



March 18, 2011

Honorable Ruben Diaz, Jr.  
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Dear Borough President Diaz:

Thank you for your October 15, 2010 letter regarding the New York City Department of Environmental Protection (DEP) report discussing the possibilities for access at the Jerome Park Reservoir (JPR). The report is attached.

The report recommends a pilot project to test a number of public access models to determine if public access to JPR can be allowed while still maintaining security and public safety at the site. Due to continued construction at the site until at least 2013, the pilot program will commence after construction is complete.

The report recommends that the JPR public access plan have a number of elements: it should consist of several days; it should provide for the use of the perimeter path if the path is safe for public use; it should include an educational tour of the site and its facilities, and it should include a less-structured type of "open house" where residents could have access to specific parts of the site. The report also recommends that the specific elements of the pilot program be developed with the input and participation of the community and other interested stakeholders. I fully support this recommendation, and DEP will lead a public process to implement it.

I know that you and the entire membership of the Croton Facility Monitoring Committee are very interested in this report and I look forward to your feedback, and our continued work together in this important project.

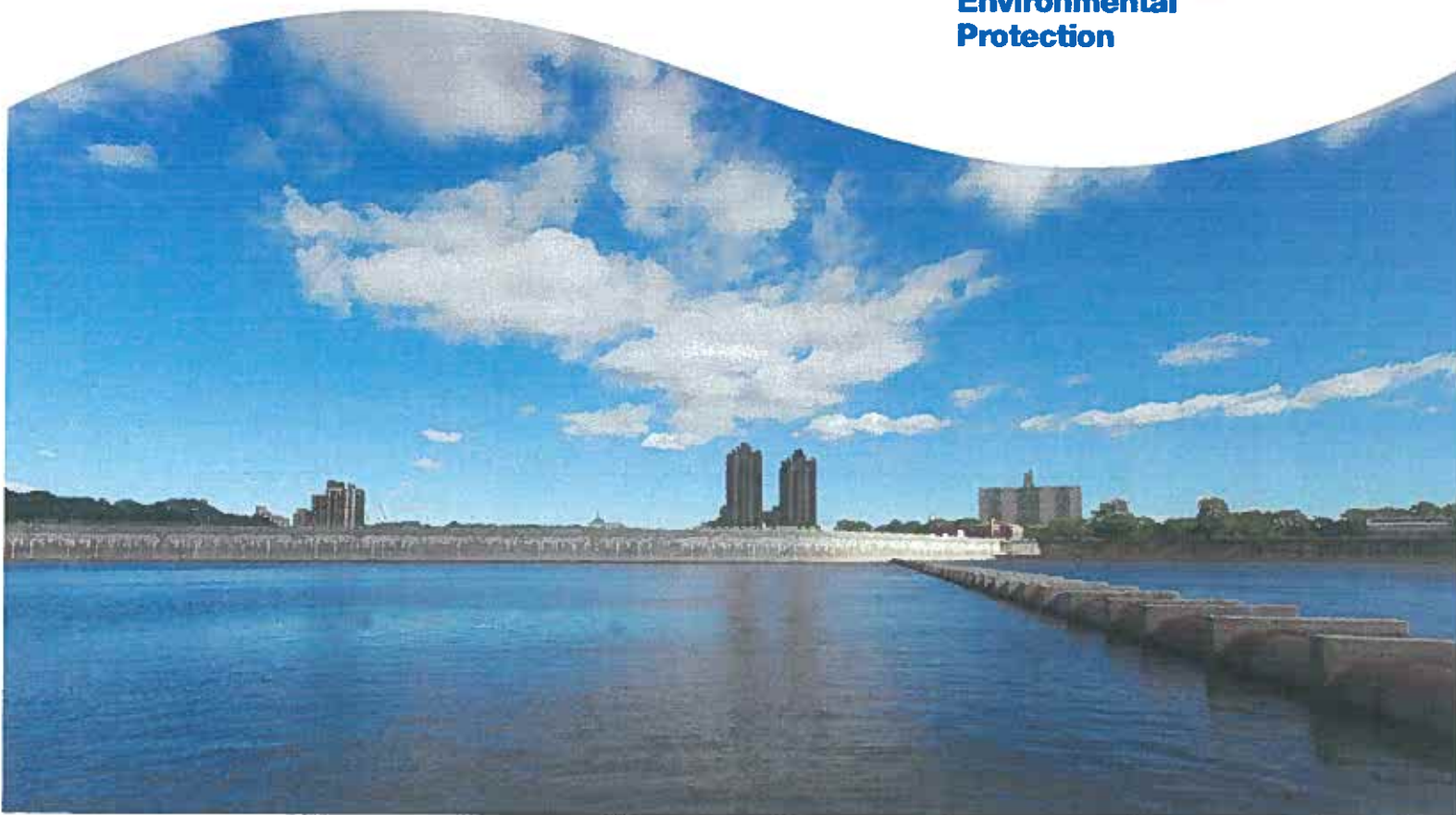
All the best,

A handwritten signature in black ink, appearing to read "Caswell F. Holloway".

Caswell F. Holloway

C: Members of the Croton Facility Monitoring Committee

**Report and Recommendations  
of the Jerome Park Reservoir Access Working Group  
to DEP Commissioner Cas Holloway  
March 2011**



## Executive Summary

Since September 11, 2001 the entire Jerome Park Reservoir ("JPR") site--bordered by Goulden, Sedgwick, and Reservoir Avenues in the Bronx--has been off limits to the public for both security and operational reasons. Understanding that the role of the JPR would change once the Croton Filtration Plant is operating, Bronx civic leaders asked DEP to commit to make the JPR site accessible to the public after that time. Civic leaders believe that the perimeter path around the JPR and the DEP-controlled open spaces within the site would be a widely-used recreational asset to the community. Some civic leaders have proposed creating an "outdoor urban ecology lab" within the JPR site, possibly on a parcel occupied until recently by a pilot filtration facility that was demolished.

