

**DASNY**  
**STATE ENVIRONMENTAL QUALITY REVIEW**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Nonsignificance**

Date: May 5, 2016

Lead Agency: DASNY  
One Penn Plaza, 52<sup>nd</sup> Floor  
New York, New York 10119

Applicant: The City University of New York  
555 West 57<sup>th</sup> Street, 16<sup>th</sup> Floor  
New York, New York 10019  
(New York County)

This notice is issued pursuant to the *State Environmental Quality Review Act* (“*SEQRA*”), codified at Article 8 of the New York Environmental Conservation Law (“*ECL*”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* (“*N.Y.C.R.R.*”), which collectively contain the requirements for the *State Environmental Quality Review* (“*SEQR*”) process.

**DASNY (“Dormitory Authority State of New York”), as lead agency, has determined that the Proposed Action described below, would not have a significant adverse effect on the environment and a Draft Environmental Impact Statement (“DEIS”) will not be prepared.**

Title of Action: The City University of New York  
*Kingsborough Community College Marina Reconstruction*

SEQR Status: Unlisted Action – 6 N.Y.C.R.R. 617.2(ak)

Review Type: Coordinated Review

## Description of Proposed Action and Proposed Project

DASNY ("Dormitory Authority State of New York") has received a funding request from The City University of New York ("CUNY" or the "University") to implement the *Kingsborough Community College ("KCC") Marina Reconstruction* project, which would involve the repair or replacement of existing marina structures that were damaged during Hurricane Sandy in 2012 (the "Proposed Project"). For the purposes of *State Environmental Quality Review ("SEQR")*, DASNY's Proposed Action would consist of DASNY's authorization of the expenditure of tax-exempt bond proceeds and the undertaking of the Proposed Project pursuant to DASNY's CUNY Minor Construction Program on behalf of CUNY.

More specifically, the Proposed Project would restore operational capacity of the marina to pre-Hurricane Sandy levels. Replacement activities would include removal of the existing fixed pier to facilitate construction of a new travel lift, new floating docks would be installed on either side of the proposed travel lift, and a wave attenuator would be located at the northern end of the lift's west travelway. The existing travel lift, which is currently silted in, would remain in place (approximately 150 feet east of the Project Site). The new travel lift would be located in an area known to have naturally deeper waters with lower siltation rates, which in turn would reduce the need for maintenance dredging. Water hookups would be provided for the east and west floating docks with backflow prevention devices installed for supply lines for potable water. The bulkhead and existing piles to remain would be repainted with a noncoal tar epoxy coating, and the existing piles to be removed would be disposed of in compliance with all applicable federal, state and local regulations.

On the land side of the marina, the existing guard shed would be removed and a new, approximately 8-foot by 8-foot guard shed would be constructed slightly west and south of the original location, to avoid obstruction of the proposed travel lift. The Proposed Project would require the removal of two existing trees that would be voluntarily replaced at another nearby location, and the existing flagpole would also be removed.

The Proposed Project is scheduled to be completed and in operation by the end of 2018, with an approximately 9-month estimated construction period. The construction period may be noncontinuous depending on lead times for docks, school schedule, and operational requirements for the moored vessels. Existing piles would be extracted in their entirety using barge-mounted equipment by methods including hammer, vibratory, spinning, or jetting. New piles would be hammer-driven from a barge. A limited number of new piles may be driven from the landside, if appropriate, during construction of the travel lift. Concrete would be delivered by trucks and conveyed over water for filling piles. The over-water conveyance of concrete would likely be pumped, with possible additional handling on a floating barge for ultimate delivery into the piles by "tremie" methods. (Note: A tremie is a funnel-like device lowered into water to deposit concrete.) Structural steel may be delivered over land or by barge. Welding activities would occur over water for construction of the travel lift and extending existing piles. Grinding and cutting activities may be performed over water for fit-up of new-to-existing and new-to-new structures. No dredging would occur.

Concurrent with the construction activities described above, two sunken sail boats would be removed from the water. These two ships are resting west of the fixed pier and between the steel sheet pile bulkhead and the west floating pier. They have approximately a 10-foot beam and 20-foot length, with a hull depth (freeboard plus draft) of about 8 feet, for a total in-water volume of about 3,200 cubic feet. While these ships are small sailing boats, spill prevention booms would be placed around the vessels during removal. A truck-mounted crane located upland along shoreline would be used for such removal activities; the crew would sling, raise and swing each vessel to a designated upland lay down area for proper storage and disposal.

### **Location of Proposed Project**

The KCC campus is located at 2001 Oriental Boulevard in the borough of Brooklyn, Kings County, New York (the "Proposed Project Location"), and the KCC marina is located at the north end of the campus on Sheepshead Bay, near the intersection of Shore Boulevard and Decatur Avenue (the "Project Site"). The Project Site comprises portions of Block 8760, Lot 60 and Block 8813, Lot 72, in Brooklyn Community District 15.

### **Description of the Institution**

CUNY is an urban public university with more than 269,000 degree-credit students and 247,000 adult, continuing and professional education students at 24 colleges and institutions across New York City. CUNY is an integrated system of senior and community colleges, graduate and professional schools, research centers, institutes and consortia. From certificate courses to Ph.D. programs, CUNY offers postsecondary learning to students of all backgrounds. It provides the city with graduates trained for high-demand positions in the sciences, technology, mathematics, teaching, nursing and other fields. As CUNY has grown, the University also has strengthened its mission as a premier research institution, building an array of modern facilities and expanding the ranks of its world-class faculty.<sup>1</sup>

Founded in 1963 as part of the CUNY system, KCC serves a diverse population of approximately 14,000 students and consistently ranks among the leading community colleges in the country in associate degrees awarded to minority students. Approximately 70 percent of KCC's students are enrolled in a liberal arts or science degree program; the rest pursue degrees in more specialized, career-oriented programs such as business, communications, criminal justice, culinary arts, nursing and allied health careers, information technology, journalism, maritime technology, tourism and hospitality, and the visual arts. KCC also maintains one of the most comprehensive adult and continuing education programs in New York City.<sup>2</sup>

KCC marina is the homeport to approximately 20 to 30 vessels (maximum capacity) used mainly by KCC's Marine Technology Program. Approximately 10 to 15 vessels are usually docked on any typical day. The marina was significantly damaged during Hurricane Sandy in

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<sup>1</sup> The City University of New York. *About*. <http://www.cuny.edu/about.html>

<sup>2</sup> <http://www.kbcc.cuny.edu/sub-about/Pages/AboutKCC.aspx>

2012, and it is currently operating with its capacity reduced by approximately one-third. The serviceable condition of the remaining existing pier face is poor, and the pier electrical service is no longer functional. The Proposed Project would restore the marina’s operational capacity to its pre-Sandy level and incorporate resiliency measures designed to minimize the potential for similar damage to occur in the future.

### Reasons Supporting This Determination

**Overview.** DASNY completed this environmental review pursuant to the *State Environmental Quality Review Act* (“SEORA”), codified at Article 8 of the *Environmental Conservation Law* (“ECL”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* (“N.Y.C.R.R.”), which collectively contain the requirements for the SEQR process. The environmental review followed SEQR and the *New York City Environmental Quality Review* (“CEQR”) *Technical Manual* generally was used as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the Proposed Project, unless stated otherwise.<sup>3</sup>

The Proposed Project was also reviewed in conformance with the *New York State Historic Preservation Act of 1980* (“SHPA”), especially the implementing regulations of Section 14.09 of the *Parks, Recreation and Historic Preservation Law* (“PRHPL”), as well as with the requirements of the Memorandum of Understanding (“MOU”), dated March 18, 1998, between DASNY and the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”).

Representatives of DASNY reviewed the *Full Environmental Assessment Form* (“FEAF”)-*Part I*, dated August December 16, 2015, that was prepared for the Proposed Project by representatives of CUNY, and determined that the Proposed Project constitutes an Unlisted action pursuant to 6 N.Y.C.R.R. 617.2(ak) of the SEQR implementing regulations. The *FEAF-Part I* was supplemented with the *FEAF-Part II*, including supporting documentation labeled as attachments. The *FEAF-Part II* analyzed potential environmental impacts associated with the Proposed Project.

On December 24, 2015, DASNY circulated a lead agency request letter, including the *EAF-Part I* and *EAF-Part II* as well as a *Distribution List of Involved Agencies and Interested Parties* to whom the lead agency letter was sent. There being no objection to DASNY assuming SEQR lead agency status, a coordinated review among the involved agencies was initiated.

DASNY representatives visited the Project Site and its environs and discussed the Proposed Project’s environmental effects with representatives of KCC, as well as representatives of the involved agencies. **Based on the above, and the additional information set forth below, DASNY as lead agency has analyzed the relevant areas of environmental concern**

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<sup>3</sup> The City of New York, Mayor’s Office of Environmental Coordination, *City Environmental Quality Review Technical Manual*. March 2014 Edition.

**and determined that the Proposed Project would not have a significant adverse effect on the environment.**

**General Findings.** The KCC marina is the homeport to approximately 20 to 30 vessels (maximum capacity), and is used mainly by KCC’s Marine Technology Program. On a typical day, approximately 10 to 15 vessels are usually docked. The marina was significantly damaged during Hurricane Sandy in 2012, and it is currently operating with its capacity reduced by approximately one-third. The serviceable condition of the remaining existing pier face is poor, and the pier electrical service is no longer functional. The Proposed Project would restore the marina’s operational capacity to its pre-Sandy level and incorporate resiliency measures designed to minimize the potential for similar damage to occur in the future. The estimated construction period for the Proposed Project is approximately 9 months.

Design of the Proposed Project is constrained by the footprint of the existing KCC marina, which is approximately 7,242 square feet (“sf”). The Proposed Project would encompass approximately 7,133 sf — an approximate net decrease of 109 sf in over-water structures. The Proposed Project is the result of an extensive engineering scoping effort, managed by the DASNY Office of Planning, Design & Quality Assurance (“PDQA”), which considered multiple layouts and preliminary consultation with the regulatory agencies, including New York State Department of Environmental Conservation (“NYSDEC”), United States Army Corps of Engineers (“USACE”), and the National Marine Fisheries Service (“NMFS”).

In addition to DASNY’s undertaking of design and construction, several federal, state and local discretionary approvals and permits would be required to implement the Proposed Project. At the federal and state level, permits would be required as part of a *Joint Permit Application* from the United States Army Corps of Engineers (“USACE”), pursuant to Section 404 of the *Clean Water Act* (33 of the *United States Code* [“U.S.C.”] 1344) and Section 10 of the *Rivers and Harbors Act* (33 U.S.C. 403) and from New York State Department of Environmental Conservation (“NYSDEC”) for a Water Quality Certification pursuant to Section 401 of the *Clean Water Act* (6 N.Y.C.R.R. Part 608), a Protection of Waters Permit pursuant to *ECL* Article 15 (6 N.Y.C.R.R. Part 608) and a Tidal Wetlands Permit pursuant to *ECL* Article 25 (6 N.Y.C.R.R. Part 661).

At the city level, a Waterfront Permit would be required from the New York City Department of Small Business Services (“NYCSBS”) pursuant to Section 1301 of the *New York City Charter* and Title 22 of the *New York City Administrative Code*. NYCSBS has the jurisdiction over maritime and nonmaritime construction for all city-owned waterfront properties, and for privately owned properties, over the marine and maritime structures such as piers, docks, bulkheads, and seawalls. The New York City Waterfront Revitalization Program (“WRP”) is the city’s principal coastal zone management tool. Since the Proposed Project is located within the Coastal Zone and requires state and federal discretionary action, a determination of its consistency with the policies and intent of the WRP must be made by the New York State Department of State (“NYSDOS”) in coordination with the New York City Department of City Planning (“NYCDP”).

Other involved and interested agencies include, but are not limited to, New York State Office of General Services ("NYSOGS"), New York State Office of Parks, Recreation, and Historic Preservation ("OPRHP"), New York City Office of Management and Budget ("NYCOMB"), New York City Department of Environmental Protection ("NYCDEP"), New York City Department of Transportation ("NYCDOT"), New York City Department of Parks and Recreation ("NYCDPR"), New York City Landmarks Preservation Commission ("LPC"), Brooklyn Borough President, and Brooklyn Community Board 15 ("CB 15")

The Proposed Project is also subject to environmental review pursuant to the *National Environmental Policy Act* ("NEPA") since it would receive federal funding through the Federal Emergency Management Administration ("FEMA") of the United States Department of Homeland Security ("DHS").

**Impact on Land.** The Proposed Project would result in the repair or replacement of the existing KCC marina structures that were damaged during Hurricane Sandy in 2012. Land disturbance would be minimal and limited to construction-period access for the installation, repair or removal of existing marine structures. Limited landside excavation activities (up to 15 feet in depth) would occur for the construction of the concrete foundations of the new travel lift and replacement guard shed. Sheepshead Bay is identified as having Natural Protective Features on the NYSDEC Coastal Erosion Hazard Area ("CEHA") map. These areas are regulated by the NYSDEC under Title 4, Chapter 7 of the *Unconsolidated Laws of New York, "Projects to Prevent Shore Erosion"*, enacted in 1945 to regulate land use which may alter natural areas that act as buffers along shorelines. Landside activities to support the proposed marina repair and replacement would not result in increased soil erosion. Therefore, no significant adverse impacts related to land disturbance would occur.

**Impact on Public Policy.** The Proposed Project would support or otherwise be in compliance with the following local public policy initiatives: *Brooklyn Community Board 15's Statement of Community District Needs and Community Board Budget Requests for Fiscal Year 2017*; the City of New York's WRP; NYCDCP's *Vision 2020: New York City Comprehensive Waterfront Plan*; and the Mayor's Office for Long Term Planning and Sustainability's *One New York: The Plan for a Strong and Just City* ("OneNYC"), which builds upon prior long-term sustainability plans for New York City to address growth, sustainability, resiliency and equity challenges.

