

PUBLIC PARTICIPATION PLAN

Applicant:

New York City Economic Development Corporation

Facility:

Bush Terminal (North Campus)
13 42nd Street
Brooklyn, NY 11232

NYSDEC Application Number:

TBD

As Required by:

NYSDEC Commissioner's Policy Guidance CP-29

Submitted to:

New York State Department of Environmental Conservation
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101

Prepared by:



AMC Engineering, PLLC

18-36 42nd Street
Astoria, NY 11105
Phone: (718) 545-0474

Date Prepared:

September 19, 2022



TABLE OF CONTENTS

- I. Introduction and Objective
- II. Project Description and Proposed Action
 - Project Overview
 - Nature of Proposed Project/Action and Purpose
 - Potential Impacts
- III. Stakeholder Identification & Contact List
- IV. Project Liaison
- V. Public Outreach Activities
 - Public Meeting(s)
 - Virtual Public Meeting Notice Preparation and Distribution
 - Fact Sheet Preparation and Distribution
 - Distribution of Notice of Complete Application
- VI. Document Repository
- VII. Submissions
 - Progress Report
 - Final Summary Report and Written Certification

Figures

- 1. Project Location and Potential Environmental Justice Area(s) Map
- 2. Key Map / Site Location Map
- 3. Dewatering Plans

Appendices

- A. Contact List
- B. Virtual Public Meeting Notice
- C. Fact Sheet



List of Acronyms

Acronym	Definition
AMC	AMC Engineering
AST	Above Ground Storage Tank
ASTM	American Society for Testing and Materials
CP-29	Commissioner Policy 29, Environmental Justice and Permitting
NOCA	Notice of Complete Application
NYC	New York City
NYCDEP	New York City Department of Environmental Protection
NYSDEC	New York State Department of Environmental Conservation
PEJA	Potential Environmental Justice Area
PPP	Public Participation Plan
SPDES	State Pollutant Discharge Elimination System
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
UST	Underground Storage Tank



I. INTRODUCTION AND OBJECTIVE

This Public Participation Plan (PPP) has been prepared by AMC Engineering on behalf of the New York City Economic Development Corporation (NYCEDC, hereinafter referred to as “Applicant”) and Gilbane Building Company (Gilbane, hereinafter referred to as “Contractor”) to fulfill and comply with the requirements of New York State Department of Environmental Conservation **Commissioner Policy 29, Environmental Justice and Permitting (CP-29)** for their proposed construction activities at the Bush Terminal North Campus site, identified as 13 42nd Street, Brooklyn, that requires a State Pollutant Discharge Elimination System (SPDES) permit application and which has been determined by NYSDEC to potentially impact one or more potential environmental justice area (PEJA) (See **Figure 1**).

This PPP has been developed in accordance with the procedures established in CP-29 Section V.D and it aims to help ensure meaningful and effective public participation throughout the NYSDEC environmental permit review process. Public participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved during the review of a proposed action.

The objective of this PPP is to outline and describe the program of activities that the applicant will implement to actively seek and enhance public participation during the application review process.