On several occasions between 2006 and 2008, DEP met with Bronx civic leaders and those advocating for greater public access to the site and then-Commissioner Emily Lloyd created an informal DEP working group to discuss community proposals and DEP's security concerns.

The working group was asked to:

- Collect and evaluate stakeholder perspectives on public access to the JPR;
- Identify the possibilities, if any, for allowing public access to the JPR after the Croton Water Filtration Plant is in service.

Peter Szabo of Bloomingdale Management was selected to interview stakeholders and report to the DEP working group on stakeholders' views on JPR access. Those interviews took place in 2009 and uncovered support for, as well as a number of issues and questions about, public access at JPR.

For example, external stakeholders noted that: public access is widely available at other DEP reservoirs such as Central Park or Ashokan; the JPR will not be directly connected to the distribution system once the Croton Water Filtration Plant is in operation; they believe that DEP's unwillingness to allow public access is not fact-based but instead reflects the hostility DEP has exhibited toward the JPR community since the debate about siting the filtration plant began in the early 1990's.

DEP stakeholders noted that: water supply security is a higher priority than public access; DEP allows public access at many other reservoirs (or reservoir lands) because those sites have a different risk profile than JPR; and, that public access is prohibited at those sites (Hillview Reservoir and the Shaft 18 complex at Kensico) that are most similar to JPR.

The conclusion of the DEP Working Group is that "as-of-right" or unrestricted public access to the Jerome Park Reservoir is not possible either before or after the completion of the Croton Filtration Plant. However, some types of restricted public access may be possible and desirable to the community. Even restricted public access will increase risks and therefore the costs to manage JPR. In the interest of exploring how security, cost and operation of the JPR may be affected by restricted public access, the Working Group makes the following recommendations to DEP Commissioner Cas Holloway:

