



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 07 2016

Mr. Matthew Voisine
Project Biologist
U.S. Army Corps of Engineers
NY District - Planning Division
26 Federal Plaza, Room 2151
New York, NY 10278

Dear Mr. Voisine:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers (USACE) Draft Environmental Impact Statement (DEIS) for the Mamaroneck and Sheldrake Rivers Flood Risk Management Project, General Reevaluation Report (CEQ# 20160021).

This DEIS addresses flood risk management measures that the USACE has considered and proposed in the Village of Mamaroneck, located on the Long Island Sound in Westchester County, New York. This area has been damaged repeatedly as a result of hurricanes, northeasters, and extra-tropical storms, and flooding has been particularly serious at the confluence of the Mamaroneck and Sheldrake Rivers. This DEIS presents the results of the USACE's evaluation of an array of structural and nonstructural flood risk management measures intended to reduce damages caused by storm events.

The Proposed Action aims to ensure protection of the fish and wildlife resources of the existing rivers, the cultural attributes of significant sites found within the study area, and the water quality of the rivers in the study area. The flood risk management measures include channel modifications, retaining walls, bridge removal and replacement, and trapezoidal cuts along the Mamaroneck and Sheldrake Rivers. In addition, the Mamaroneck River will flow through an underground box culvert that will be located under the parking lot at the confluence of the two rivers. All river channels will be deepened and widened to one vertical on two-and-a-half horizontal (1:2.5) side slopes. Several bridges will be removed and replaced. Channel modification will consist of natural bed channel, with riprap used in areas with high velocities and vertical concrete retaining walls used in areas with limited space. The National Economic Development (NED) Plan includes the potential implementation of nonstructural measures along both the Mamaroneck and Sheldrake Rivers for structures with estimated positive benefit-cost ratios.

Given the purpose and need of this proposal, EPA recommends including discussion of how climate change may affect river flows and alter flood risk. EPA also recommends that the USACE discuss how future climate scenarios addressed in the "Affected Environment" section may impact the proposal. The Final EIS's alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. Changing climate conditions can affect a proposed project, as well as the project's ability to meet the purpose and need presented in the Final EIS. In some cases, adaptation measures could avoid the potentially significant environmental impacts of failure to adequately address the threat of a changing climate on the proposal. For example, for projects designed to manage water resources, it is important to consider potential changes in precipitation, snow pack, and drought. Increases in flow rates due to these factors could lead to increased flooding and structural failures. In this example, structural failures could also lead to dramatic changes in sediment transport, water quality, and habitat, among other potential impacts.

Bridge demolition will comprise a significant portion of the project. The draft EIS did not discuss final disposition of construction and demolition (C&D) material for the project. Recycling and/or reuse of C&D material can lessen the impacts of increasing disposal at solid waste facilities. The final EIS should evaluate recycling, reuse and disposal options for C&D waste associated with bridge demolition. You may find more detailed information about recycling of C&D waste at: <http://www.epa.gov/osw/consERVE/imr/cdm/recycle.htm>. Additionally, we have attached our Green Recommendation guidelines as a reference for ways that this and future projects can be enhanced to reduce their environmental footprint and increase sustainability.

The report states that excavation activities have the potential to disturb heavy metals, PCBs and pesticides that may be present in the river sediments. Disturbed heavy metals and pesticides have the potential to leach into surrounding soils, ground water, and drinking water. The final EIS should include a discussion of these risks, as well as a response plan in the event that heavy metal or pesticides are detected and/or disturbed.

There are three footbridges that will be removed as part of the project. The foot bridges provide recreational opportunities for local residents that will be eliminated. Mitigation measures to offset the impacts of the removal of the bridges should be detailed in the final EIS. Additionally, EPA recommends that the town conduct a public meeting to discuss the impacts and potential remedies for the footbridge removals.

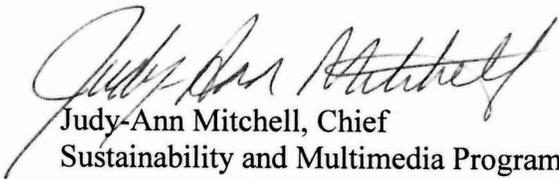
The northern long-eared bat was listed as a threatened species under the Endangered Species Act (ESA) on April 2, 2015. This bat may be located in the project area. The DEIS did not include documentation or mention of an ESA Section 7 consultation for the northern long-eared bat. If the Fish and Wildlife Service has not yet been contacted, consultation should be initiated. If a consultation is on-going or completed, documentation should be included in the final EIS.

The draft EIS stated that a review of the NOAA Fisheries Services Essential Fish Habitat (EFH) mapper indicated that there was no EFH or Habitat Areas of Particular Concern within the study (project) area; however, it is also stated that 16 fish species with designated EFH are in the area.

EPA recommends that NOAA Fisheries be consulted to ensure that an EFH assessment is not required. The final EIS should mention the outcome of the consultation.

Thank you for the opportunity to comment on the DEIS for the Mamaroneck and Sheldrake Rivers Flood Risk Management Project, General Reevaluation Report. EPA rates the DEIS as EC-2 or “Environmental Concerns – Insufficient Information” in accordance with EPA’s national rating system. Our comments on the DEIS contained in this letter are intended to help provide useful information that will ultimately inform local, state and federal decision-making and review related to land and water resource use and impacts. Should you have any questions regarding the comments and concerns detailed in this letter, please feel free to contact Michael Poetzsch of my staff at 212-637-4147 or Poetzsch.michael@epa.gov.

Sincerely yours,



Judy Ann Mitchell, Chief
Sustainability and Multimedia Programs Branch
Clean Air and Sustainability Division

Enclosure



SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION
Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analysis, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...