue and works with the police to aggressively enforce these parking restrictions. DEP must also ensure that additional Traffic Enforcement Agents (TEA) will be dispatched during this time and notify motorists to upcoming delays several blocks before queuing begins.

Because construction of Shaft #33b will result in several temporary impacts to the community, DEP should convene a construction working group to facilitate communication between the community and coordinate agency responses to issues as they arise. Working groups have been effectively implemented for major construction projects throughout Manhattan and have eased impacts to communities by providing them with a forum to have predicted and unpredicted impacts addressed and communicate other project information. Meetings should be open to the public and composed of, but not limited to, representatives from elected officials' offices, Community Boards 6 and 8, the MTA, the NYPD, the FDNY, Con-Edison, and the New York City Departments of Environmental Protection, Transportation, and Design and Construction.

Construction of the shaft site will delay implementation of Community Board 8's 197-a plan, and specifically, plans to renovate Honey Locusts Park. CB8 has passed a resolution calling on DEP to fund renovations to Honey Locusts Park to mitigate for the temporary loss of park space and permanent loss of two trees. Given that construction of the water mains also necessitates the taking of 50 to 100 trees along the various routes, renovating Honey Locusts Park is a reasonable compensation for the community's temporary and permanent losses (the lost trees along the various routes will also have to be replaced.)

Finally, I would like to reiterate my opposition to any plan which sites Shaft #33b at 54<sup>th</sup> Street and Second Avenue. While construction at any site will impact the surrounding area, construction at this site may create a dangerous situation for residents and the site does not fit DEP's shaft site selection criteria. A site at East 54<sup>th</sup> Street would not provide the minimum space needed by the FDNY to operate fire trucks. The FDNY Firefighting Procedures Manual states that fire trucks require a minimum clearance of 21 feet to operate effectively. A site on East 54<sup>th</sup> Street would only provide the FDNY with 10 feet of clearance.

Furthermore, a site at East 54<sup>th</sup> Street would not be contiguous and would not allow construction of two risers to Water Tunnel No. 3 -- thus diminishing the project's stated goal of creating redundancy in the city's water supply capabilities.

Thank you for the opportunity to testify.