1. That DEP allow limited public access to JPR on discrete occasions as part of a pilot program that would take place after the Croton Filtration Plant is operating and related construction at the JPR is complete, perhaps as early as 2013. The purpose of the pilot would be to acquire practical information on whether the benefits of restricted public access can be balanced against its adverse impacts in terms of security, staffing costs and impacts on JPR operations.
2. That the "JPR access pilot" consist of three days, during which the public can do one or more of the following:
  - A. Enjoy pedestrian use of the perimeter path between the two fences around JPR for a limited period of time--for example, from 5-7 pm--provided that the condition of the perimeter path does not pose health or safety risks to members of the public.
  - B. Visit one Gate House to attend a water supply education program; and
  - C. Participate in at least one "open house" or "community day" during which programmed activities such as tours and picnics could take place.
3. That these features, and other details of the pilot visits, be reviewed and further developed by DEP in consultation with civic leaders, including the elected officials and community boards whose representatives now serve on the Croton Facility Monitoring Committee ("CFMC").
4. That the JPR access pilot not interfere with water supply operations, including repair or maintenance activities.
5. That DEP evaluate the JPR access pilot after its conclusion. The evaluation criteria should include: attendance; enjoyment of the participants; cost; risk to water supply security; and impact on DEP operations.
6. That DEP not commit to permanent public access at JPR at this time, but that a general access policy will depend on the results of the pilot.

# Jerome Park Reservoir



## The Jerome Park Reservoir and its functions

*Critical to evaluating public access is an understanding of the function of the Jerome Park Reservoir and the interconnection of the JPR facilities to the Croton system, including the Croton Filtration Plant*

## History

The Jerome Park Reservoir ("JPR") is a 93-acre open air reservoir in the northwest Bronx. It was placed in service in 1905 on the site of the Jerome Park Racetrack, a thoroughbred racecourse named after the American financier Leonard Jerome. The Racetrack occupied this site from 1866 to 1894, when it was acquired and closed by New York City so the location could be used as a reservoir for the Croton system. The Reservoir site also included the parcels now occupied by Lehman College, Dewitt Clinton High School, the Bronx High School of Science and Fort Independence Park. Its name notwithstanding, the JPR is not mapped parkland. However, parcels of the 1906 JPR site (e.g. Fort Independence Park) have since become mapped parkland.

Because of its attractive features and setting, the JPR was used for recreation--probably since it opened at the beginning of the last century. Although swimming and boating were never allowed by DEP, until the 1980's DEP and its predecessor agencies did not restrict access to the site during daylight. Individuals typically enjoyed the site by walking or jogging along the perimeter path that circles the JPR basins. Local residents reported that area youths would swim in the reservoir after dark.

Fencing of the JPR began in the 1980's. Additional fencing and restrictions followed in the mid-1980's when DEP was constructing new infrastructure at the site, including a dividing wall and a pilot filtration plant. By September 11, 2001 public access was already restricted to groups that had arranged for a tour in advance, although such tours occurred regularly. Since September 11, 2001 access to the JPR site has been limited to DEP or other City agency staff, employees of construction contractors active at the site and, on rare occasions, supervised visits by government officials, who must be vetted in advance.

## The function of the JPR

The JPR is supplied by gravity from the New Croton Reservoir via the New Croton Aqueduct. Water flowing from the New Croton Reservoir to the JPR generally takes about 24 hours at low flow and 14 hours at peak flow. The JPR is divided into two basins which together contain up to 770 million gallons of water. An earthen dam impounds the basins on their western side. In addition to the reservoir basins and the branch aqueduct that supplies them, the JPR site includes a dam, chemical treatment systems, gate houses, shafts, a pumping station and connections to large-diameter trunk mains and one of the City's water tunnels.

Until the Croton Filtration Plant goes on line, JPR is the final capture point for Croton water before it enters the distribution system. As the distribution point for Croton water, DEP had long operated under the premise that the JPR was the logical choice for a site to construct a full-scale filtration facility. In the early 1990's, community opposition to a filtration facility at JPR led DEP to identify potential alternatives. In 1999 DEP selected one of those alternatives--the Mosholu Golf Course--following a lengthy environmental review process.

A primary mission of the JPR is to serve as a balancing reservoir for the Croton system. Balancing reservoirs function as hydraulic buffers between heavy flows of water from a larger collection reservoir--in this case the New Croton Reservoir--and the service area (the Hillview Reservoir in Yonkers is the balancing reservoir for the Catskill-Delaware system). The typical service area of the Croton system is lower-elevation areas of the Bronx and upper Manhattan that can be supplied by gravity and minimal pumping. With expanded use of pumping, Croton water can reach additional areas within the Bronx and Manhattan.

The complex of reservoir basins and associated water supply infrastructure at the JPR make it very similar to Hillview Reservoir in Yonkers, and Shaft 18 at the Kensico Reservoir. Like these sites, chemical treatment--including chlorination--occurs at JPR when Croton water is in distribution. Currently, public access is not permitted at these sites.