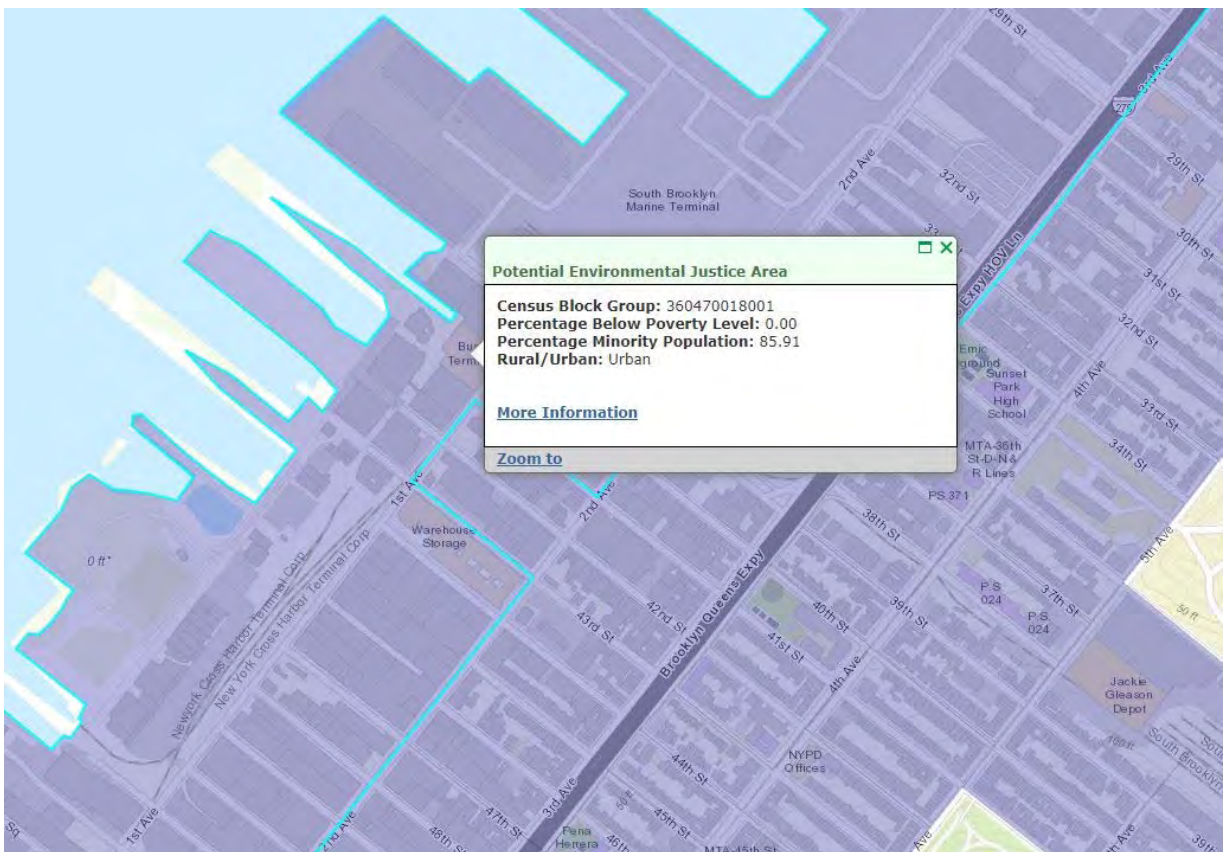


Figure 1. Project Location and Potential Environmental Justice Area(s)



II. PROJECT DESCRIPTION AND PROPOSED ACTION

Project Overview

The applicant proposes to conduct renovations within an existing building and install new sewer and utility lines on the Bush Terminal site, located at 13 42nd Street, Brooklyn, NY 11232. The property is identified as Block 715, Lot 1 on the Brooklyn Borough Tax Map.

Grade elevation at the site is between El: +7' and +10'. The bottom of excavation for sewers and utilities within the property is El: +1.5'. The bottom of excavation for work performed on 1st Avenue is El: -2.5'. Groundwater was measured between El: +1 and +2.5', indicating that the excavation will be going below the groundwater table. Therefore, dewatering activities will be necessary to perform this work.

The applicant has submitted an application to the New York State Department of Environmental Conservation (NYSDEC) for a SPDES permit for dewatering activities performed for the sewer and utility work. A SPDES permit is required since the pumped groundwater is anticipated to discharge into the Upper New York Bay (Gowanus Bay). The project location can be found in **Figure 1**.

Dewatering activities will be separated into two (2) phases: Phase 1 is limited to the installation of new sewers and utilities within the site, while Phase 2 is limited to the installation of new sewers on 1st Avenue, between 41st Street and 42nd Street. Phase 1 will be dewatered through a wellpoint system, and an estimated 144,000 gallons per day (100 gallons per minute over 24 hours) of dewatering discharge is expected. Phase 2 will be dewatered through a deep well system, and an estimated 972,000 GPD (675 gallons per minute over 24 hours). The location of the dewatering system can be found on the attached plan.