Regarding state public policy initiatives, DASNY's Smart Growth Advisory Committee reviewed the Proposed Project under the *State Smart Growth Public Infrastructure Policy Act* ("SSGPIPA") and found that, to the extent practicable, the Proposed Project would be consistent with and would be generally supportive of the smart growth criteria established by the legislation. The construction and operation of the Proposed Project would be compatible with surrounding land uses as well as permitted uses, and would be complementary to the developed character of the KCC campus. Hence, the Proposed Project would not result in significant adverse impacts to land uses in the study area. The Proposed Project would restore operational capacity of the KCC

marina to pre-Hurricane Sandy levels, and no change in zoning or public policy would be necessary to construct the Proposed Project. In general, the Proposed Project would be compatible with existing public policy, including the *SSGPIPA*.

*Coastal Zone Management.* The Proposed Project is located within the coastal zone, therefore, consistency with the New York State CMP and the City of New York’s WRP must be demonstrated. DASNY has submitted a completed CMP *Coastal Assessment Form* to NYSDOS (Division of Coastal Resources) and a WRP *Consistency Assessment Form* to NYCDCP. As documented in the WRP *Consistency Assessment Form Supplementary Documentation*, the Proposed Project would support or otherwise be in compliance with the applicable policies set forth in Policies 2 through 8. Key objectives of the Proposed Project include restoring operations and introducing resiliency features to an existing maritime facility damaged by Hurricane Sandy; supporting the operational component of the KCC Marine Technology Department, which is a U.S. Coast Guard-approved program; and removing two existing sunk vessels within the Project Site to improve marine operations. The Project Site is not located within Significant Maritime and Industrial Areas or an Ecology Sensitive Maritime Industrial Area, and the Proposed Project would not interfere with current navigation and mooring operations at the Sheepshead Bay’s Recreational Mooring Area. While the Project Site is located within Sheepshead Bay, which is identified as having Natural Protective Features on the NYSDEC CEHA map, the Proposed Project would not affect the Sheepshead Bay CEHA as it would not result in a change to land use or alter existing natural areas that act as buffers along shorelines.

In accordance with Article 42 of the *New York Executive Law* and its implementing regulations at 19 *N.Y.C.R.R.* Part 600, Waterfront Revitalization of Coastal Areas and Inland Waterways, DASNY has determined that the Proposed Project would be consistent with the City of New York’s WRP. This *SEQR Negative Declaration* serves as the written certification, pursuant to Article 42 of the *New York Executive Law* and its implementing regulations, that the Proposed Project would comply with New York State’s CMP as expressed in New York City’s WRP, would not substantially hinder the achievement of any state or local coastal policies and would be conducted in a manner consistent with such programs.

Appropriately, since the Proposed Action is in the coastal area, DASNY makes this written finding that the action is consistent with the applicable policies set forth in 19 *N.Y.C.R.R.* 600.5; and, since the Secretary of State has approved the local government waterfront revitalization program, that the Proposed Action is consistent with the City of New York’s WRP to the maximum extent practicable.

Overall, the Proposed Project would be developed in compliance with the relevant state and local public policy initiatives that guide development within the project study area.

*Impact on Geological Features.* The Proposed Project would result in minimal land disturbance, and no unique or unusual land forms were observed at or adjacent to the Project Site during a field visit on March 19, 2015. Hence, the Proposed Project would not result in significant adverse impacts on geological features.

**Impact on Surface Water.** The Proposed Project would not result in new discharges or large-scale disturbance to sediments that would have a significant effect on water quality. The Proposed Project would not result in a new development that would generate demand for water or increase impervious surface areas. Water hookups would be provided for the east and west floating docks with backflow prevention devices installed for supply lines for potable water; however, the amount of water usage would be negligible and intermittent. Furthermore, while the boats belonging to KCC’s Marine Technology Program do not have bathrooms (heads), pump-out stations are located within 5 nautical miles from the Project Site nearby at the Coney Island Water Pollution Control Plant (“WPCP”) and also at the Rockaway WPCP. Therefore, the Proposed Project would not result in a significant adverse impact on water and sewer infrastructure.

Construction activities would result in temporary and localized effects to water quality as a result of the removal of existing pilings and structures and during the installation of the new pilings, travel lift and floating docks. An increase in turbidity is expected, but would be localized and short term in nature. All construction activities would be completed in accordance with local, state and federal permits that would be acquired for the activities.

The rehabilitated KCC marina would generally be located at the site of the existing marina. While minor impacts to the littoral zone can be anticipated as a result of construction activities, the project proposes an approximate net decrease of 109 square feet (“sf”) in over water structures; thus reducing the shading effects of the existing marina structures on the littoral zone. The existing over-water footprint of the marina is 7,242 sf, compared to 7,133 sf with the Proposed Project. No vegetated wetlands exist on the Project Site. Consequently, the Proposed Project would not result in significant adverse impacts to water quality or wetlands.

**Impact on Groundwater.** The Proposed Project would not require the installation of water supply wells or the use of groundwater, nor would the Proposed Project require bulk storage of petroleum or chemical products, or the chemical application of pesticides. Thus, the Proposed Project would not result in any significant adverse impacts on groundwater.

**Impact on Flooding.** Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps indicate that upland areas adjoining the Project Site are located within a Special Flood Hazard Area (“Zone AE”) that is subject to flooding by the one percent annual chance flood (100-year flood). The Proposed Project would neither result in any new land development nor alter the floodplain storage capacity; hence, it would not result in a change in the existing baseline flood elevations. No impacts to floodways or floodplains would result from the Proposed Project. In addition, the Proposed Project would not impact the CEHA designation as it would not result in a change to land use or alter existing natural areas that act as buffers along shorelines. Therefore, the Proposed Project would not result in flood-related significant adverse impacts.



**Impact on Air.** The Proposed Project would restore operational capacity of the marina to pre-Hurricane Sandy levels, including the number of vessels using the marina. It would not introduce any new stationary sources of emissions, and no new sources of greenhouse gas (“GHG”) emissions would be created. Consequently, operation of the Proposed Project would not result in significant adverse impacts on air quality associated with increased maritime vessel traffic.

**Impact on Plants and Animals.** According to NYSDEC’s Natural Heritage Program (“NHP”) records, there are two known occurrences of vascular plants in the immediate vicinity of the Project Site, including the Threatened Red Pigweed (*Chenopodium rubrum*) and the Endangered Retrorsed Flatsedge (*Cyperus retrorsus* var. *retrorsus*). The Red Pigweed was last reported at Plumb Beach in 1982, and the Retrorsed Flatsedge was last reported at Marine Park in 1938. A field reconnaissance conducted in March 2015 did not indicate the presence of significant natural communities or other significant habitats in the immediate vicinity of the Project Site.

According to USFWS records, four federally listed Threatened or Endangered species are known to occur within or in the vicinity of the Project Site. These species are the Endangered Roseate Tern (*Sterna dougallii*) and the Threatened Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*) and Seabeach Amaranth (*Amaranthus pumilus*). Based on field reconnaissance conducted in March 2015, there is no critical habitat for any of these species within the Project Site.

Based on the life history and habitat requirements of the NHP and USFWS-listed species, the Project Site does not offer suitable habitat, such as sandy beaches or intertidal wetlands, to support these species, and would have no short-term or long-term negative effect on significant, sensitive or designated resources. In addition, an Essential Fish Habitat (“EFH”) analysis was completed and submitted as part of the permit applications. Fish-related work windows would be followed per regulatory or permit requirements, when they are issued. Therefore, the Proposed Project would not result in significant adverse impacts on plants or animals.

The Proposed Project would require the removal of two existing trees, 10 to 12 inches in diameter, that are not located in a park or public right of way (“ROW”). Potential replacement options can range from tree replacement, or, if the removed trees are within the jurisdiction of New York City Department of Parks and Recreation (“NYCDPR”), fees or donations to NYCDPR projects. Acceptable off-site replacement options will be explored and implemented, with NYCDPR coordination, if needed.

**Impact on Agricultural Resources.** The Project Site is located within a highly urbanized area and is not located within or adjacent to agricultural land. Hence, no significant adverse impact on agricultural resources would occur.

***Impact on Aesthetic, Urban Design and Visual Resources.*** The proposed repair and replacement of the existing KCC marina would not introduce a new land use, nor is the Project Site located within or visible from a designated scenic or aesthetic resource. No changes to existing zoning are needed. For those reasons, the Proposed Project would not result in a significant adverse impact on aesthetic, urban design or visual resources.

***Impact on Historic and Archaeological Resources.*** The Proposed Project was reviewed in conformance with *SHPA*, especially the implementing regulations of Section 14.09 of *PRHPL*, as well as with the requirements of the Memorandum of Understanding (“MOU”), dated March 18, 1998, between DASNY and the OPRHP. In correspondence dated January 8, 2016, OPRHP indicated that the Proposed Project would have “No Impact” upon archaeological and/or historic resources listed in or eligible for inclusion in the State and/or National Registers of Historic Places (“S/NR”) (OPRHP Project Review №. 5PR07583), and as indicated in correspondence dated February 23, 2016, the New York City Landmarks Preservation Commission (“NYCLPC”) determined that the Project Site is not of architectural or archeological significance. As such, no significant adverse impact to archaeological or historic resources in the study area is expected as a result of the Proposed Project. It is the opinion of DASNY that the Proposed Project would not have a significant adverse impact on any architectural or archaeological resources.

***Impact on Open Space and Recreation.*** The Project Site is not located within or adjacent to a publicly-accessible open space resource, and the nearest public park is Manhattan Beach Park, located approximately 1 mile from the Project Site. The Proposed Project would not involve a residential component that would increase the residential population within the project area or overburden existing open space resources. As a consequence, no significant adverse impacts to existing open space resources are anticipated.

***Impact on Critical Environmental Areas.*** The Project Site is located within Sheepshead Bay and within the NYSDEC-designated Jamaica Bay Critical Environmental Area (“CEA”). CEAs are designated areas that are recognized for providing aesthetic or scenic function, a benefit to human health, or possessing ecological/hydrological sensitivity to change. The Proposed Project would not result in a significant adverse impact on water quality or species of interest. Therefore, the Jamaica Bay CEA and its coastal wetland ecosystem would not be affected.

***Impact on Transportation.*** The Proposed Project would restore KCC Marina’s operational capacity to pre-Hurricane Sandy levels. The Proposed Project would not generate new vehicular or transit trips, and no new parking spaces would be needed. Sheepshead Bay is home to a Recreational Mooring Area for small recreational vessels that are individually anchored to moored buoys. Under the Proposed Project, this mooring area would remain undisturbed by the KCC marina activities. The new floating docks would not be any closer to the designated mooring area. In addition, coordination with the U.S. Coast Guard and appropriate Local Notice to Mariners would be undertaken in advance of all in-water construction activities. Consequently, no significant adverse impacts to the existing transportation system would occur.

**Impact on Energy.** The Proposed Project would restore KCC Marina’s operational capacity to pre-Hurricane Sandy levels. There would not be an increase in energy use, and energy consumption associated with the Proposed Project would be negligible. As such, the Proposed Project would not result in a significant adverse impact with respect to energy supply or demand.

**Impact on Noise, Odor, and Light.** The Proposed Project would not introduce any new uses. Lighting for the Proposed Project would include two amber lights located on the proposed wave attenuator for navigational purposes, and two, ground-level, work lights would be located land side at the base of the travel lift for safety purposes. The proposed lights would not shine onto adjoining properties, nor would they create sky glow brighter than existing area conditions. Operation of the restored KCC marina would not result in an increase in noise, odors, or outdoor lighting in the project area. Hence, no significant adverse operational phase impacts would occur.

**Impact on Human Health.** The Proposed Project would not result in an impact on human health from exposure to new or existing sources of contamination. A Phase I Environmental Site Assessment (“ESA”) was prepared for the Project Site in accordance with the American Society for Testing and Materials (“ASTM”) Practice E1527-13. Based upon the identification of certain Recognized Environmental Conditions (“RECs”) at the site, a Phase II ESA investigation was conducted. The ESA Phase II findings indicated that no further investigation or remedial activities were recommended relative to soil located in the proposed reconstruction areas. Construction activities would conform to NYCDEP and NYSDEC requirements.

The bulkhead and existing piles to remain would be repainted with a noncoal tar epoxy coating, and existing piles to be removed would be disposed of in compliance with all applicable federal, state and local regulations. The proposed repair and replacement of the KCC marina would not introduce new sources of contamination. Therefore, no significant adverse impact on public health would occur.

**Consistency with Community Plans.** The Project Site is located within KCC’s academic campus, which is part of the CUNY system. The KCC campus itself comprises the eastern portion of the Manhattan Beach peninsula, which is a predominantly residential neighborhood largely consisting of one- and two-family residences. The proposed repair and replacement of the existing KCC marina structures would continue the existing water-dependent use at the Project Site and would not introduce any new land uses or land use trends.

The KCC campus is mapped as a R3-1 Detached and Semi-Detached Residence District, which extends to the pierhead and bulkhead line along the southern edge of Project Site. R3-1 zoning districts are contextual districts that allow semi-detached and detached one- and two-family homes, with a maximum allowable Floor Area Ratio (“FAR”) of 0.5 that may be increased up to 20 percent for attic allowance. Zoning districts are not mapped on the waterside

portion of the Project Site. The Proposed Project would not require any change to existing zoning regulations.