When in operation, DEP personnel are at JPR around the clock, with staff at Gate House 5 and 7 to oversee chemical treatment, and with personnel at Gate House 7 to handle pumping ac-



tivities. When basins are filling and draining, DEP personnel use Gate House 2 and 3 for set-up operations. When the system is offline, inspectors and maintenance personnel are on site for a minimum of one full shift daily.

## How is the Croton system used?

Although the Croton system typically supplies only 10% of the City's overall consumption, that percentage will increase to as much as 30% during drought or other times when Catskill or Delaware flows are below normal. Aside from droughts, the Croton supply will become particularly important at the point when the Delaware Aqueduct becomes unavailable during the planned construction of a bypass to address leaks in the Delaware Aqueduct.

Since the end of 2008, the Croton system has been offline, primarily due to repairs of the New Croton Aqueduct and the upgrade of chemical treatment facilities at the JPR. Barring a drought that makes it necessary to use the Croton supply, DEP does not envision returning the Croton system to service until the Croton Filtration Plant comes online.

## **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.

## **Stakeholder issues: DEP, JPR, and the Community**

*Residents who live near the JPR, civic leaders, and members of the Croton Facility Monitoring Committee (“CFMC”) continue to raise the issue of public access to and public use of the JPR site, once construction of the Croton Filtration Plant is complete. Peter Szabo was assigned to provide to the Working Group an inventory of the views of various stakeholders on public access to the JPR. Mr. Szabo summarized for the Working Group the differing goals of the interviewees.*

*.For the community members interviewed, the goals are limited public access to the JPR site for walking, for educational purposes and for enjoyment of the historic structures contained within the site.*

*For the DEP staff interviewed, the goals are preserving the security and integrity of the water supply, assuring the safety of the workforce, and managing JPR operations without undue disruption from visitors and guests.*

Peter Szabo is a New York City-based management consultant who has assisted many government and private institutions in and near the City. He was selected as a result of experience and work on development plans that included listening to and synthesizing stakeholder input and concerns.

Mr. Szabo met with community leaders, public officials, residents, advocates, and school administrators. He also consulted with DEP personnel, federal and state safety, engineering and regulatory personnel, and representatives of other governmental agencies with an interest in JPR. Thirty-three interviews were conducted by Mr. Szabo from January through March 2009. Mr. Szabo interviewed one or several civic leaders together, or spoke by phone or had face-to-face contact at the interviewee’s office or home.

## **DEP Working Group**

DEP’s working group was composed of then-DEP’s working group was composed of then-First Deputy Commissioner Steven Lawitts (who now serves as DEP Chief Financial Officer); Deputy Commissioner for Security Kevin McBride; Deputy Commissioner for Water and Sewer Operations (BWSO) James Roberts; then-Deputy Commissioner for Communications & Intergovernmental Affairs Anne Canty (who has since left DEP); and other staff. Several meetings of the working group, and smaller sub-groups, took place during 2009 and early 2010.

Commissioner Holloway reviewed public access documents and met with DEP’s working group soon after taking office. At the February 24, 2010 CFMC meeting, Commissioner Holloway listened to community comments about public access, and committed to moving the issue forward. He said DEP staff would share the report informally with the CFMC prior to making it final.

## **Summary of DEP Concerns**

Peter Szabo’s interviews revealed there are two fundamental DEP priorities that bear upon the feasibility of public access at JPR: providing for the security and safety of the water supply system; and successfully operating and maintaining the water system.

## Safety and Security

Local, state and federal officials with security-related responsibilities, such as members of the Joint Terrorism Task Force, consider water supply systems to be potential targets. Deputy Commissioner Kevin McBride, a veteran of the New York Police Department, is responsible for maintaining security at DEP facilities. DC McBride's judgment is that public access to critical points in the City's water supply system should only occur, if they occur at all, under highly supervised conditions. In the watershed, public access has been allowed but security has been significantly enhanced during the last decade. There is no public access at the Hillview Reservoir or at Shaft 18 of the Delaware Aqueduct which is adjacent to the Kensico Reservoir, two sites similar to the JPR.