The potential pollutants in the pumped groundwater require treatment to meet discharge limitations into the surface water. Treatment consists of six (6) 18,000-gallon settling/frac tanks, three (3) 7-bag filter system unit fitted with 5-micron filter bags, and six (6) 10,000-lb activated carbon vessels. The treated water will be into the Upper New York Bay through an existing DEP combined sewer overflow.

The water quality is controlled via the periodic sampling of the effluent and comparing the results to the applicable standards, as it will be stipulated in the SPDES permit.



Nature of Proposed Project/Action and Purpose

All work is being performed under NYCEDC Project# 50106760, and will be performed in two (2) phases.

The project will be limited to renovations within an existing building and the installation of new sewer and utility lines across the property and within the adjacent streets. The project is expected to last 2 years, but dewatering will only be required for a portion of that duration. The dewatering system will operate 24 hours a day, as the excavated trenches need to be kept dry overnight.

All work will be performed in and around the existing facilities. The installation of new sewers and utilities is not expected to change the current use or operations of the facilities.

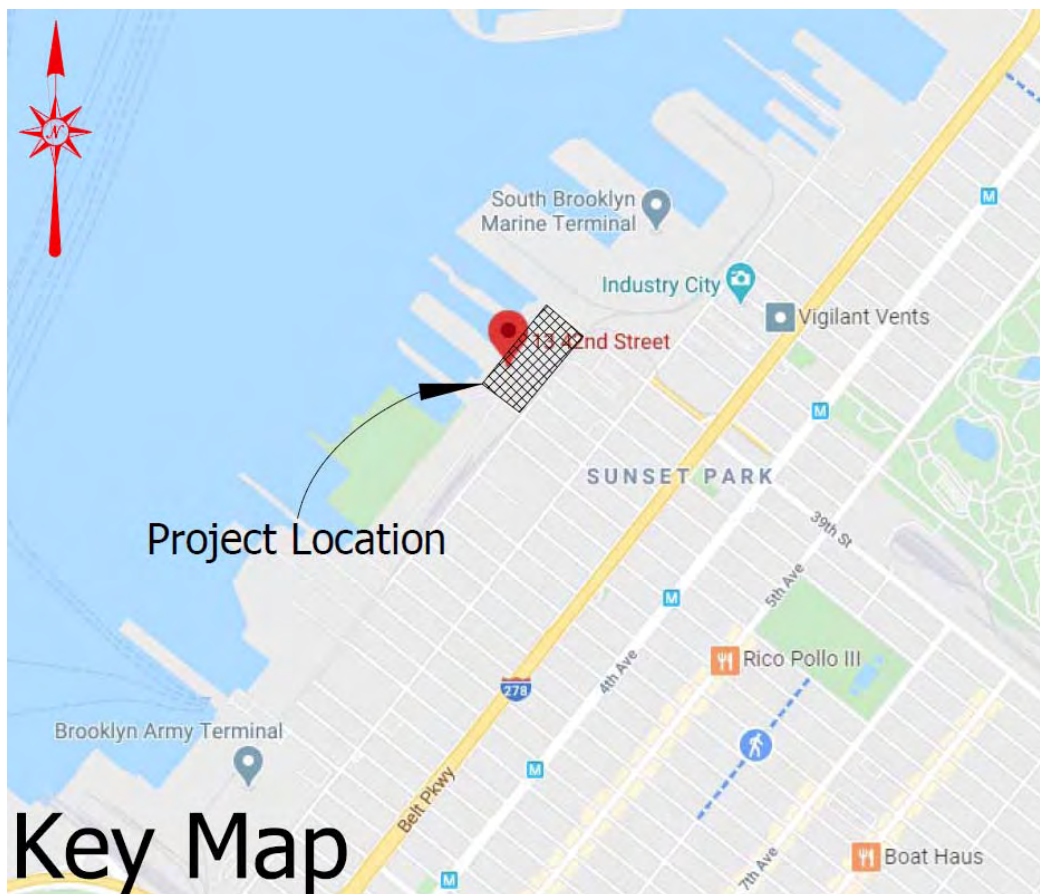


Figure 2. Key Map / Site Location Map

Potential Impacts

Any community impacts related to construction will be temporary in nature. Considering all work will be performed within the Bush Terminal campus and all water will be discharged into the Upper New York Bay, little to no impact is expected on the surrounding community. NYCEDC and its contractors (including Gilbane Building Company, Griffin Dewatering, and AMC Engineering) propose to control all dust, rodent, noise, and vibration during the construction period. A representative will be available to answer questions relating to the project, and their contact information can be found in Section IV.



III. STAKEHOLDER IDENTIFICATION & CONTACT LIST

A contact list consisting of the names, addresses, phone numbers, or email addresses of stakeholders to the proposed action is provided in **Appendix A**. The contact list includes individuals and organizations with a direct stake in the proposed action and people and individuals and organizations that have expressed interest in the proposed project or similar projects affecting the same neighborhood or community.

To develop a draft contact list, the applicant reached out to interested and affected parties including residents/neighborhood groups who are near or adjacent to the proposed project and that will be or potentially will be affected by the operation; community boards, community leaders, local community, civic and recreational organizations, environmental, and business groups to help identify stakeholders and develop an initial contact list.

The current contact list has been developed in consultation with NYSDEC by identifying stakeholders from the following categories:

- local government and elected officials;
- business owners, residents, and occupants;
- local civic, community, environmental and religious organizations;
- local news media; and
- administrator/operator of any school or day care that live, work and/or represent a neighborhood or community within a 3-4 block radius of the project area;