The Proposed Project would not conflict with the relevant public policy initiatives that guide development both within the project area and throughout the borough. The Project Site is located within the Coastal Zone and would comply with the policies set forth in both the City’s WRP and the New York State CMP.<sup>4, 5</sup> In March 2011, NYCDP released *Vision 2020: New York City Comprehensive Waterfront Plan*, a 10-year vision for the future of city's 520 miles of shoreline. *Vision 2020* organizes the New York City waterfront into 22 specific stretches, or “reaches,” and provides recommendations for each one. The Proposed Project is located within Reach 16, “Coney Island and Sheepshead Bay.” No specific recommendations for Reach 16 pertain to the Proposed Project; nor would the Proposed Project conflict with or preclude the implementation of Reach 16 recommendations. Furthermore, the Proposed Project would be in keeping with the sustainability goals of the City’s *OneNYC* and New York State’s *SSGPIPA* and would support or otherwise be in compliance with the local public policy initiatives set forth in *Brooklyn Community Board 15’s Statement of Community District Needs and Community Board Budget Requests for Fiscal Year 2017*.

***Consistency with Community Character.*** The Proposed Project would restore the operational capacity of the KCC marina to pre-Hurricane Sandy levels and reduce its susceptibility to future damage caused by coastal storms and wind-driven rain. The scale and setting of the restored marina in the urban and natural landscape would be similar to that of the existing marina. Access and use of public facilities and historic or cultural resources would not be affected, nor would any such facility be displaced. Since the Proposed Project would not introduce any new populations, it would not create a demand for additional community services. No affordable or low-income housing would be displaced. As such, the Proposed Project would be consistent with the existing community character.

***Impacts During Construction.*** Construction activities would occur over an approximately 9-month period. Therefore, construction-related effects of the Proposed Project, including vehicle and truck trips, noise, odor or lighting, would be temporary, and construction activities would be short term, i.e., under 2 years in duration. Construction activities may be intermittent because the in-water and shore-side construction activities are unrelated and thus do not need to occur concurrently. No blasting would occur, and construction of the Proposed Project would conform to New York City regulatory requirements. As such, no significant adverse construction-related impacts are anticipated.

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<sup>4</sup> In correspondence from NYCDP dated February 29, 2016, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, found that the Proposed Action “is consistent with the WRP policies and the local program.” (WRP #16-006)

<sup>5</sup> Correspondence from NYSDOS dated February 1, 2016, indicated “General Concurrence — No Objection to Funding” for project. (#F-2105-1051)

**For Further Information:**

Contact Person: Jack D. Homkow  
Director  
Office of Environmental Affairs

Address: DASNY  
One Penn Plaza, 52<sup>nd</sup> Floor  
New York, New York 10119

Telephone: (212) 273-5033

Fax: (212) 273-5028

**DASNY**  
**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

**DISTRIBUTION LIST OF INVOLVED AGENCIES AND INTERESTED PARTIES**  
**for the**  
**KINGSBOROUGH COMMUNITY COLLEGE (KCC)**  
**MARINA RECONSTRUCTION PROJECT**

**Distribution List**

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City Hall  
New York, New York 10007

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The City University of New York  
205 East 42<sup>nd</sup> Street  
New York, New York 10017

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209 Joralemon Street  
Brooklyn, New York 11201

Mr. Robert P. Lemieux  
Executive Director  
Department of Design, Construction and Management  
The City University of New York  
555 West 57<sup>th</sup> Street, 16<sup>th</sup> Floor  
New York, New York 10019

The Honorable Helen Rosenthal  
Council Member  
Borough of Brooklyn Council District 48  
2401 Avenue U  
Brooklyn, New York 11229

Mr. Anton Wolfshorndl  
Assistant Director  
Department of Design, Construction and Management  
The City University of New York  
555 West 57<sup>th</sup> Street, 16<sup>th</sup> Floor  
New York, New York 10019

The Honorable Martin J. Golden  
New York State Senator, District 22  
7408 5th Avenue, 1<sup>st</sup> Floor  
Brooklyn, New York 11209

Mr. Ralph Carmosino  
Assistant Director  
Department of Design, Construction and Management  
The City University of New York  
555 West 57<sup>th</sup> Street, 16<sup>th</sup> Floor  
New York, New York 10019

The Honorable Steven Cymbrowitz  
New York State Assembly Member, District 45  
1800 Sheepshead Bay Road  
Brooklyn, New York 11235

Mr. Allan H. Dobrin  
Executive Vice Chancellor and Chief Operating Officer  
The City University of New York  
205 East 42<sup>nd</sup> Street  
New York, New York 10017

Mr. Anthony Corazza  
Campus Facilities Officer  
Kingsborough Community College  
2001 Oriental Boulevard, Suite P220  
Brooklyn, New York 11235-2398

**DASNY**  
**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

**DISTRIBUTION LIST OF INVOLVED AGENCIES AND INTERESTED PARTIES**  
**for the**  
**KINGSBOROUGH COMMUNITY COLLEGE (KCC)**  
**MARINA RECONSTRUCTION PROJECT**

Captain Anthony D. DiLernia  
Marine Technology Program Director  
Kingsborough Community College  
2001 Oriental Boulevard, Office T-301  
Brooklyn, New York 11235-2398

Ms. Jackie Harris  
Deputy Executive Director  
Land Use and Environmental Review  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Ms. Nilda Mesa  
Director  
Mayor's Office of Sustainability  
253 Broadway, 7<sup>th</sup> Floor  
New York, New York 10007

Mr. Michael Marrella  
Director of Waterfront and Open Space  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Mr. Carl Weisbrod  
Chair  
New York City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Mr. Robert Dobruskin  
Director  
Environmental Assessment & Review  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Ms. Anita Laremont, Esq.  
General Counsel  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Mr. Naim Rasheed  
Director  
Office of Project Analysis/CEQR  
New York City Department of Transportation  
55 Water Street  
New York, New York 10041

Ms. Purnima Kapur  
Executive Director  
Land Use and Environmental Review  
New York City Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Mr. Michael Moiseyev  
Assistant Director  
New York City Office of Management and Budget  
255 Greenwich Street  
New York, New York 10007

Mr. Winston Von Engel  
Director  
Brooklyn Borough Office  
New York City Department of City Planning  
16 Court Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11241-0103

Mr. Andrew Schwartz  
Acting Commissioner / Deputy Commissioner for  
Legal & Regulatory Affairs  
New York City Department of Small Business  
Services  
110 William Street, 7<sup>th</sup> Floor  
New York, New York 10038

**DASNY**  
**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

**DISTRIBUTION LIST OF INVOLVED AGENCIES AND INTERESTED PARTIES**  
**for the**  
**KINGSBOROUGH COMMUNITY COLLEGE (KCC)**  
**MARINA RECONSTRUCTION PROJECT**

Mr. Gary C. Heath  
Director  
Bureau of Environmental Planning and Assessment  
New York City Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, New York 11373

Mr. Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program  
NYS Department of Environmental Conservation  
625 Broadway, 5<sup>th</sup> Floor  
Albany, New York 12233-4757

Ms. Alyssa Cobb Konon  
Assistant Commissioner for Planning and Parklands  
New York City Department of Parks and Recreation  
The Arsenal at Central Park  
New York, New York 10021

Mr. Jeff Zappieri  
Supervisor, Consistency Review Unit  
Office of Planning and Development  
New York State Department of State  
One Commerce Plaza, Suite 1010  
99 Washington Avenue  
Albany, New York 12231-0001

Mr. David G. Greenfield  
Chair, Committee on Land Use  
The City of New York Council  
250 Broadway, 17<sup>th</sup> Floor  
New York, New York 10007

Ms. Theresa Scavo  
Chairperson  
Brooklyn Community Board No. 15  
2001 Oriental Boulevard, Room C124  
Brooklyn, New York 11235

Ms. Gina Santucci  
Director of Environmental Review  
New York City Landmarks Preservation Commission  
Municipal Building  
One Centre Street, Room 9N  
New York, New York 10007

Mr. Robert M. Elsener, PE  
Engineer  
Dewberry  
15 East 26<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, New York 10010-1505

Mr. John Bonafide  
Director, Bureau of Technical Preservation Services  
New York State Office of Parks, Recreation and  
Historic Preservation  
Pebbles Island Resource Center  
P. O. Box 189  
Waterford, New York 12188-0189

Mr. David R. Provencher  
Project Manager  
Coastline Consulting & Development, LLC  
5-B Old Post Road  
Madison, Connecticut 06443

Ms. Venetia Lannon  
Regional Director, Region 2  
New York State Department of Environmental Conservation  
Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101

Mr. J.P. Magron  
Environmental Planning Manager  
HDR  
500 Seventh Avenue  
New York, New York 10018



**DASNY**  
***STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)***

**DISTRIBUTION LIST OF INVOLVED AGENCIES AND INTERESTED PARTIES**  
**for the**  
***KINGSBOROUGH COMMUNITY COLLEGE (KCC)***  
***MARINA RECONSTRUCTION PROJECT***

Mr. Kovid Saxena  
Senior Planner  
HDR  
500 Seventh Avenue  
New York, New York 10018

Mr. Peter Wrenn  
Engineer  
Planning, Design & Quality Assurance  
DASNY  
515 Broadway  
Albany, New York 12207

Mr. Jack D. Homkow  
Director  
Office of Environmental Affairs  
DASNY  
One Penn Plaza, 52<sup>nd</sup> Floor  
New York, New York 10119-0098

Ms. Sara E. Stein, AICP, LEED-AP  
Environmental Manager  
Office of Environmental Affairs  
DASNY  
One Penn Plaza, 52<sup>nd</sup> Floor  
New York, New York 10119-0098

**STATE ENVIRONMENTAL QUALITY REVIEW**  
**Full Environmental Assessment Form**  
**and Supplementary Documentation**

*for the*

**Kingsborough Community College Marina Reconstruction**  
**Borough of Brooklyn, Kings County, New York**

*Prepared on behalf of:*

*The City University of New York*  
*Facilities Planning, Construction and Management*  
*555 West 57<sup>th</sup> Street, 16<sup>th</sup> Floor*  
*New York, New York 10019*

*Prepared for Lead Agency:*

**Dormitory Authority State of New York**  
**515 Broadway**  
**Albany, New York 12207-2964**

*Prepared by:*

**Henningson, Durham & Richardson,**  
**Architecture & Engineering, P.C.**  
**500 Seventh Avenue**  
**New York, New York 10018**



*Lead Agency Contact:*

**Ms. Sara Stein, AICP, LEED-AP**  
**Environmental Manager**  
**Office of Environmental Affairs**  
**Dormitory Authority State of New York**  
**One Penn Plaza, 52<sup>nd</sup> Floor**  
**New York, New York 10119-0098**

**Telephone (212) 273-5092**

**December 2015**

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**STATE ENVIRONMENTAL QUALITY REVIEW  
FULL ENVIRONMENTAL ASSESSMENT FORM**

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**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? NYC Comprehensive Waterfront Plan (Vision 2020); Reach 16  Yes  No  
 If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Evaluate for possible dredging in consultation with state and federal partners.  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No  
 If Yes, identify the plan(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No  
 If Yes, identify the plan(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres (Block 8760; Lots 50, 60, 110, 250)

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: Under 12 months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes, Existing marina structures would be repaired or replaced. See Site Plan in Supplementary Documentation (Appendix A).

i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

*i.* Estimate methane generation in tons/year (metric): \_\_\_\_\_

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

*i.* When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

*ii.* For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

*iv.* Does the proposed action include any shared use parking?  Yes  No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

*vi.* Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

*vii.* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

*iii.* Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

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e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

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f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes: See Phase I Environmental Site Assessment in Supplementary Documentation (Appendix C).  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____            _____            _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	Not applicable.
b. Are there bedrock outcroppings on the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%	
c. Predominant soil type(s) present on project site: _____%	
Not applicable. The Project Site is located in- water on Sheepshead Bay.	_____ _____ _____%
d. What is the average depth to the water table on the project site? Average: _____ feet	Not applicable. The Project Site is located in-water on Sheepshead Bay.
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____% of site	
Not applicable. The Project Site is located in-water on Sheepshead Bay.	<input type="checkbox"/> Moderately Well Drained: _____% of site <input type="checkbox"/> Poorly Drained _____% of site
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____% of site	
Not applicable. The Project Site is located in-water on Sheepshead Bay.	<input type="checkbox"/> 10-15%: _____% of site <input type="checkbox"/> 15% or greater: _____% of site
g. Are there any unique geologic features on the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, describe: _____ _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Do any wetlands or other waterbodies adjoin the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway?	<input type="checkbox"/> Yes <input type="checkbox"/> No
j. Is the project site in the 100 year Floodplain?	<input type="checkbox"/> Yes <input type="checkbox"/> No
k. Is the project site in the 500 year Floodplain?	<input type="checkbox"/> Yes <input type="checkbox"/> No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

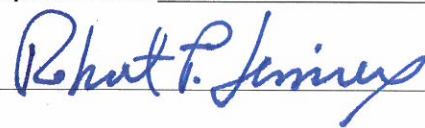
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Robert P. Lemieux Date 12/16/15

Signature  Title Executive Director



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b>			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b>			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b>			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Yes”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - g. If "No", go to Section 14.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>



d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b>			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b>			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b>			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:             Type 1                       Unlisted

Identify portions of EAF completed for this Project:    Part 1             Part 2             Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
EAF Supplemental Report and Joint Permit Application

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
DASNY (Dormitory Authority State of New York) as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Kingsborough Community College Marina Reconstruction

Name of Lead Agency: DASNY

Name of Responsible Officer in Lead Agency: Jack D. Homkow

Title of Responsible Officer: Director

Signature of Responsible Officer in Lead Agency:



Date: 5/5/2016

Signature of Preparer (if different from Responsible Officer)



Date: 5/5/16

**For Further Information:**

Contact Person: Sara E. Stein, Environmental Manager, DASNY

Address: One Penn Plaza, 52nd Floor, New York, New York 10119

Telephone Number: (212) 273-5092

E-mail: SStein@dasny.org

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

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**SUPPLEMENTARY DOCUMENTATION**

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## **FEAF PART 1 – PROJECT AND SETTING**

### **DESCRIPTION OF PROPOSED ACTION AND PROPOSED PROJECT**

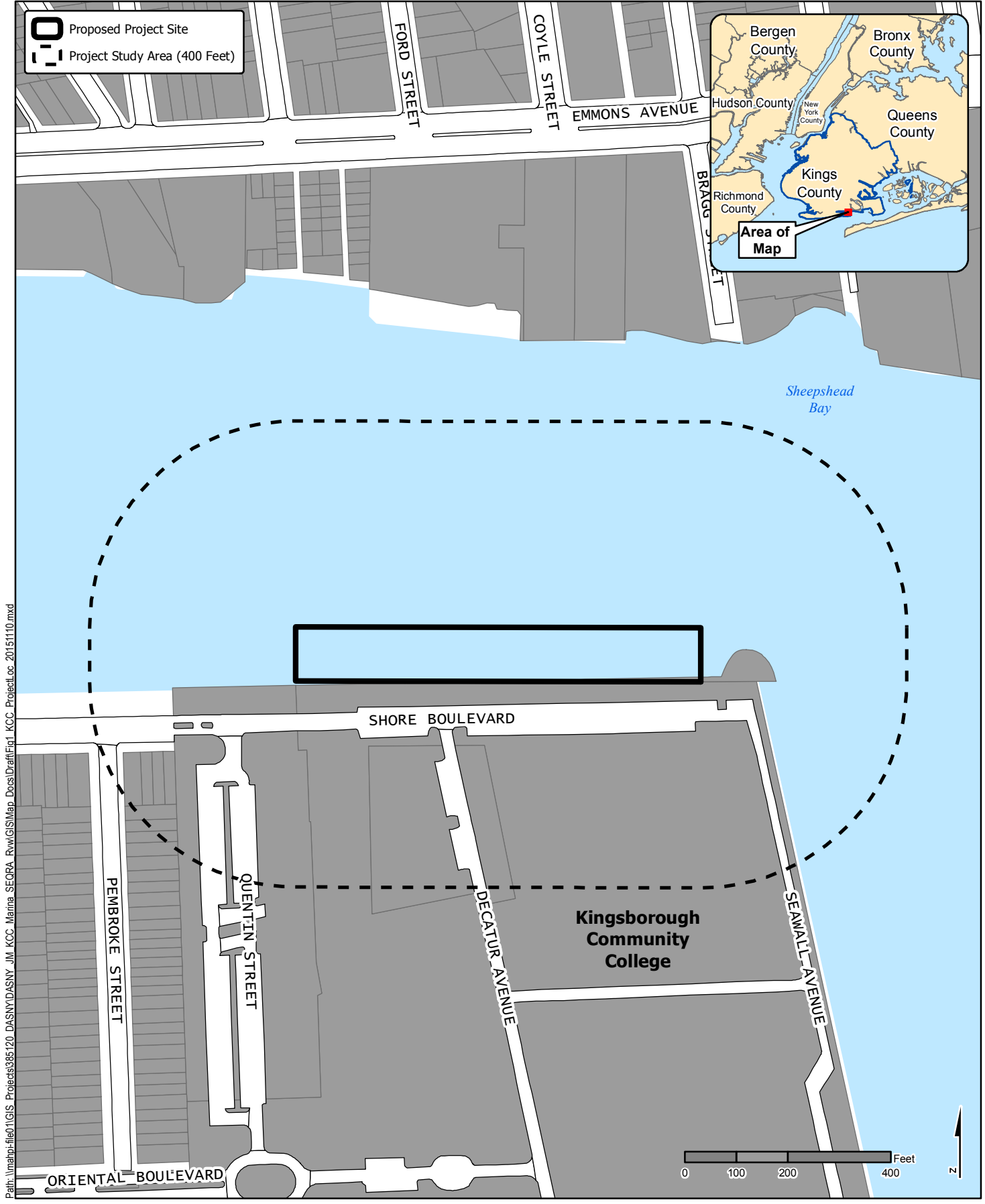
The Dormitory Authority State of New York (“DASNY”) has received a funding request from The City University of New York (“CUNY”) to design and construct the Kingsborough Community College (“KCC”) Marina Reconstruction Project, which would involve the repair or replacement of existing marina structures that were damaged during Hurricane Sandy in 2012 (the “Proposed Project”). The Proposed Project would also help to reduce susceptibility of the marina from future damage caused by coastal storms and wind-driven rain. For the purposes of *State Environmental Quality Review* (“SEQR”), DASNY’s Proposed Action would consist of DASNY’s authorization of the expenditure of tax-exempt bond proceeds and the undertaking of the Proposed Project pursuant to DASNY’s CUNY Minor Construction Program on behalf of CUNY.

The KCC campus is located at 2001 Oriental Boulevard in the borough of Brooklyn, Kings County, New York (see Figure 1, “Proposed Project Location”), and the KCC marina is located at the north end of the campus on Sheepshead Bay, near the intersection of Shore Boulevard and Decatur Avenue (the “Project Site”). The Project Site is comprised of portions of Block 8760, Lot 60 and Block 8813, Lot 72, in Brooklyn Community District 15. KCC marina is the homeport to approximately 20 to 30 vessels (maximum capacity) used mainly by KCC’s Marine Technology Program. Approximately 10 to 15 vessels are usually docked on any typical day.

Design of the Proposed Project, as illustrated in the Site Plan (see Appendix A), is constrained by the footprint of the existing KCC marina, which is approximately 7,242 square feet (“sf”). The Proposed Project would encompass approximately 7,133 sf – an approximate net decrease of 109 sf in over-water structures. The Proposed Project is the result of an extensive engineering scoping effort, managed by the DASNY Office of Planning, Design & Quality Assurance (“PDQA”), which considered multiple layouts and preliminary consultation with the regulatory agencies, including New York State Department of Environmental Conservation (“NYSDEC”), United States Army Corps of Engineers (“USACE”), and the National Marine Fisheries Service (“NMFS”).

The Proposed Project would restore operational capacity of the marina to pre-Hurricane Sandy levels. Replacement activities would include removal of the existing fixed pier to facilitate construction of a new travel lift. New floating docks would be installed on either side of the proposed travel lift, and a wave attenuator would be located at the northern end of the lift’s west travelway. The existing travel lift, which is currently silted in, would remain in place (approximately 150 feet east of the Project Site). The new travel lift would be located in an area known to have naturally deeper waters with lower siltation rates, which in turn would reduce the need for maintenance dredging. Water hookups would be provided for the east and west floating





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Figure 1: Proposed Project Location  
KCC Marina Reconstruction

docks with backflow prevention devices installed for supply lines for potable water. The bulkhead and existing piles to remain would be repainted with a non-coal tar epoxy coating, and the existing piles to be removed would be disposed of in compliance with all federal, state and local regulations.

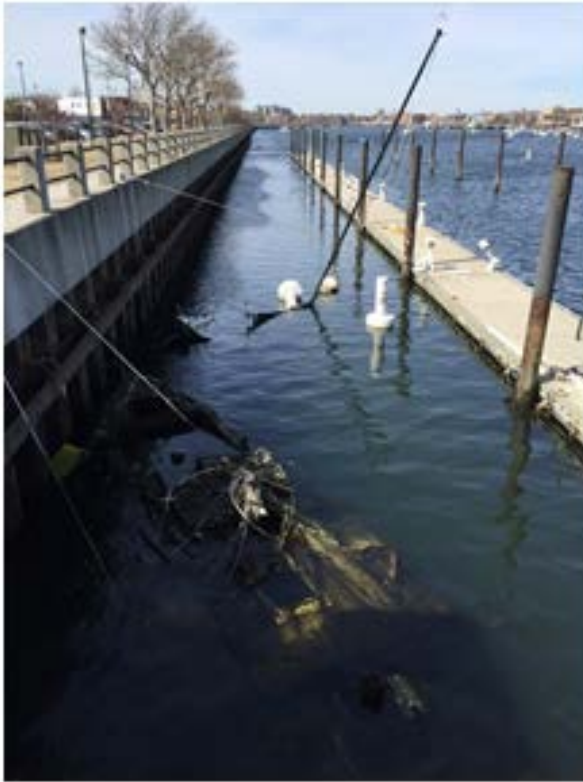
On the land side of the marina, the existing guard shed would be removed and a new, approximately 8-foot by 8-foot guard shed would be constructed slightly west and south of the original location, to avoid obstruction of the proposed travel lift. The Proposed Project would require the removal of two existing trees that would be voluntarily replaced at another nearby location, and the existing flag pole would also be removed.

The Proposed Project is scheduled to be completed and in operation by the end of 2018, with an approximately 9-month estimated construction period. The construction period may be noncontinuous depending on lead times for docks, school schedule, and operational requirements for the moored vessels. Existing piles would be extracted in their entirety using barge mounted equipment by methods including hammer, vibratory, spinning, or jetting. New piles would be hammer-driven from a barge. A limited number of new piles may be driven from the landside, if appropriate, during construction of the travel lift. Concrete would be delivered by trucks and conveyed over water for filling piles. The over-water conveyance of concrete would likely be pumped, with possible additional handling on a floating barge for ultimate delivery into the piles by “tremie” methods. (Note: A tremie is a funnel-like device lowered into water to deposit concrete.) Structural steel may be delivered overland or by barge. Welding activities would occur over water for construction of the travel lift and extending existing piles. Grinding and cutting activities may be performed over water for fit-up of new-to-existing and new-to-new structures. No dredging would occur.

Concurrent with the construction activities described above, two sunken sail boats would be removed from the water. These two ships are resting west of the fixed pier and between the steel sheet pile bulkhead and the west floating pier (see Photo 1). They have approximately a 10-foot beam and 20-foot length, with a hull depth (freeboard plus draft) of about 8 feet, for a total in-water volume of about 3,200 cubic feet. While these ships are small sailing boats, spill prevention booms would be placed around the vessels during removal. A truck-mounted crane located upland along shoreline would be used for such removal activities; the crew would sling, raise and swing each vessel to a designated upland lay down area for proper storage and disposal.

### ***Purpose and Need of the Proposed Project***

The KCC marina is the homeport to approximately 20 to 30 vessels (maximum capacity), and is used mainly by KCC’s Marine Technology Program. On a typical day, approximately 10 to 15 vessels are usually docked. The marina was significantly damaged during Hurricane Sandy in 2012, and it is currently operating with its capacity reduced by approximately one-third. The serviceable condition of the remaining existing pier face is poor, and the pier electrical service is no longer functional. The Proposed Project would restore the marina’s operational capacity to its pre-Sandy level and incorporate resiliency measures designed to minimize the potential for similar damage to occur in the future.



**Photo 1 –Sunken Sail Ships in front of Bulkhead**

## **OTHER APPROVALS**

DASNY intends to assume lead agency status and conduct a coordinated review of the Proposed Project in accordance with New York’s *State Environmental Quality Review Act* (“*SEQRA*”), codified at Article 8 of the *New York Environmental Conservation Law* (“*ECL*”), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules, and Regulations* (“*N.Y.C.R.R.*”), which collectively contain the requirements for the *SEQR* process.

The environmental review follows *SEQR*, and the *New York City Environmental Quality Review* (“*CEQR*”) *Technical Manual* procedures were generally used as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the Proposed Project. This *Full Environmental Assessment Form* (“*EAF*”) and Supplementary Documentation provide a summary description of the important characteristics of the design and construction of the Proposed Project and the identification and analyses of potential project-related impacts.

In addition to DASNY's undertaking of design and construction, several federal, state and local discretionary approvals and permits would be required to implement the Proposed Project. At the federal and state level, permits would be required as part of a *Joint Permit Application* from the United States Army Corps of Engineers ("USACE"), pursuant to Section 404 of the Clean Water Act (33 of the United States Code [*U.S.C.*] 1344) and Section 10 of the Rivers and Harbors Act (33 *U.S.C.* 403) and from New York State Department of Environmental Conservation ("NYSDEC") for a Water Quality Certification pursuant to Section 401 of the Clean Water Act (6 *N.Y.C.R.R.* Part 608), a Protection of Waters Permit pursuant to *ECL Article 15* (6 *N.Y.C.R.R.* Part 608) and a Tidal Wetlands Permit pursuant to *ECL Article 25* (6 *N.Y.C.R.R.* PART 661).

At the city level, a Waterfront Permit would be required from the New York City Department of Small Business Services ("NYCSBS") pursuant to Section 1301 of the New York City Charter and Title 22 of the New York City Administrative Code. NYCSBS has the jurisdiction over maritime and non-maritime construction for all city-owned waterfront properties, and for privately owned properties, over the marine and maritime structures such as piers, docks, bulkheads, and seawalls. The New York City Waterfront Revitalization Program ("WRP") is the city's principal coastal zone management tool. Since the Proposed Project is located within the Coastal Zone and requires state and federal discretionary action, a determination of its consistency with the policies and intent of the WRP must be made by the New York State Department of State ("NYS DOS") in coordination with the New York City Department of City Planning ("NYC DCP").