Even after the Croton Filtration Plant goes online, JPR will continue to be a vital part of the City's potable water supply. Although the New York City water supply system has enough redundancy under favorable circumstances to provide for consumer needs without the Croton system, New York City is investing in a Croton Filtration Plant because the Croton supply is integral to the long-term reliability of the City's water supply. DEP does not foresee taking the Croton supply out of service on a permanent basis, so the JPR will remain staffed, maintained, and managed in the future because it is vital to delivery of Croton water. After the Croton Plant goes into operation, the JPR site will remain a major intersection for raw and treated Croton water, as it travels between the New Croton Aqueduct, the JPR basins, the filtration plant, and the Croton service area.



To minimize the risks to the Croton system, DEP Police and security staff monitor JPR around the clock. All visitors, even those credentialed and/or invited to the site, must undergo inspection and be cleared to enter. These policies were established so only persons with legitimate business enter and only approved motor vehicles move beyond the gate on Goulden Avenue. No one is admitted without identification. These same security measures are followed at the Hillview Reservoir in Yonkers.

The fences at the JPR are one of the tools DEP employs to deter unauthorized entry into the site. They also protect employees by creating a barrier between the reservoir basins and the personnel and vehicles that use the perimeter path.

## Operations and maintenance

Even after the Croton Water Filtration Plant is in service, the JPR will remain active and DEP must safely conduct operations and maintenance work at the site. This includes routine and emergency operations that may require access to all areas of the site and involve the use of equipment and vehicles. In addition to scheduled maintenance at the various surface and subsurface features of the JPR, DEP personnel respond to a variety of unscheduled occurrences: jammed valves; a sluice gate that does not open or close properly; pressure fluctuations; broken pipes; and safety alarms. To respond to these events, DEP staff may need to move heavy equipment, vehicles and materials within the JPR site on short notice. Emergency response agencies visit the site for regular inspections, tests and safety procedures. The presence of members of the public at the JPR would complicate all of these activities.

Although the JPR has not been in service since 2008 and chlorine has not been present since that time, historically chlorine has been in use at the JPR and its presence is a factor in considerations of public access. When the Croton Water Filtration Plant is in operation, chlorination will occur there and will not be in use at JPR. However, systems will be in place at JPR to allow for chlorination in an emergency.

## The views of regulators on public access

Peter Szabo also interviewed regulatory personnel. NYSDOH and USEPA Region 2 staff report there are no statutory or regulatory barriers in their codes to access, but add that state code requires water suppliers to provide adequate protection and supervision of public water systems.

One regulator said that there must be a multi-barrier approach with the best possible water quality going into the treatment plant to help with operations and costs. While public access is allowed in the watershed, the closer the water is to the consumer's tap, the more security there should be. Run-off into the reservoir from an impervious jogging path, for example, could be a problem, and potential contamination from litter or debris increases with public access. Pet waste and other potential threats to the reservoir have to be prevented.

Another regulator said the question of public access must be evaluated in terms of number of people and degree of scrutiny at the site. He said that JPR cannot be viewed like the Central Park Reservoir because it is an integral part of water supply treatment, whereas the Central Park Reservoir is offline. JPR provides a public benefit to all users of Croton water. The quality of water should be balanced against the community's desire for access. JPR is not a pond or lake. It is an impounded (i.e. dammed) drinking water source, and its quality should be maintained at the highest level.

A federal regulator says that JPR is so close to distribution, there's no time for settling or dilution of contaminants, unlike at more remote portions of the city's water supply system.

An environmental agency representative said that to ensure there is no local run-off from the park, path or other sources into the reservoir if public access is granted, DEP could showcase non-point source run-off control, using JPR as a place to educate the public on storm water Best Management Practices (BMPs) and increase the public's appreciation for water protection.

## Summary of Issues Raised during the Stakeholder Interviews

### Issue # 1: Comparison with the Central Park Reservoir – recreational access

The community requests JPR be available for jogging, walking, running, and passive enjoyment, as at the Central Park Reservoir. Comments about perceived racism, retribution, and class factors that might result in different treatment in different communities were made by some community representatives.

#### DEP response

The Central Park Reservoir is contained within a large park and is no longer a source of the City's potable drinking water. The JPR is and will continue to be an important and active part of New York City's water supply system. The risks to the security of the water supply system and to the challenges of operating the JPR would be increased to some extent by public access.

