



January 8, 2020

Hon. Daniel Mackay
Deputy Commissioner
NYS Division for Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189

by email: Daniel.Mackay@parks.ny.gov

Dear Commissioner McKay:

We are writing to you with great concern regarding a recent decision by the New York State Historic Preservation Office (SHPO) for the North Basin of The Jerome Park Reservoir. As you are undoubtedly aware, the nomination of the Jerome Park Reservoir to the State and National Register of Historic Places was made by members of an organization representing the entire surrounding community of said reservoir. They nominated and your offices approved the water and stone wall as historically significant, protected features.

Formed in 1971, BCEQ is a 501c3 organization that has sought to establish — as an Inherent Human Right — a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage. We have been active in the fight to protect and preserve the Jerome Park Reservoir for almost thirty years. Many of our Board Members were active in the organization that helped nominate the Historic Jerome Park reservoir to the State and National Register of Historic Places. We were pleased to have the support of your office, and note with pride the hand written comment on the evaluation of the nomination: “Designed to be the world’s largest distributing reservoir, it incorporates the Old and New Croton Aqueduct in its massive stone walls and is also an outstanding example of a landscaped reservoir-park reflecting the “New Parks” movement. It is remarkable as a component of the Croton Aqueduct, for its stone structures, its Olmstedian landscape, and its role in the development of the Bronx.”

For the reasons that follow, we ask that you review and reinspect project (15PR05283) in accordance with the Memorandum of Agreement (MOA) in place for the Jerome Park Reservoir. Your letter of June 7, 2019, stating approval of substantive changes to the DEP reservoir rehabilitation project is simply bewildering. We cannot comprehend how a city or state agency, particularly one charged with the protection of historic resources, can conclude that keeping the north basin permanently drained will not have a serious, detrimental impact on a community. A reservoir with no water in it, is no longer a reservoir, the same as a lake with no water in it is a mud flat. The impact of an empty basin, north or south, is not theoretical for us. We have lived it and we know how severe its impact is.

The effect of your agency’s approval of DEP’s proposed changes to 15PR05283 has been profound. On October 22, 2019, the NYC Department of Environmental Protection (DEP) issued



a Modified Negative Declaration (Modified Neg Dec) for the Jerome Park Reservoir and Aqueduct Rehabilitation (JRAQ-REH) CEQR No: 17DEP022X based on SHPO's decision. The Modified Neg Dec stated: "These conclusions are based on the analyses and information contained in the Jerome Park and Aqueduct Rehabilitation Environmental Assessment Statement dated May 16, 2017 and an updated consultation letter from New York State Historic Preservation Office (SHPO) dated June 7, 2019."

SHPO's recent consultation letter was issued despite the June 16, 2017 agreement letter based on "... the understanding that: ...The repairs to the Reservoir Interior East Wall will be a cast-in-place concrete liner wall that under normal conditions will be at or below the basin water level. ...". Your letter of June 7, 2019 flatly contradicts your letter of May 16, 2017, ignores its key condition for approval, and provides no evidence for the new changed decision that allows the liner to be above the water level.

In light of these arbitrary changes, we urge you to reconsider your June 2019 decision. Significant changes to the already approved plans for JRAQ-REH -- which include identifying the North Basin as typically drained, and the unsuccessful replication of the seriously deteriorated 13.5-foot stone wall -- will irreversibly impact these historically protected features and therefore deserve further review, as described below.

Keep the Water in the North Basin: There was no mention of removing the water from the North Basin in the original 2017 EAS. In addition, the NYC DEP Report and Recommendations of the Jerome Park Reservoir Access Working Group in March 2011 was presented to the Bronx Borough President Ruben Diaz, Jr. That Report described JPR's function after the Croton Water Filtration Plant is in operation on page 3¹, that when "the Croton Filtration Plant is operating, untreated ("raw") water from the New Croton Reservoir will flow into JPR, where it will be detained prior to being sent to the Plant for filtration and disinfection" allowing "additional settling of raw water treatment and ... the JPR to serve the Croton Filtration Plant as a "surge tank," protecting the

¹ [How will JPR function after the Croton Water Filtration Plant is in operation?](#)

When the Croton Filtration Plant is operating, untreated ("raw") water from the New Croton Reservoir will flow into JPR, where it will be detained prior to being sent to the Plant for filtration and disinfection. **Detention in the JPR basins will allow additional settling of raw water prior to treatment and it will also allow the JPR to serve the Croton Filtration Plant as a "surge tank," protecting the Plant from unexpected pressure surges.** Although all water released for in-city distribution will go through the Croton Water Filtration Plant, JPR will continue to serve one of its primary purposes even after the Plant is in operation -- storing water and managing the volume of the Croton supply directed into treatment and distribution.

Following treatment, treated ("finished") water will leave the Croton Filtration Plant via a newly constructed tunnel that flows back toward, but does not surface in, the JPR basins. Treated water will enter the distribution system via new shafts and chambers constructed underneath and adjacent to the JPR site. The function of several JPR Gate Houses will change after the Croton Filtration Plant is in operation: the feed to the East Bronx from Gate House 5 will be terminated; Gate House 7 will be taken off line; and Gate House 5 will continue to be manned to monitor JPR operations.

In an emergency, if the Croton Filtration Plant were shut down, raw water would continue to flow into JPR.



Plant from unexpected pressure surges.” Finally, if this is a seemingly new idea, what impact will an typically drained north basin have on the 1980 Dividing Wall, which was reportedly built so that one side could be cleaned while the other was full.

Replace the Stone Walls to match what they were; they are not rubble: In the May 31, 2019 email sent to your office and entitled: Jerome Park Reservoir (JRAQ-REH) Updated Consultation Letter, the DEP states that they are “looking at instead using a shotcrete installation method, which is more efficient and less expensive.” If they were really interested in protecting the East Wall, they would have listened to the community not to blasted so close to the Old Croton Aqueduct for two years. They did this after they clearly stated in that 2004 Croton Water Treatment Plant EIS that there would be no blasting at Jerome Park Reservoir.

For the last 30 years, BCEQ has advocated for a sound environmental policy for the JPR community that will protect its historic and natural resources. We have bene proud to have the support of local community boards, elected officials, and state agencies. Modifications to this project that render them above the water line do not protect the historic character of Jerome Park Reservoir.

We understand the Historic Jerome Park Reservoir is a functioning part of the New York City Water Supply System. However, we also believe it is time the New York City and New York State agencies recognize that the Jerome Park Reservoir is also a functioning part of the Van Cortlandt Village/Kingsbridge Heights/Bedford Park/Norwood Communities. We use its’ parks every day. We look across and see its’ waters, every day. We can say empirically that there is no one in any state or local agency who cares more for the long-term health of the reservoir and the drinking water supply than our community. We were proud of our historic gem.

BCEQ’s long experience with DEP and the historic preservation of JPR make it a willing and able partner in devising alternative measures to those proposed in the October 22, 2019 Modified Negative Declaration. We urge you to reconsider your approval consultant letter and to work with DEP and the community to find more thoughtful solutions to their water management concerns that will also protect our state’s historic resources.

Sincerely,

Robert Fanuzzi

Robert Fanuzzi
BCEQ President

Karen Argenti

Karen Argenti
BCEQ Secretary

Copy to:

Assembly Member Jeffrey Dinowitz
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