



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

JUN 10 2005

Sonia Rivera, P.E.
Director of Design, Region 11
New York State Department of Transportation
Hunters Point Plaza
47-40 21st Street
Long Island City, New York 11101

Dear Ms. Rivera:

The Environmental Protection Agency (EPA) has reviewed the Draft Design Report/Environmental Assessment (DR/EA) for the Bronx River Greenway, Westchester Avenue to East Tremont Avenue, Bronx County, New York Project. This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

The proposed action would involve the construction of a multi-use path/greenway for people with non-motorized forms of recreation along the Bronx River from Westchester Avenue to East Tremont Avenue in the Bronx. The purpose of this project is to allow public access to the River by enhancing the River's natural surrounding areas and at the same time provide added open space amenities.

Three options were originally considered in developing the preferred alternative:

- Option 1, null alternative, would leave existing conditions as is.
- Option 2, creation of an on-road bikeway route, which would not meet the project objectives such as, provide a safe and attractive cycling location to encourage outdoor activities for the community.
- Option 3, construction of greenway, a multi-use path bordering the Bronx River from Westchester Avenue and East Tremont Avenue, covering 1.8 km (1.14 mi). This option satisfied the project's objectives and was chosen for further study. The combined sewer overflow (CSO) action in this option was eliminated in May 2005, and therefore the 0.04 acres of wetlands projected to be disturbed will remain undisturbed.

Comments:

According to statements in the DR/EA, no threatened or endangered species or habitats of special concern occur in the project area (page IV-8-6). However, the DR/EA does not indicate that surveys were done or provide any field data to support this statement. The New York State Department of Environmental Conservation, Division of Fish, Wildlife & Marine Resources, New York Natural Heritage Program provided a list of potential threatened and endangered species that occur or may occur in the project area and surroundings and also indicated that no surveys for any of the listed species had been done recently. We are particularly concerned with the proposed program of invasive plant removal and its implementation without the needed threatened and endangered plant species survey. Given that it appears that no surveys were done

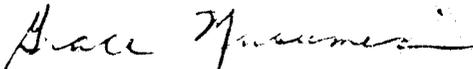
to determine the presence of any of those listed species, an on-site comprehensive survey is necessary to determine if any of the proposed actions would have an adverse impact to the state threatened or endangered species. Additionally, if any of the listed plant species are found, NYSDOT may consider fencing, labeling and monitoring these species, as well as important New York native plants and trees species. The labeling program could be expanded to other tree species which would add environmental richness and attraction for the area.

As stated in the DR/EA, one of the project's purposes is to enhance the Bronx River's natural qualities. Consequently, the construction of structures such as fixed platforms, the floating dock, bridges, and pathways should be planned accordingly. For example, alternative/green building materials should be considered throughout the project. Materials such as, *plastic lumber, plastic-wood, porous concrete, cinder gravel, modular blocks, and crushed granite* are widely available and their use in any aspect of the project should be evaluated. The use of these materials is well established, particularly as a method to reduce stormwater runoff (the number one cause of stream channel degradation) due to permeability features. By using these alternative building materials the structures' life expectancy increases, the maintenance needs are enormously reduced, and they are weather, insect and vandalism resistant without increasing the cost in relation to conventional materials.

Based on our review, and provided that the additional on-site endangered species survey is carried out in compliance with 6NYCRR Part 182, we do not anticipate that the implementation of this project as proposed, together with its latest changes mentioned earlier, would result in significant adverse impacts and, therefore, do not object to its implementation.

Thank you for the opportunity to comment. Should you have any questions please call Maria Clark, of my staff, at (212) 637-3789.

Sincerely yours,



Grace Musumeci, Chief
Environmental Review Section
Strategic Planning and Multi-Media Programs Branch

cc: David M. Hart, Senior Operations Engineer
Federal Highway Administration