### Issue # 2: Comparison with the Central Park Reservoir—protecting the earthen dam

Regulators and community members acknowledge that allowing increased public access to the JPR could increase the risk of individuals undermining the earthen dam at the JPR through destructive acts. The Central Park Reservoir is

also impounded by an earthen dam that could be subject to destructive acts, yet there are no restrictions on access to Central Park.

#### DEP response

There is one central difference between the two cases. Failure of the JPR dam would have greater consequences because the JPR is an active part of the water supply system and the Central Park Reservoir is not.

A New York State regulator said that the integrity of the JPR dam must be safeguarded because a breach or failure brings the possibility of danger to human life and public safety. For safety and consistency, landscape at such dams must follow regulated guidelines, including height of dam-covering grasses and ground cover. This regulator did not preclude limited public access at JPR, but strongly emphasized the importance of the dam's integrity.

### Issue # 3: Comparison with upstate reservoirs

Unlike the JPR, fishing, boating and hiking are all permitted on upstate reservoirs and reservoir lands.

#### DEP response

DEP allows recreational activity in the watershed because the detention time in the upstate reservoirs and the travel time between those reservoirs and consumers in New York City significantly reduce risks. DEP does not allow any recreational access to the Hillview Reservoir, the DEP facility that is most similar to the JPR.

### Issue #4: Community opposition to Croton Water Filtration Plant

Because the agency uses a lengthy planning horizon Because DEP uses a lengthy planning horizon to address the City's water system needs, DEP anticipated building the Croton Filtration Plant at JPR as early as the 1950s. As Safe Drinking Water Act amendments made eventual filtration of Croton inevitable, in the 1980s DEP advanced its plans to build the treatment facility at JPR.

Residents and community leaders opposed those plans, and say DEP didn't listen to their objections. Even though the plant location was moved to Van Cortlandt Park, some advocates contend that the agency denied public access at JPR because the community was hostile to plant construction.

#### DEP response

The decision to begin restricting access to the JPR pre-dates the siting disputes, was made by personnel who manage water system security and operations, not facility planning, and was not related to



community opposition to the siting debate which began to escalate in the early 1990's. Security both at JPR and other DEP facilities has become more stringent over the years, and increased substantially following the September 11, 2001 terrorist attacks. DEP's prohibition against JPR public access was made in conformance with overall agency security upgrades. Once the Working Group was formed, the JPR security policy was discussed in detail, and a range of public access options were presented to the DEP Commissioner.

#### **Issue #5: Community support for an "outdoor urban ecology lab"**

The parcel occupied until recently by a demonstration filtration plant built by DEP in the 1980's has been identified by some stakeholders as one of the potential sites for a garden, or "outdoor urban ecology lab," that the local student population could use to gain experience in horticulture and ecology. Some stakeholders say that a former DEP commissioner expressed a commitment to fund an outdoor urban ecology lab at the JPR.

#### **DEP response**

To the agency's knowledge, there is neither correspondence nor any written record of a commitment to fund this project. Nor is DEP staff aware of any verbal commitment to funding. As part of the agreement on siting the filtration plant, DEP committed \$240 million for improvements at various parks throughout the Bronx, including Van Cortlandt Park. The Bronx parks projects were identified by the Department of Parks and Recreation (DPR) with the help of community groups, elected officials and Bronx residents. DEP had no discretion or choice in the projects funded. The projects were memorialized in a memorandum that was approved by the New York State Legislature and the New York City Council. The outdoor urban ecology lab at JPR was not one of the projects listed in the memorandum.