Other involved and interested agencies include, but are not limited to, New York State Office of General Services ("NYS OGS"), New York State Office of Parks, Recreation, and Historic Preservation ("NYS OPRHP"), New York City Office of Management and Budget ("NY COMB"), New York City Department of Environmental Protection ("NYC DEP"), New York City Department of Transportation ("NYC DOT"), New York City Department of Parks and Recreation ("NYC DPR"), New York City Landmarks Preservation Commission ("LPC"), Brooklyn Borough President, and Brooklyn Community Board 15 ("CB 15").

The Proposed Project is also subject to environmental review pursuant to the National Environmental Policy Act ("NEPA") since it would receive federal funding through the Federal Emergency Management Administration ("FEMA") of the United States Department of Homeland Security ("DHS").

## **FEAF PART 2 – IDENTIFICATION OF POTENTIAL PROJECT IMPACTS**

The following assessment supports responses to each of the questions under the *SEQR* EAF Part 2 Form. The assessment also conforms to the methodologies and guidelines set forth in the *City Environmental Quality Review* (“*CEQR*”) Technical Manual.

### **1. IMPACT ON LAND**

The Proposed Project would result in the repair or replacement of the existing KCC marina structures that were damaged during Hurricane Sandy in 2012. No new landside structures would be created. Land disturbance would be minimal and limited to construction-period access to the installation or repair marine structures and the removal of existing marine structures. Limited landside excavation activities (up to 15 feet in depth) would occur for the construction of the concrete foundations of the new travel lift, the replacement guard shed and the relocated flag pole. Sheepshead Bay is identified as having Natural Protective Features on the New York State Department of Environmental Conservation (“NYSDEC”) Coastal Erosion Hazard Area (“CEHA”) map. These may include near-shore areas, beaches, or dunes. These areas are regulated by the NYSDEC under Title 4, Chapter 7 of the Unconsolidated Laws of New York, “Projects to Prevent Shore Erosion”, enacted in 1945 to regulate land use which may alter natural areas that act as buffers along shorelines. The estimated construction period for the Proposed Project is approximately 9 months. Landside activities to support the proposed marina repair and replacement would not result in increased soil erosion. Therefore, no significant adverse impacts related to land disturbance would occur.

### **2. IMPACT ON GEOLOGICAL FEATURES**

No unique or unusual land forms were observed at or adjacent to the Project Site during a field visit on March 19, 2015. In addition, as described above in Section 1, “Impact on Land,” the Proposed Project would result in minimal land disturbance. Therefore, the Proposed Project would not result in significant adverse impacts on geological features.

### **3. IMPACTS ON SURFACE WATER**

The Proposed Project would not result in new discharges or large-scale disturbance to sediments that would have a significant effect on water quality. Construction activities would result in temporary and localized effects to water quality as a result of the removal of existing pilings and structures and during the installation of the new pilings, travel lift and floating docks. An increase in turbidity is expected, but would be localized and short term in nature. All construction activities would be completed in accordance with local, state and federal permits that would be acquired for the activities.

While minor impacts to the littoral zone can be anticipated as a result of construction activities, the project proposes an approximate net decrease of 109 square feet (“sf”) in over water structures; thus reducing the shading effects of the existing marina structures on the littoral zone. The existing over-water footprint of the marina is 7,242 sf, compared to 7,133 sf with the Proposed Project. Therefore, the Proposed Project would not result in significant adverse impacts to water quality or wetlands. An assessment of technical areas related to Surface Water is provided below.

### ***Water Quality***

The Project Site is located on Sheepshead Bay; a NYSDEC-classified Class I water body that has water quality standards established to maintain uses such as fishing or boating (NYSDEC Section 891.6). NYSDEC’s best usage criteria for Class I waterbodies is that the waters shall be suitable for fish propagation and survival (NYSDEC Part 701.13). The New York City Department of Environmental Protection (“NYCDEP”) Harbor Survey Program maintains a water quality data station (Station J11) at the mouth of Sheepshead Bay. Station J11 is located immediately adjacent to the Project Site. Based on a summary of data from the Harbor Survey’s 2011 sampling events (January to December), dissolved oxygen (“DO”) concentrations averaged 8.94 milligrams per liter (“mg/L”) at the surface and 6.38 mg/L at the bottom. The average salinity was 26.8 practical salinity units (“psu”) for surface depths and 27.32 psu for bottom depths. Surface water temperature averaged 19.3 °Celsius (“C”) and average bottom temperature was 18.3 °C. During 2011, DO levels routinely remained above the water quality standard of 4.0 mg/L required for the bay to meet Class I standards. Hypoxic conditions (less than 3.0 mg/L for DO) were only detected twice at bottom depths during an August and September 2011 sampling event.

### ***Wetlands***

In the project area, a majority of the shoreline is developed with a concrete seawall. A riprap breakwater and sandy area exist at the eastern end of the Project Site. Based upon a review of NYSDEC and United States Fish and Wildlife Service (“USFWS”) National Wetland Inventory (“NWI”) maps, Sheepshead Bay is located within tidal wetlands and mapped by the NYSDEC as littoral zone, which is defined as tidal wetlands that include all lands under tidal waters 6 feet or less at mean low water (“MLW”). The NWI maps classify Sheepshead Bay in the vicinity of the proposed floating docks as “estuarine, subtidal, unconsolidated bottom with a subtidal water regime (E1UBL).” The area immediately east of the existing travel lift is mapped as “estuarine, intertidal, unconsolidated shore with sand with an irregularly exposed water regime (E2US2M).” No vegetated wetlands exist on the Project Site.

## **4. IMPACT ON GROUNDWATER**

The proposed repair and replacement of the existing KCC marina would not require the installation of water supply wells or the use of groundwater. Nor would the Proposed Project require bulk storage of petroleum or chemical products, or the chemical application of pesticides.

Therefore, the Proposed Project would not result in any significant adverse impacts on groundwater.

### ***Water and Sewer Infrastructure***

The proposed repair or replacement of existing KCC marina structures would not result in a new development that would generate demand for water or increase impervious surface areas. Water hookups would be provided for the east and west floating docks with backflow prevention devices installed for supply lines for potable water; however, the amount of water usage would be negligible and intermittent.

The boats belonging to KCC's Marine Technology Program do not have bathrooms (heads). Visiting vessels typically do not have heads either. Pump-out stations are located nearby at the Coney Island Water Pollution Control Plant ("WPCP") approximately 3 nautical miles from the Project Site, and also at the Rockaway WCPC, located approximately 5 nautical miles from the Project Site. There is also a pump-out boat that operates in the Sheepshead Bay / Jamaica Bay area that can be contacted via telephone to make arrangements for offloading wastewater directly to an authorized receiving boat, should the need arise for a visiting vessel. Therefore, the Proposed Project would not result in a significant adverse impact on water and sewer infrastructure.

## **5. IMPACT ON FLOODING**

A review of Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps indicate that upland areas adjoining the Project Site are located within a Special Flood Hazard Area ("Zone AE") that is subject to flooding by the one percent annual chance flood (100-year flood). The Proposed Project would neither result in any new land development nor alter the floodplain storage capacity; therefore, it would not result in a change in the existing baseline flood elevations. No impacts to floodways or floodplains would result from the Proposed Project. In addition, the Proposed Project would not impact the CEHA designation as it would not result in a change to land use or alter existing natural areas that act as buffers along shorelines. Therefore, the Proposed Project would not result in flood-related significant adverse impacts.

## **6. IMPACT ON AIR**

### ***Air Quality***

The Proposed Project would not introduce any new stationary sources of emission. Operational capacity of the marina would be restored to pre-Hurricane Sandy levels, including the number of vessels using the marina. Therefore, operation of the Proposed Project would not result in significant adverse impacts on air quality associated with increased maritime vessel traffic.

Since the estimated construction-period is short term, approximately 9 months, no significant adverse air quality impacts related to construction would occur. The contractor would conform to local law requirements. Construction activities may be intermittent because the in-water and shore-side construction activities are unrelated and thus do not need to occur concurrently.

### ***Greenhouse Gas Emissions and Climate Change***

A greenhouse gas (“GHG”) emissions assessment is typically conducted only for larger projects undergoing an Environmental Impact Statement (“EIS”), since such projects have a greater potential to be inconsistent with the City’s GHG reduction goal to a degree considered significant. The proposed repair or replacement of existing KCC marina structures would not create a new source of GHG emissions or alter the city’s solid waste management system.

The New York City Waterfront Revitalization Program, March 2012 Revisions (the “Revised WRP”), are currently under review as the local Coastal Zone Management Program by the New York State Department of State and the United States Department of Commerce. However, the Revised WRP has been approved by the City Planning Commission and City Council pursuant to Section 197-a of the New York City Charter and reflects the long-term goals relating to sustainability and climate resilience. Accordingly, for site-specific development plans, an analysis of consistency with Policy 6.2 of the Revised WRP may provide sufficient information to assess the potential effects of sea level rise, storm surge and coastal flooding. The WRP consistency assessment, including an analysis of consistency with Policy 6.2 of the Revised WRP, is provided in Appendix D. Therefore, further assessment of the Proposed Project related to GHG emissions and climate change is not needed.

## **7. IMPACT ON PLANTS AND ANIMALS**

Available information from the NYSDEC Natural Heritage Program (“NHP”) and USFWS were reviewed to identify the presence of rare, threatened or endangered species at the Project Site. Information from the NHP and the USFWS regarding species of concern and threatened and endangered species in the vicinity of the Project Site is included as Appendix B. Correspondence received from the NHP on April 16, 2015, indicated that there were records or known occurrences of two vascular plants, including the Threatened Red Pigweed (*Chenopodium rubrum*) and Endangered Retrorsed Flatsedge (*Cyperus retrorsus* var. *retrorsus*). The Red Pigweed and Retrorsed Flatsedge were last reported in 1982 at Plumb Beach and 1938 in Marine Park, respectively. No animals, significant natural communities or other significant habitats were identified at or in the immediate vicinity of the Project Site.

A review of the USFWS files indicated four Federally-listed threatened or endangered species are known to occur within or in the vicinity of the Project Site. These species are the endangered Roseate Tern (*Sterna dougallii*), the threatened Piping Plover (*Charadrius melodus*)



and Red Knot (*Calidris canutus rufa*) and Seabeach Amaranth (*Amaranthus pumilus*). There is no critical habitat within the Project Site.

The Seabeach Amaranth is an annual plant that is found on sandy beaches above the high tide line (USFWS 2015). Roseate Terns breed on barrier islands, such as those in Long Island Sound, and begin arriving to these areas at the end of April. The terns will breed through the summer and then migrate south starting in late August/early September (USFWS 2011). Piping Plovers prefer flat and open sandy beaches with minimal vegetation cover for breeding, such as those found along the sandy beaches of Long Island Sound. Piping Plovers arrive at their breeding sites in early to mid-March with the season lasting until early September then migrating south (USFWS 2007). Red Knots utilize intertidal habitats in coastal areas for feeding or invertebrates during an annual migration (USFWS 2013).

The Proposed Project would repair or replace existing marina structures and would not result in significant changes to the existing habitats present at the Project Site. The Proposed Project would require the removal of two existing trees, 10 to 12 inches in diameter, that are not located in a park or public right of way (“ROW”). Potential replacement options can range from tree replacement, or, if the removed trees are within the jurisdiction of New York City Department of Parks and Recreation (“NYCDPR”), fees or donations to NYCDPR projects. Acceptable off-site replacement options will be explored and implemented, with NYCDPR coordination, if needed. Based on the life history and habitat requirements of the NHP and USFWS-listed species, the Project Site does not offer habitat suitable such as sandy beaches or intertidal wetlands to support these species and would have no short-term or long-term negative effect on significant, sensitive or designated resources. In addition, Essential Fish Habitat (“EFH”) analysis will be completed and submitted as part of the permit applications. Fish-related work windows would be followed per regulatory or permit requirements, when they are issued. Therefore, the Proposed Project would not result in significant adverse impacts on plants or animals.

## **8. IMPACT ON AGRICULTURAL RESOURCES**

The Project Site is located within a highly urbanized area and is not located within or adjacent to agricultural land. Therefore, no significant adverse impact on agricultural resources would occur.

## **9. IMPACT ON AESTHETIC, URBAN DESIGN AND VISUAL RESOURCES**

The proposed repair and replacement of the existing KCC marina would not introduce a new land use. Nor is the Project Site located within or visible from a designated scenic or aesthetic resource. No changes to the existing zoning are needed. Therefore, the Proposed Project would not result in a significant adverse impact on aesthetic, urban design and visual resources.

## **10. IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

The Proposed Project was reviewed in conformance with the *New York State Historic Preservation Act of 1980* (“SHPA”), especially the implementing regulations of Section 14.09 of the *Parks, Recreation, and Historic Preservation Law* (“PRHPL”), as well as with the requirements of the Memorandum of Understanding (“MOU”), dated March 18, 1998, between DASNY and the New York State Office of Parks, Recreation, and Historic Preservation (“NYSOPRHP”).

A review of the online databases of the NYSOPRHP and the New York City Landmarks Preservation Commissions (“NYCLPC”) did not indicate the presence of historic or resources within or adjacent to the Project Site. Construction activities would occur in previously disturbed areas. Therefore, no significant adverse impacts on historic or archaeological resources are anticipated. Consultation with NYCLPC and NYSOPRHP is herein requested as part of this EAF distribution.

## **11. IMPACT ON OPEN SPACE AND RECREATION**

The Project Site is not located within or adjacent to a publicly accessible open space resource. The nearest public park is the Manhattan Beach Park located approximately 1 mile from the Project Site on Ocean Avenue and MacKenzie Street, which features a beach, boardwalk and concession stand. Recreational facilities on the KCC campus include the Kingsborough Athletics Field. The Proposed Project would not generate new users that would burden existing open space resources. Therefore, Proposed Project would not result in a significant adverse impact on open space and recreation. See Section 13, “Impact on Transportation” below for a discussion of recreational navigation.