The applicant will utilize this contact list to communicate and disseminate information about the proposed project/action and permit application review process to the affected community and stakeholders. At minimum, this includes distribution of the written information and outreach materials described in Section V to inform the community about upcoming public meetings and opportunities for public participation.

The contact list will be reviewed periodically and updated as appropriate throughout the permit application review process. The applicant will update the contact list with any new stakeholders identified during the public meeting or execution of other PPP components. In addition, individuals and organizations will be added to the contact list upon request. Such requests should be submitted to the project liaison identified in Section IV. Other additions to the contact list may be made at the discretion of the applicant or, at the request of the NYSDEC project manager, in consultation with other NYSDEC staff, as appropriate.



IV. PROJECT LIAISON

A representative from the project team will be available during business hours:

Marc Rosenzweig
Senior Project Manager
Gilbane Building Company
Wall Street Plaza | 88 Pine Street, 27th Floor | New York, NY 10005
646-560-3109
mrosenzweig@gilbaneco.com

Impacted residents and interested stakeholders can contact the project liaison listed above to provide input to the project team, discuss any issues or concerns and/or to ask questions or request information. The project liaison shall respond in a timely manner and in the manner appropriate to question or information request received. The project liaison will be responsible for tracking and documenting public input, inquiries, questions, and information requests received, along with responses provided.



V. PUBLIC OUTREACH ACTIVITIES

The applicant will utilize a range of engagement strategies and conduct various public outreach activities to facilitate participation, involvement, and direct communication with the affected community during the permit application review process. The applicant will implement the public outreach activities outlined below upon finalization and approval of this PPP by the NYSDEC.

In compliance with the requirements of CP-29, the applicant will hold public information meeting(s) to keep the public informed about the proposed action and the environmental permit review process. At minimum, the applicant will prepare, distribute, and post written information and materials, including a meeting notice and fact sheet, to encourage dialogue and solicit input from interested stakeholders during the permit application review process.

All public outreach materials and information will be prepared and presented in an easy-to-read, understandable format, using plain language free of legal terminology, and geared towards a non-technical audience.

The public meeting notice and fact sheet will be made available and disseminated in both English and TBD (additional recommended languages will be identified at a later time)]. In addition, the public can contact the project liaison regarding the availability of language assistance and to request that the notice and fact sheet are translated into another language for comprehension by non-English speaking or limited proficiency stakeholders.