Although the outdoor urban ecology lab at JPR is not one of them, the projects selected for DEP funding include more than 20 neighborhood parks and playgrounds that will be renovated with new play equipment, comfort stations, seating areas, fencing and landscaping. Regional recreation facilities, including ballfields, running tracks and tennis courts will be reconstructed or built throughout the borough. The Parade Grounds at Van Cortlandt Park will be reconstructed with new athletic fields, sod, and in-ground irrigation drainage. Waterfront parks will be developed along the Long Island Sound, East River and Harlem River. New waterfront space, including a Greenway link, will be developed at Pelham Bay Park, and environmental work will include the

restoration of lagoons and salt marshes at Pugsley Creek Park and Soundview Park. Major sections of the Bronx Greenway, including the Hutchinson, Bronx River and Soundview to Ferry Point sections, will be completed. Work will include the restoration of existing parkland—including improving pathways and public access to parks and the waterfront—as well as transforming underutilized property into new parkland in areas with little open space. A new street connection at 233rd Street over the Bronx River Parkway and Bronx River will connect Shoelace Park and Muskrat Cove, providing a major link in the Bronx River Greenway. A comprehensive program to "green" the borough will include the creation of new Greenstreets, improvement and expansion of horticultural plantings in parks and playgrounds, and the addition of street trees in under-served neighborhoods.

DEP is currently using the footprint of the former demonstration filtration plant for storage, construction staging and vehicle parking in connection with the construction of the filtration plant and related facilities at the JPR. Once construction has been completed, DEP has no plans for the parcel. As of 2011, DEP expects to turn over the parcel to the DPR. At that time, stakeholders may choose to present a proposal for an urban ecology lab at the site.

#### **Issue #6 DEP is not sufficiently transparent**

Some stakeholders have said that DEP is not transparent in its decision making. An example mentioned was that when the community asked to have a community representative on the Working Group, DEP declined to add anyone from the community.

#### **DEP response**

The Working Group was an opportunity for DEP managers with responsibilities connected to the JPR to discuss public access at the JPR, an issue that cuts across a number of functions and units within DEP. The commissioner and deputy commissioners wanted the Working Group to facilitate a direct and confidential discussion among agency staff. These discussions would have been limited and information concerning security matters could not have been shared if a person from outside DEP were present.

The Working Group was mindful of stakeholders' views as it deliberated. Results from the 33 interviews were presented to the working group by Peter Szabo, an impartial interviewer.

#### **Issue #7: A range of ideas has been suggested about what JPR public access means**

Area stakeholders have varying ideas about public access. A resident said that a single entrance/exit

around JPR would be dangerous; and that the community wants multiple access points to the jogging path and no fences. Residents and advocates proposed their suggestions about the days and times most conducive to public access at JPR. A few residents on the west side of JPR objected to public access altogether because of loud and rowdy public gatherings at Fort Independence Park and the noise and litter they bring.

Others were supportive of limited access with an access permit. A resident proposed access to JPR only by appointment; another resident objected to any public access if it would cause deterioration in water quality.

Community leaders urged DEP to consider the community a good neighbor. They say that through public access, they will assist DEP as its eyes and ears, and contribute to a better relationship with DEP.

### **DEP response**

DEP agrees that different types of public access pose different types of challenges. Agency responsibilities include operating the JPR, protecting water quality, and providing for the safety and security of the facility, its employees and any visitors. All DEP concerns must be vetted during the next steps and in the pilot. The recommendation for a JPR access pilot grows out of uncertainty about exactly how access could be allowed safely without creating significant new costs or risks. The pilot program will help DEP determine the true extent and costs to address these and any other challenges that may arise.

### **Issue #8: Maintenance of the area, cleanliness and landscaping**

Some residents suggest that the community can help maintain JPR as part of a public access program. One resident says that a public-private conservancy, composed of residents and institutions around the reservoir, would help and that the Jerome Park Conservancy has money that could be tapped. Other stakeholders want brush adjacent to the perimeter fence cut on the outside of JPR so more people can see the water since opening the basins for the community's enjoyment would reap a benefit.

### **DEP response**

DEP is responsible for the current maintenance and cleanliness of JPR and has been criticized for too few litter baskets outside the JPR and not cutting the grass often enough. Unlike Fort Independence Park, DEP doesn't maintain JPR as a park, but as an important part of the water system. Less emphasis has been placed on

planting, mowing, sodding, pruning, and litter patrol than if the property were a park. Public access will require additional resources for public safety and to eliminate debris. The issue of public safety is important as it pertains to the perimeter path, which is not presently suitable for public walking and jogging. In planning and during the pilot, DEP will identify and seek the resources necessary to accomplish the pilot. Some of those resources may be directed at improving the appearance of parts of the site.