## **12. IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

The Project Site is located within Sheepshead Bay and within the NYSDEC-designated Jamaica Bay Critical Environmental Area (“CEA”). CEAs are designated areas that are recognized for providing aesthetic or scenic function, a benefit to human health, or possessing ecological/hydrological sensitivity to change. As described above under “Natural Resources” and “Plants and Animals,” the Proposed Project would not result in significant adverse impacts on water quality or species of interest. Therefore, the Jamaica Bay CEA and its coastal wetland ecosystem would not be affected.

## **13. IMPACT ON TRANSPORTATION**

The proposed repair and replacement of the KCC marina would restore its operational capacity to pre-Sandy levels. The Proposed Project would not include new parking spaces. As such, the Proposed Project would not generate new vehicular or transit trips. Construction-related trips and effects would be temporary and short term since the estimated construction period is approximately 9 months.

Sheepshead Bay is also home to a Recreational Mooring Area (see Photo 2) for small recreational vessels that are individually anchored to moored buoys. Under the Proposed Project, this mooring area would remain undisturbed by the KCC marina activities. The new floating docks would not be any closer to the designated mooring area. In addition, coordination with the U.S. Coast Guard and appropriate Local Notice to Mariners would be undertaken in advance of all in-water construction activities. Therefore, no significant adverse impacts to the existing transportation system would occur.



Source: [http://marinas.com/view/inlet/656\\_Sheepshead\\_Bay\\_Inlet\\_Manhattan\\_Beach\\_NY\\_United\\_States](http://marinas.com/view/inlet/656_Sheepshead_Bay_Inlet_Manhattan_Beach_NY_United_States)

**Photo 2 - Aerial View of Sheepshead Bay's Recreational Mooring Area**

#### **14. IMPACT ON ENERGY**

The proposed repair and replacement of the KCC marina would restore its operational capacity to pre-Hurricane Sandy levels. Therefore, energy use would not increase.

#### **15. IMPACT ON NOISE, ODOR, AND LIGHT**

The proposed repair and replacement of the KCC marina would restore its operational capacity to pre-Hurricane Sandy levels and would not introduce any new uses. Lighting for the Proposed Project would include two amber lights located on the proposed wave attenuator for navigational purposes, and two, ground-level, work lights would be located land side at the base of the travel lift for safety purposes. The proposed lights would not shine onto adjoining properties, nor would they create sky glow brighter than existing area conditions. Operation of

the restored KCC marina would not result in an increase in noise, odors, or outdoor lighting in the project area. Therefore, no significant adverse operational phase impacts would occur.

Construction of the Proposed Project would conform to New York City regulatory requirements. No blasting would occur. Since the estimated construction period is approximately 9 months, any construction-related noise, odor or lighting would be temporary and short term, and no related significant adverse impacts would occur.

## **16. IMPACT ON HUMAN HEALTH**

The Proposed Project would not result in an impact on human health from exposure to new or existing sources of contamination. An assessment technical of areas related to Human Health is provided below.

### ***Hazardous Materials***

A Phase I Environmental Site Assessment (“ESA”) was prepared for the Project Site in accordance with American Society for Testing and Materials (“ASTM”) Practice E1527-13 (see Appendix C). The Phase I ESA identified Recognized Environmental Conditions (“RECs”) on the Project Site. Based upon the identification of RECs, it was recommended that a Phase II ESA be performed to determine the nature and extent of contamination associated with ongoing boat maintenance/repair activities, the presence of historic fill, and possible prior spills reported to NYSDEC. Based on the findings of the Phase II investigations and only if needed, a Remedial Action Plan (“RAP”) and a Construction Health and Safety Plan (“CHASP”) would be prepared for review and approval by the NYCDEP. In any event, construction activities would conform to NYCDEP and NYSDEC requirements. The bulkhead and existing piles to remain would be repainted with a non-coal tar epoxy coating, and existing piles to be removed would be disposed of in compliance with all federal, state and local regulations. The proposed repair and replacement of the KCC marina would not introduce new sources of contamination.

### ***Public Health***

As described throughout the EAF assessment, the Proposed Project would not result in an unmitigated significant adverse impact on air quality, water quality, hazardous materials, or noise. Therefore, no significant adverse impact on public health would occur.

## **17. CONSISTENCY WITH COMMUNITY PLANS**

The proposed repair and replacement of the KCC marina would not introduce any new land uses or populations, or require a change in the existing zoning regulation. Therefore, the Proposed Project would be consistent with community plans. An assessment of technical areas related to Consistency with Community Plans is provided below.

### ***Land Use***

The Project Site is located with KCC's academic campus, which is part of the CUNY system (see Figure 2, "Land Use Map"). The KCC campus itself comprises the eastern portion of the Manhattan Beach peninsula, which is a predominantly residential neighborhood largely comprising one and two-family residences. The 400-foot land use study area is mainly composed of the KCC campus, including the existing marina at the Project Site. The proposed repair and replacement of the existing KCC marina structures would continue the existing water-dependent use at the Project Site and would not introduce any new land uses or land use trends.

### ***Zoning***

The KCC campus is mapped as a R3-1 Detached and Semi-Detached Residence District, which extends to the pierhead and bulkhead line along the southern edge of Project Site (see Figure 3, "Zoning Map"). R3-1 zoning districts are contextual districts that allow semi-detached and detached one- and two-family homes, with a maximum allowable Floor Area Ratio ("FAR") of 0.5 that may be increased up to 20 percent for attic allowance. Zoning districts are not mapped on the waterside portion of the Project Site. The Proposed Project would not require any change to existing zoning regulations.

### ***Public Policy***

The Proposed Project's consistency with applicable public policies is assessed below.

OneNYC. In 2007, the Mayor's Office for Long Term Planning and Sustainability released *PlaNYC 2030* to prepare the City for one million more residents, strengthen the City's economy, combat climate change, and enhance quality of life. The updated version of *PlaNYC* released in April 2011, identified 132 initiatives and more than 400 specific milestones for achieving these goals. In 2013, after Hurricane Sandy, the City released *PlaNYC: A Stronger, More Resilient New York*, which documented the lessons learned from Hurricane Sandy, developed a strategy for the city to build back, and developed recommendations to adapt the city to the projected impacts of climate change, including rising sea levels and extreme weather events. In April 2015, the Mayor's Office of Sustainability released "One New York: The Plan for a Strong and Just City ("OneNYC"), which builds upon the prior long-term sustainability plans for New York City to address growth, sustainability and resiliency challenges, with the added issue of equity as a guiding principle throughout the plan.

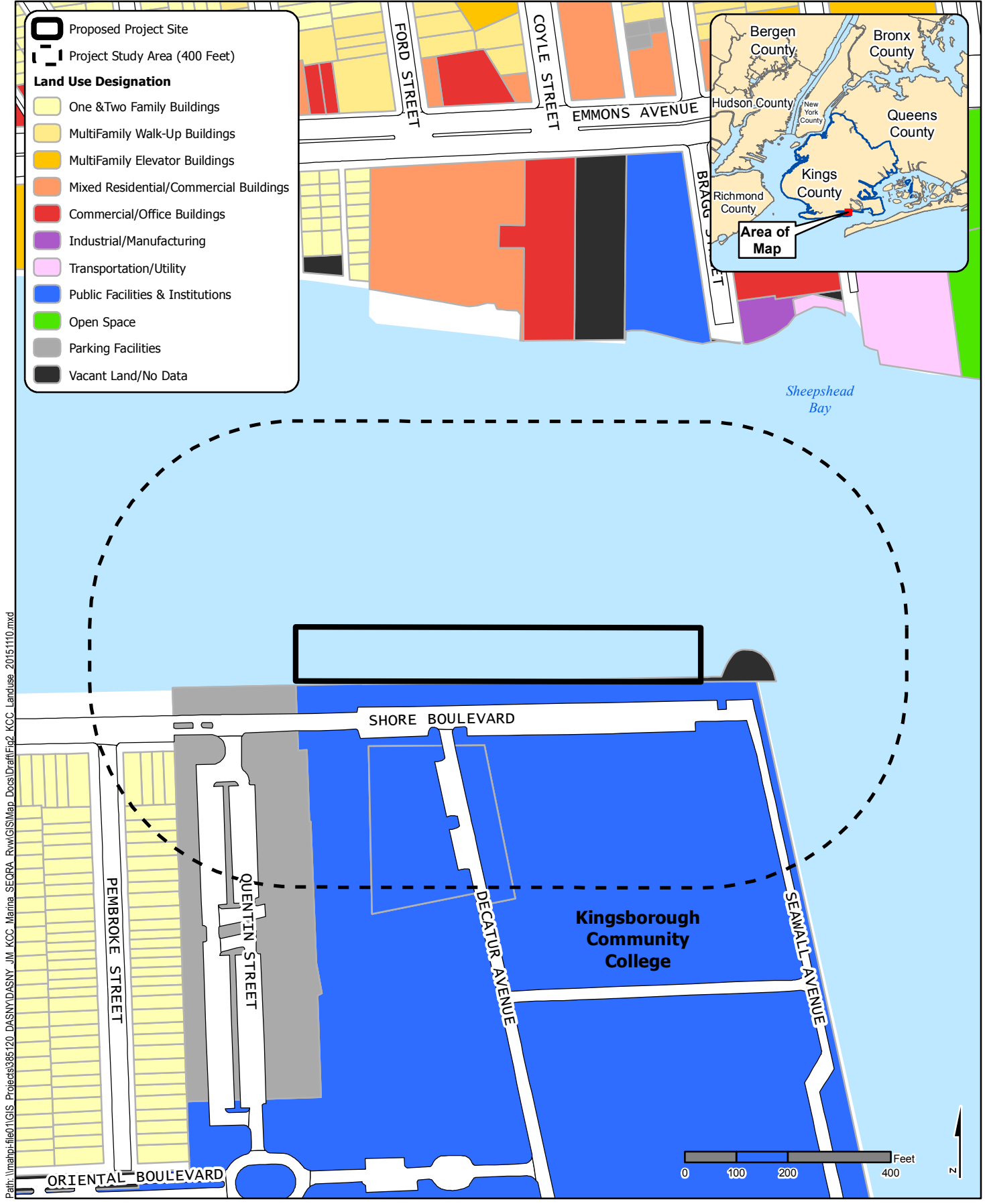
New York City Waterfront Revitalization Plan ("WRP"). The WRP is the city's principal coastal zone management tool. As originally adopted in 1982 and revised in 2002, it establishes the city's policies for development and use of the waterfront and provides the framework for evaluating the consistency of all discretionary actions in the Coastal Zone. When a proposed project is located within the Coastal Zone and it requires a local, state, or federal discretionary

action, a determination of the project's consistency with the policies and intent of the WRP must be made before the project can move forward. The Proposed Project is located within the Coastal Zone and will conform to the WRP (see WRP consistency documentation in Appendix D).

*Vision 2020.* In March 2011, the New York City Department of City Planning released *Vision 2020: New York City Comprehensive Waterfront Plan*, a 10-year vision for the future of city's 520 miles of shoreline. *Vision 2020* is accompanied by the *New York City Waterfront Action Agenda*, which outlines 130 key projects to be initiated within 3 years to catalyze waterfront investment, improve water quality, and expand public access. *Vision 2020* and the *New York City Waterfront Action Agenda* are the core components of the *Waterfront Vision and Enhancement Strategy*, an interagency initiative to improve the city's waterfront. *Vision 2020* organizes the New York City waterfront into 22 specific stretches, or "reaches," and provides recommendations for each one. The Proposed Project is located within Reach 16, "Coney Island and Sheepshead Bay." No specific recommendations for Reach 16 pertain to the Proposed Project; nor would the Proposed Project conflict with or preclude the implementation of Reach 16 recommendations.