Public Meeting(s)

At the discretion of NYSDEC and, depending on the scale and nature of a project, one or more virtual public meeting(s) must be conducted to satisfy the intent of CP-29.

A meeting is typically required near the end of the permit application review process to inform the public about: the status of, or, if applicable, the availability of, final application materials and draft permits for review; the pending NYSDEC public comment period, and deadline to submit written comments to NYSDEC, if established; and eventual final decision. Meetings may also be held earlier, either pursuant to this plan or possibly even earlier during the initial design phase. At this time, no meetings have been held pertaining to the SPDES permit application and the dewatering activities indicated under this Public Participation Plan.

Public Meeting: At or Near Completeness

Applicant will facilitate a virtual public meeting or meetings, to be later scheduled after consulting with the NYSDEC, to:

- Inform the public about the proposed project/action and permit application review status.
- Provide the opportunity to for stakeholders to ask questions and express concerns about the project and identify how to obtain information or answers to questions after the meeting has concluded.
- Inform attendees how they may submit written comments on the permit application to the NYSDEC during the public comment period and, if available, identify any applicable deadlines.



Necessary Meeting Discussion Points and Requirements

All meetings will be facilitated by the applicant and/or representatives from their project team (project personnel) via Zoom Meetings (or similar platform). During the meeting, the applicant and/or representatives from their project team will present a brief overview of the project, including any relevant background information, details on the permitting action, scope of work, schedule, and community impacts. The second part of the meeting will include a question-and answer-portion where the floor will be open for attendees to ask questions, make remarks, and/or express concerns. In addition, the following discussion points will be addressed:

- Provide an update on the permit application review process and identify outstanding application requirements and future milestones in the application review process.
- Make it clear that the meeting is being held prior to NYSDEC's permitting decision for the project/action.
- Identify the location of the online document repository and provide directions on how attendees may obtain and review materials relevant to the application, documents related to the meeting and other public participation plan components.
- Identify and provide contact information for the project liaison and announce procedures for how attendees may obtain answers to questions after the meeting has concluded and interested stakeholders can submit questions, express concerns, or request additional information by telephone, email, and in writing.
- Announce any future outreach, opportunities for public participation, and /or required follow-up with attendees including, but not limited to: additional meetings and future mailings, including, but not limited to the Notice of Complete Application.

Attendance will be recorded during the virtual meeting by a dedicated “scribe”, who will record all members in attendance. (Note: Zoom allows for people to call in without displaying a name, and the scribe will try their best to get a name for these callers). The applicant will track the number of attendees for all meetings held during implementation of this PPP and, where feasible and applicable, identify any affiliation of participants and interests represented at the meeting. In addition, the applicant will be responsible for documenting meeting notes or minutes, along with a record of comments and questions raised in the meeting and respective responses and answers provided. Attendees not identified on the contact list will have the option to be added in the event of future meetings or information sharing.

Virtual Public Meeting Notice Preparation and Distribution

Information regarding the details of the virtual public meeting(s) and how to participate via computer and/or telephone is contained in the reader-friendly meeting notice(s) shown in **Appendix B**. The notice has been prepared in English. It will be translated into other languages (TBD) by a certified translator once they are identified. Through this notice, the public will be invited and encouraged to attend the public virtual meeting (to be scheduled after consulting with NYSDEC).

Once the PPP has been approved by NYSDEC, the public meeting notice will be posted and available in the online document repository described in Section VI of this document. At least two weeks in advance of the public virtual meeting, the notice will be published in the Brooklyn Record Newspaper, which is a weekly newspaper printed, published, and circulated in the Sunset Park Community. In addition, the public meeting notice will be



emailed, mailed and/or hand delivered (door-to-door) to the stakeholders identified in the contact list in **Appendix A** at least two weeks prior to the public virtual meeting.