### **Issue # 9: Educational Opportunities and Ideas for Education**

Community advocates want room at JPR for teaching natural resources and ecology. Environmental lectures would benefit students. School officials support ecology, recreation, and natural resource education at JPR as long as it is handled safely. The new Science Building at Lehman College and proximity of Bronx High School of Science are likely to draw students to JPR. Advocates also request access to a JPR Gate House for tours and to teach water conservation.

### **DEP response**

The JPR site contains no structure permanently available to house educational activities, but they could take place at the Bronx High School of Science, Lehman College or DeWitt Clinton High School. DEP is interested in having further discussions to plan appropriate water-related educational programs. The Working Group envisions an educational tour for students as part of the public access pilot.

### **Summary**

Peter Szabo created a "Vision Summary of Community and Other Stakeholders":

- Advocates say that community participation can be controlled; those entering JPR can obtain pre-clearance and be screened by security, and any prohibited items held at the gate. Visitors could sign a "hold harmless" document, saying a person would not sue if injured from a fall or other cause.
- Advocates recommend building a private-public partnership to teach about clean water, education and sustainability. DEP's education office, with civic leaders and educators, would support these efforts--at a community-run ecology lab or other appropriate venue.
- Regulators caution that the overall importance is to keep the quality of the raw water at the highest level possible.

## Working Group Conclusions

*Although no commitment to permanent or unrestricted public access at JPR should be made at this time, the Working Group recommends a pilot be undertaken in 2013 or soon after operations begin at the Croton Filtration Plant. Between 2011 and 2013 DEP will create a limited JPR public access pilot program after consultation with community representatives, elected officials and local school administrators. Based on the results of the pilot, DEP will consider whether public access can or should be available on a more frequent or permanent basis.*

Since DEP is the steward of the city's drinking water, protection of the water supply continues to be its highest priority. At the JPR, the needs of water supply protection require DEP to control access to the site at all times. The DEP Working Group is sympathetic to the public's desire to enjoy the beauty and celebrate the history of JPR, to learn more about water quality and ecology, and to advance environmental goals for New York City and the Bronx. Construction activity at the JPR site will preclude any of these activities from occurring until after the construction of the Croton Filtration Plant is complete and operations begin.

After the filtration plant goes online, JPR could become available for limited public access on a pilot basis. Allowing any of these activities at the JPR site can only happen if DEP has the ability to control or monitor the activities so as to ensure they are not a threat to the site's security or operations. A pilot should be conducted to acquire more experience with controlled public access at the JPR site after construction. In advance of the pilot, the community and DEP should assess ways the public can use JPR without interfering with water management activities, without compromising security and without requiring substantial new resources.

## The DEP Working Group recommends the following:

DEP should allow limited public access to JPR on discrete occasions as part of a pilot program that can take place after the Croton Filtration Plant is operating and related construction at the JPR is complete.

The "JPR access pilot" should consist of three days, during which the public can accomplish one or more of the following: walk and jog on the perimeter path between the two fences around JPR for a limited period of time--provided that the condition of the perimeter path does not pose health or safety risks to members of the public; visit at least one Gate House to attend a water supply education program; participate in at least one "open house" or "community" day on the JPR site.

These features, and other details of the pilot visits, should be reviewed and further developed as appropriate after consultation with DEP and DPR staff as well as civic leaders, including the elected officials and community boards whose representatives now serve on the Croton Facility Monitoring Committee (CFMC). The JPR access pilot must be devised so as not to interfere with water supply operations, repair and maintenance activities. DEP should evaluate the JPR access pilot after its conclusion. The evaluation criteria should include: attendance; enjoyment of the participants; cost; risk to water supply security; and impact on DEP operations. DEP will seek the input of civic leaders and DPR colleagues in making this evaluation.

## Next Steps

- DEP will consult with the CFMC and public on this report and its recommendations.
- DEP will identify staff resources associated with the JPR access pilot.
- DEP's goal is to conduct the pilot as soon as possible after the Croton Filtration Plant goes online--as early as spring/summer 2013.
- Following the pilot, DEP and the community will evaluate the results, and the City will determine whether additional public access can be granted on a pilot, temporary or permanent basis. Necessary adjustments or corrections can be made, even if only an extension of the pilot is in the City's and the community's interest.