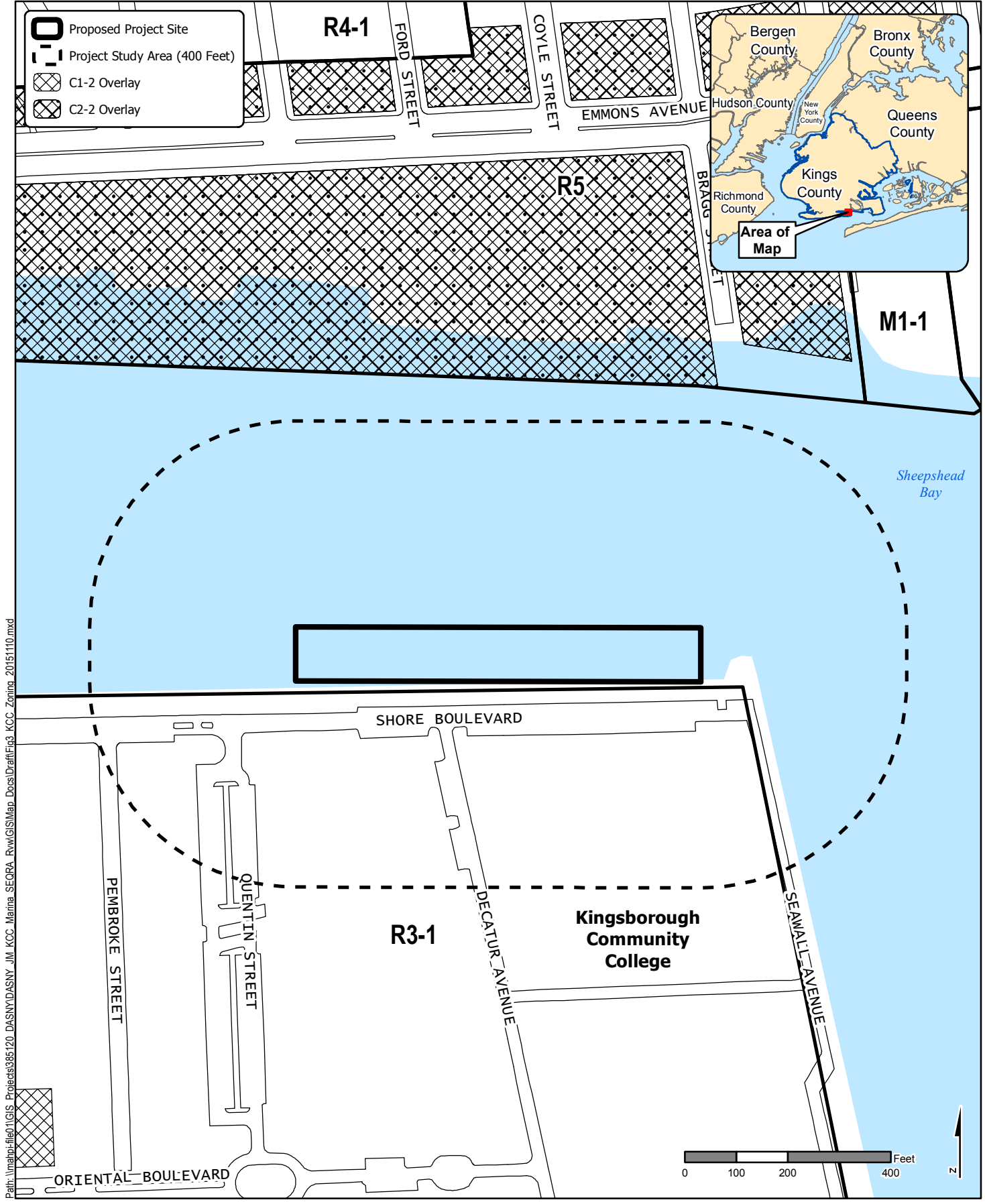
*New York State Coastal Management Program ("CMP").* The CMP has established statewide boundaries in accordance with the requirements of the *Coastal Zone Management Act of 1972*, as amended, and its subsequently issued rules and regulations. The waterward boundary extends 3 miles into open ocean, and the inland boundary generally is approximately 1,000 feet from the shoreline following well-defined features such as roads, railroads or shorelines, except in urbanized and other developed locations along the coast, where the landward boundary is approximately 500 feet from the shoreline. The seaward boundary of New York State's coastal area includes all coastal waters within its territorial jurisdiction. The Project Site is located within the CMP and as such the Proposed Project was reviewed to determine consistency with both the CMP and WRP (see CMP consistency documentation in Appendix D).

*Smart Growth Impact Assessment.* Since the Proposed Project would include DASNY construction services, the Proposed Project was evaluated pursuant to the State of New York State Smart Growth Public Infrastructure Policy Act ("SSGPIPA") procedures. The purpose of the SSGPIPA is to enhance the state's environmental policy by declaring a fiscally prudent state policy of maximizing the social, economic and environmental benefits from public infrastructure development. Enhancement is done through minimizing unnecessary costs of sprawl development including environmental degradation; disinvestment in urban and suburban communities; loss of open space induced by sprawl facilitated by the funding or development of new or expanded transportation; sewer and waste water treatment; water; education; housing and other publicly supported infrastructure inconsistent with smart growth public infrastructure criteria. Specific to the Proposed Project, DASNY's Smart Growth Advisory Committee reviewed the Proposed Project and attested that the Proposed Project, to the extent practicable, would meet the relevant smart growth criteria established by the legislation. Therefore, the Proposed Project would be in compliance SSGPIPA. The compatibility of the Proposed Project with the ten criteria of the SSGPIPA is assessed in the appended Smart Growth Impact Statement Assessment Form (see Appendix E).



Path: \\malp\p1\GIS - Projects\385120 - DASNY\DASNY - JM - KCC Marina SEORA - Rvw\GIS\Map\_Docs\Draft\Fig2\_KCC\_LandUse\_20151110.mxd

Figure 2: Land Use Map  
KCC Marina Reconstruction



Path: \\mahp\file01\GIS\_Protects\385120\_DASNY\DASNY\_JM\_KCC\_Marina\_SEORA\_Rvw\GIS\Map\_Docs\Draft\Fig3\_KCC\_Zoning\_20151110.mxd

Figure 3: Zoning Map  
KCC Marina Reconstruction



## **18. CONSISTENCY WITH COMMUNITY CHARACTER**

The Proposed Project would restore the operational capacity of the KCC marina to pre-Hurricane Sandy levels and reduce its susceptibility to future damage caused by coastal storms and wind-driven rain. The scale and setting of the restored marina in the urban and natural landscape would be similar to that of the existing marina. Access and use of public facilities and historic or cultural resources would not be affected, nor would any such facility be displaced. Since the Proposed Project would not introduce any new populations, it would not create a demand for additional community services. No affordable or low-income housing would be displaced. Therefore, the Proposed Project would be consistent with community character. An assessment of technical areas related to Consistency with Community Character is provided below.

### *Socioeconomic Conditions*

The Proposed Project would not displace any residents or employees. Nor would it introduce new residential or commercial development, or otherwise affect any existing businesses. Therefore, the Proposed Project would not result in significant adverse impacts related to socioeconomic conditions.

### *Community Facilities and Services*

The Proposed Project would not physically displace or alter any community facility. Nor would it introduce a new population that would utilize public schools, libraries, or child care centers, or result in a new neighborhood that would place demands on police, fire, and health care services. Therefore, the Proposed Project would not result in a significant adverse impact on community facilities and services.

### *Shadows*

The rehabilitated KCC marina would generally be located at the site of the existing marina. The existing over-water footprint of the KCC marina is approximately 7,242 sf, and the Proposed Project would encompass approximately 7,133 sf — an approximate net decrease of 109 sf in over water structures. The reduction in net surface area would reduce the shading effects of the existing marina structures on the littoral zone. Any replacement or ancillary structures would be similar in height to existing structures and significantly lower than the 50-foot *CEQR* threshold. Therefore, any incremental shadows generated by the marina structures would be minimal. No known sunlight-sensitive resources, including publicly accessible open space resources, historic architectural resources, or natural resources of concern would be affected. Therefore, the Proposed Project would not result in significant adverse impacts related to shadows.

### *Neighborhood Character*

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." As described throughout the EAF assessment, the Proposed Project would not result in a significant adverse impact to any of the following technical analysis areas: land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, or noise. Nor would it result in moderate impacts to more than one technical analysis area. A moderate impact can be defined as an effect that is reasonably close to the significant adverse impact threshold. Therefore, the Proposed Project would not result in a significant adverse impact on Neighborhood Character.

## **19. CONSTRUCTION**

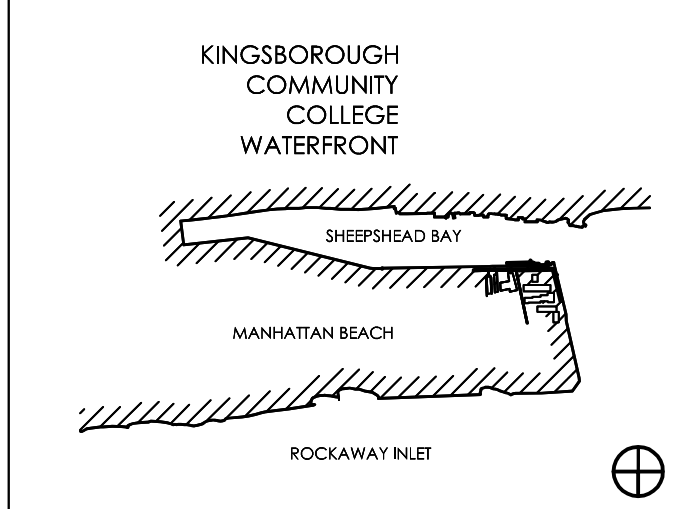
Construction activities would occur over an approximately 9-month period (see description of construction activities in FEAF Part 1). Therefore, construction-related effects of the Proposed Project would be temporary, and construction activities would be short term, i.e., under 2 years in duration. Therefore, no significant adverse construction-related impacts are anticipated.

## REFERENCES

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- U.S. Fish and Wildlife Service. National Wetlands Inventory. “Wetlands Mapper.” <http://www.fws.gov/wetlands/>.
- U.S. Fish and Wildlife Service. May 2007. Piping Plover Project Review Fact Sheet. New York Field Office. [www.fws.gov/northeast/nyfo/es/PipingPloverFactSheet07.pdf](http://www.fws.gov/northeast/nyfo/es/PipingPloverFactSheet07.pdf)
- U.S. Fish and Wildlife Service. Fact Sheet: Rufa red knot (*Calidris canutus rufa*): [http://www.fws.gov/northeast/redknot/pdf/Redknot\\_BWfactsheet092013.pdf](http://www.fws.gov/northeast/redknot/pdf/Redknot_BWfactsheet092013.pdf)
- U.S. Fish and Wildlife Service. New York Field Office. Roseate Tern: North American Subspecies (*Sterna dougallii dougallii*) Fact Sheet. [www.fws.gov/northeast/pdf/Roseatetern0511.pdf](http://www.fws.gov/northeast/pdf/Roseatetern0511.pdf)
- U.S. Fish and Wildlife Service. New York Field Office. Seabeach Amaranth Species Profile. Available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=Q2MZ>

**APPENDIX A  
SITE PLAN**

Project Key



REVISIONS

Revision	Description	Date
1		
2		
3		
4		

Project Title

CITY UNIVERSITY OF NEW YORK  
 205 EAST 42ND STREET  
 NEW YORK, NY 10017

**KINGSBOROUGH COMMUNITY COLLEGE**  
 BROOKLYN, NY 11235  
 WATERFRONT RECONSTRUCTION

Phase

SEQRA

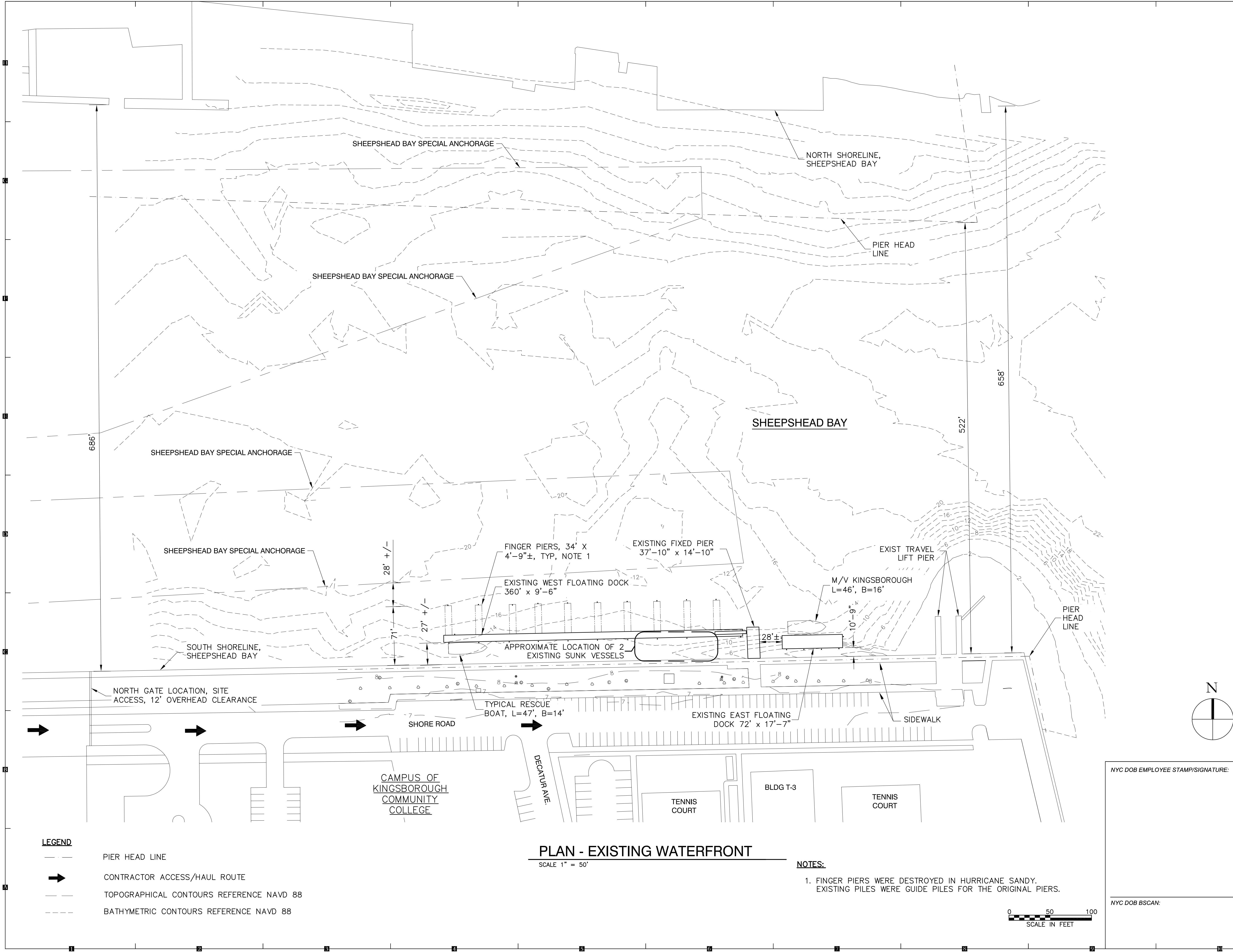
PLAN  
 EXISTING  
 WATERFRONT

Drawn By: M.JACOBS | Checked By: R.ELSENER | Date: 12/11/2015

Seal & Signature: DASNY Project No: 32632009999

Drawing Number: S-200.00

Drawing 1 of 2



- LEGEND**
- PIER HEAD LINE
  - ➔ CONTRACTOR ACCESS/HAUL ROUTE
  - TOPOGRAPHICAL CONTOURS REFERENCE NAVD 88
  - BATHYMETRIC CONTOURS REFERENCE NAVD 88

**PLAN - EXISTING WATERFRONT**

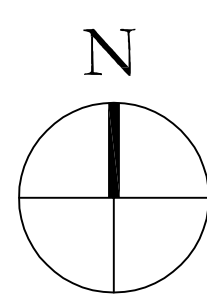
SCALE 1" = 50'

- NOTES:**
- FINGER PIERS WERE DESTROYED IN HURRICANE SANDY. EXISTING PILES WERE GUIDE PILES FOR THE ORIGINAL PIERS.