Fact Sheet Preparation and Distribution

Factual information on the proposed project/action, including an overview, purpose statement, and potential impacts, is outlined in the reader-friendly fact sheet shown in **Appendix C**. In addition, the fact sheet outlines how interested stakeholders can: participate in the permit application review process; access the online document repository to review relevant application materials prior to the public meeting; and contact the project team to obtain additional information. The fact sheet has been prepared in English and will be translated into “TBD” by a certified translator.

Once the PPP has been approved by NYSDEC, the fact sheet will be posted and available in the online document repository described in Section VI of this document. No later than 2 weeks prior to the public meeting, the applicant will distribute the fact sheet to provide stakeholders with relevant background on the proposed project/action and facilitate meaningful participation during the meeting. The fact sheet will be distributed together with the public meeting notice via email, mail and/or hand delivery (door-to-door).

The fact sheet(s) will also be posted within the vicinity of the project site and visible to the public. For example, they may be posted on some streetlight lampposts or bulletin boards located in the lobby of residential complex buildings or public facilities such as libraries, schools, or community centers within the project site.

Distribution of Notice of Complete Application

Once NYSDEC determines the application(s) for the proposed action/project is complete and provides the Notice of Complete Application (NOCA) to the applicant, the applicant will distribute the NOCA and draft permit, if applicable, to the meeting attendees and any identified interested parties, to provide notification regarding the start of the NYSDEC public comment period and to announce the deadline for submission of written comments to NYSDEC. If the NOCA is available at the time of the meeting, the applicant will distribute the NOCA at the public meeting. If the NOCA is not available at the time of the meeting, the applicant will provide explicit instructions on how to access the online repository and inform the attendees that, once available, the NOCA will be posted to the online document repository and will be distributed to attendees via email or mail as soon as possible, but no later than the date that the NOCA is published by the applicant in the print edition of a paid local newspaper that is circulated at least weekly and available in the municipality in which the project is located.



VI. DOCUMENT REPOSITORY

An online document repository has been established for the community and interested stakeholders to access and review information about the project. The online repository will provide information and documents relating to the project and permit application, and can be accessed through the link, below:

<https://www.dropbox.com/sh/8p3to7ksyem77x7/AACsnC9DMPEKZjwruOWuZi2Da?dl=0>

The repository will be updated throughout the application process with project-related information and written materials (i.e., application forms and supporting materials, draft permit, fact sheet, statement of basis (where applicable), the Notice of Complete Application provided by the NYSDEC, etc.).



VII. SUBMISSIONS

Final Summary Report and Written Certification

Upon completion of the enhanced public participation plan, the applicant will submit written certification to NYSDEC to certify that it has fully executed and complied with the approved PPP. The certification shall be signed by the applicant, or the applicant's agent, and submitted to NYSDEC prior to a final decision on the application.

As part of the certification, the applicant shall submit a final summary report documenting the implementation of this PPP. The report will summarize the activities that occurred in accordance with the PPP and will identify any substantive concerns raised by stakeholders during the public meeting, or, at any time throughout the permitting process and detail the applicant's response(s) to any such concerns or questions. The applicant will include, or append, any documentation that supports the final summary report, such as: the meeting sign-in sheet(s), record of attendees/participants, meeting presentation, notes or minutes, summary of questions and answers, and copy of newspaper notice or other proof of publication. In addition, the report will identify any changes or modifications to the proposed project that were made or considered by the applicant to address or reduce concerns surrounding the permit application.

The final summary report and written certification will become part of the application record and will be posted to the online document repository so that it is readily available to the public.



APPENDIX A

Contact List



APPENDIX B

Virtual Public Meeting Notice

English (and Other Language(s))



YOU ARE INVITED

Virtual Public Meeting
Monday, October 17th 2022 at 4 PM
Bush Terminal (North Campus)

The New York City Economic Development Corporation (NYCEDC) has submitted an application to the New York State Department of Environmental Conservation (NYSDEC) for a SPDES Permit for the Bush Terminal (North Campus) Project, which is NYCEDC Project# 50106760. A Public Participation Plan (PPP) has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29). The purpose of this meeting is to inform the public about the project and to involve the community during the SPDES Permit application review process.

To Join Online

Click the following link:

<https://us05web.zoom.us/j/85999047573?pwd=M3lJelBZVlhUWXdwWjBMd2lsNERJdz09>

To Call-in Using a Phone

Dial in using the following number:

(669) 900-6833; or
(929) 205-6099

When prompted, enter the Meeting ID:
859 9904 7573

When prompted, enter the Passcode:
1342

Agenda:

- Project Overview
- Background
- Scope of work
- Project schedules
- Community Impacts
- Questions and Answers

Your Attendance is Important!

Project personnel will be available to answer questions from the community. For additional information on the proposed project:

- Contact: Mr. Mark Rosenzweig by phone at 646-560-3109 or by email at mrosenzweig@gilbaneco.com
- Visit the repository at:
- <https://www.dropbox.com/sh/8p3to7ksyem77x7/AACsnC9DMPEKZjwruOWuZi2Da?dl=0>

Contact the project liaison to request reasonable accommodation for a disability or interpreter services in a language other than English, so that you can participate in the call and/or to request a translation of any of the event documents into a language other than English.



APPENDIX C

Fact Sheet

English (and Other Language(s))



Bush Terminal (North Campus) Redevelopment Project

Fact Sheet

- **Project:** Bush Terminal (North Campus) Redevelopment Project
- **Applicant:** New York City Economic Development Corporation
- **Facility:** Bush Terminal 13 42nd Street, Brooklyn, NY 11232
- **NYSDEC Application Number:** TBD
- **A Public Participation Plan (PPP) has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)**

What is the Proposed Project?

The proposed project will include renovations within an existing building and the installation of new sewer and utility lines on the Bush Terminal site, and First Avenue. Since work will be performed below the groundwater table, dewatering activities required. A State Pollutant Discharge Elimination System (SPDES) permit is required, to discharge the dewatered groundwater into the Upper New York Bay. The dewatering system will be operated 24 hours a day, as the excavated trenches need to be kept dry overnight.

Why does New York City Economic Development Corporation need to dewater for the installation of new sewer and utility lines in the street?

Dewatering activities are necessary if excavation work occurs below the groundwater table. The installation of pipes, utility lines, and sewers requires the ground below it to be dry. For example, any concrete that is poured needs to be cured, which is only allowable in a dry environment. Additionally, any gravel or soil that is used to fill the hole needs to be compacted.

How might the project affect the surrounding community?

Any community impacts related to construction will be temporary in nature. Considering all work will be performed within the Bush Terminal campus and all water will be discharged into the Upper New York Bay, little to no impact is expected on the surrounding community. NYCEDC and its contractors (including Gilbane Building Company, Griffin Dewatering, and AMC Engineering) propose to control all dust, rodent, noise, and vibration during the construction period. A representative will be available to answer questions relating to the project (see “where can I get more information about the proposed project” section, below)

How can I participate in the permit review process?

- Attend the upcoming virtual public meeting, scheduled for a time to be determined after consulting with NYSDEC, to learn about the project, ask questions and/or express concerns about the project.
- Ask questions, express concerns, provide input or submit by comments in writing, by phone or email to the project contact person identified below.



Where can I get more information about the proposed project?

- The online document repository has application materials, relevant documents, and information about the project. The link can be found below:
<https://www.dropbox.com/sh/8p3to7ksyem77x7/AACsnC9DMPEKZjwruOWuZi2Da?dl=0>
- Contact Mr. Marc Rosenzweig by phone at: 646-560-3109, by email at: mrosenzweig@gilbaneco.com or in writing at: 88 Pine Street, 27th Floor, New York, NY 10005 for information on the project, instructions on how to attend the upcoming virtual public meeting, or to find out about the status of the permit application and public comment period.

Who is responsible for reviewing the Permit Application?

- The New York State Department of Environmental Conservation (NYSDEC) is responsible for reviewing and issuing the required permits.

NYSDEC
Region 2 Headquarters
47-40 21st Street
Long Island City, NY 11101
Tel: (718) 482-4997
Email: DEP.R2@dec.ny.gov