NYC DOB EMPLOYEE STAMP/SIGNATURE:

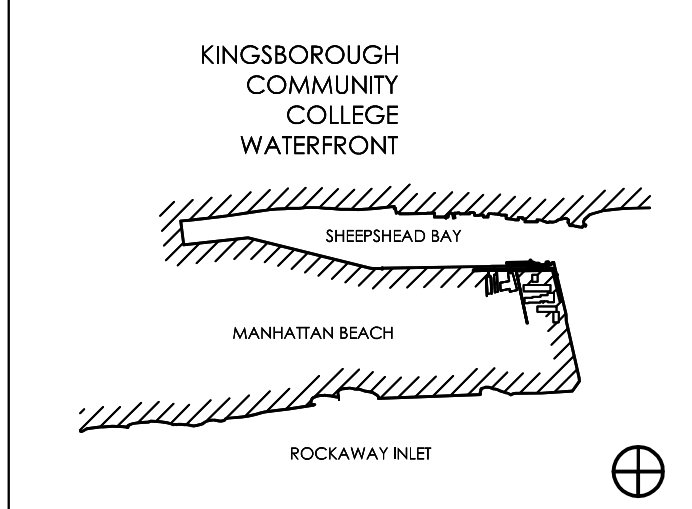
NYC DOB BSCAN:



Consultants:

**Dewberry**  
 Dewberry Engineers Inc.  
 132 WEST 31ST STREET  
 SUITE 301  
 NEW YORK, NY 10011

Project Key



REVISIONS

Revision	Description	Date
1		
2		
3		
4		

Project Title

CITY UNIVERSITY OF NEW YORK  
 205 EAST 42ND STREET  
 NEW YORK, NY 10017

**KINGSBOROUGH  
 COMMUNITY COLLEGE**  
 BROOKLYN, NY 11235  
 WATERFRONT RECONSTRUCTION

Phase

SEQRA

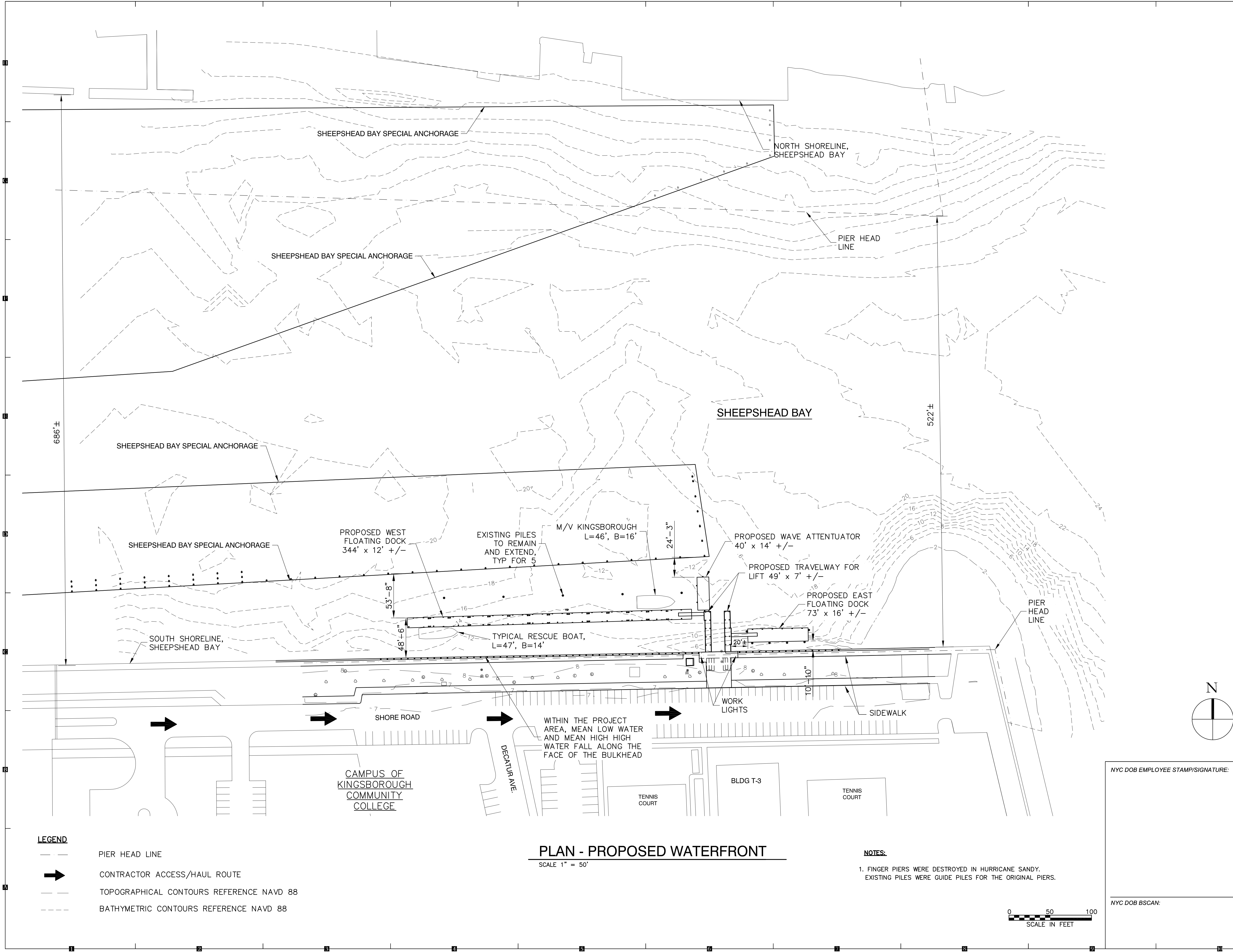
**PLAN  
 PROPOSED  
 WATERFRONT**

Drawn By: M.JACOBS | Checked By: R.ELSENER | Date: 12/11/2015

Seal & Signature: DASNY Project No: 32632009999

Drawing Number: S-201.00

Drawing 2 of 2



- LEGEND**
- PIER HEAD LINE
  - ➔ CONTRACTOR ACCESS/HAUL ROUTE
  - - - TOPOGRAPHICAL CONTOURS REFERENCE NAVD 88
  - - - BATHYMETRIC CONTOURS REFERENCE NAVD 88

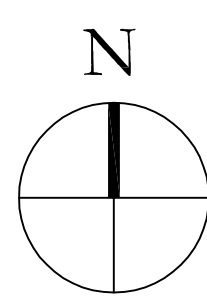
**PLAN - PROPOSED WATERFRONT**  
 SCALE 1" = 50'

**NOTES:**  
 1. FINGER PIERS WERE DESTROYED IN HURRICANE SANDY.  
 EXISTING PILES WERE GUIDE PILES FOR THE ORIGINAL PIERS.



NYC DOB EMPLOYEE STAMP/SIGNATURE:

NYC DOB BSCAN:



**APPENDIX B  
AGENCY CORRESPONDENCE**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife & Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5<sup>th</sup> Floor, Albany, New York 12233-4757  
**Phone:** (518) 402-8935 • **Fax:** (518) 402-8925  
**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

April 16, 2015

Eileen Wands  
HDR  
1 International Blvd., 10th Floor, Suite 1000  
Mahwah, NJ 07495

Re: Kingsborough Community College Marina Project - proposed repair/rehabilitation of marina in Sheepshead Bay, Brooklyn

Town/City: New York.

County: Kings.

Dear Eileen Wands :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at [www.dec.ny.gov/about/39381.html](http://www.dec.ny.gov/about/39381.html).

Sincerely,

Andrea Chaloux  
Environmental Review Specialist  
New York Natural Heritage Program





**The following rare plants, rare animals, and significant natural communities have been documented in the vicinity of your project site.**

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
<b>Vascular Plants</b>			
<b>Red Pigweed</b>	<i>Chenopodium rubrum</i>	Threatened	Imperiled in NYS
Plumb Beach, 1982-summer.			

4862

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/97703.html](http://www.dec.ny.gov/animals/97703.html) for Ecological Communities of New York State.



**The following rare plants and rare animals have  
historical records  
in the vicinity of your project site.**

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site include a search for these species, particularly at sites that are currently undeveloped and may still contain suitable habitat.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NYS LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
<b>Vascular Plants</b>			
<b>Retorse Flatsedge</b>	<i>Cyperus retrorsus</i> var. <i>retrorsus</i>	Endangered	Critically Imperiled in NYS
1938-09-05: Marine Park. Sandy border of salt marsh.			4974

**This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.**

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

**APPENDIX C  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
EXECUTIVE SUMMARY**



## Phase I ESA

The City University of New York (CUNY)  
Kingsborough Community College  
Marina Reconstruction

2001 Oriental Boulevard, Brooklyn, New York

Prepared for:

Dormitory Authority of the State of New York  
515 Broadway, Albany, NY 12207

Prepared by:

Henningson, Durham & Richardson  
Architecture and Engineering, P.C.

April 4, 2015



Phase I Environmental  
Site Assessment:

Kingsborough  
Community College  
Marina Reconstruction

2001 Oriental Boulevard, Brooklyn, New York



# **Phase I Environmental Site Assessment Kingsborough Community College Marina Reconstruction**

2001 Oriental Boulevard  
Brooklyn, Kings County, New York

**Prepared for:**

Dormitory Authority of the State of New York  
515 Broadway  
Albany, NY 12207

**Prepared by:**

Henningson, Durham & Richardson Architecture and Engineering, P.C.  
1 International Boulevard, 10<sup>th</sup> Floor, Suite 1000  
Mahwah, New Jersey 07495-0027

Project #: 147-248166



1 International Boulevard,  
Mahwah, New Jersey 07495  
201.335.9300

**hdrinc.com**

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**April 4, 2015**

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- Appendix D – City Directory
- Appendix E – Historical Aerial Photographs
- Appendix F – Historical Topographical Maps
- Appendix G – Previous Reports
- Appendix H – Photographs



# Executive Summary

Henningson, Durham & Richardson Architecture and Engineering, P.C. (HDR) has conducted a Phase I Environmental Site Assessment (Phase I ESA) of The City University of New York (CUNY) Kingsborough Community College (KBCC) Marina located at 2001 Oriental Boulevard in Brooklyn, Kings County, New York. The Phase I ESA has been prepared for the Dormitory Authority State of New York (DASNY). DASNY is requesting a Phase I ESA of the aforementioned property for proposed marina reconstruction.

The property, referenced herein as the "Subject Property", consists of a marina on the campus of Kingsborough Community College. The Subject Property houses a travel lift, trawler dock, pier, floating dock with finger piers, and an upland area consisting of a landscaped park and a portion of Shore Boulevard. Please refer to the Project Location and Project Detail Maps (Figures 1 and 2, respectively) for further detail.

The surrounding area consists of a mix of open water, residential and public land uses. The Subject Property is bound to the north and east by Sheepshead Bay; and to the south and west by Kingsborough Community College campus.

According to HDR's review of historical sources, including historical aerial photographs, historical topographic maps, fire insurance maps, city directories, and personal interviews, the Subject Property was first developed between 1900 and 1924 when fill was added to raise its elevation above sea level and a street was constructed. The Subject Property has been utilized as a marina since 1994 or 1995.

This Phase I ESA identifies Recognized Environmental Conditions (RECs) that may adversely affect the Subject Property, and was conducted in accordance with the scope and limitations of the American Society for Testing and Materials (ASTM) Practice E1527-13. This report includes a summary of the site reconnaissance conducted on March 19, 2015, a review of environmental databases, a review of historical data sources, environmental lien search, and personal interviews. Any exceptions to or deletions from these ASTM practices are described later in this report.

Based on conditions noted within the Subject Property, HDR identified three RECs and two Historical RECs (HRECs) associated with the Subject Property.

## FINDINGS

General findings of this assessment include the following:

- According to the New York State Department of Environmental Conservation (NYSDEC), a total of 19 tanks including 12 underground storage tanks (USTs) and seven aboveground storage tanks (ASTs) are currently in service at the KBCC campus. Throughout the Subject Property's history, KBCC has added, removed, and replaced USTs and ASTs throughout the Site (Sections 4.1 and 4.2.2).
- Three leaking USTs were reported at KBCC between January and February of 1990, all of which were administratively closed by NYSDEC due to a lack of "any recent info" (Spill Case 8910506). The NYSDEC also specified that the spills did not meet cleanup requirements (Sections 4.1 and 4.2.2).
- A spill incident was reported in August 2012 (Spill Case 1204449) when contaminated soil was discovered while removing a 31,340-gallon #6 fuel oil UST. The impacted soil was removed and further soil sampling indicated that there were no CP51 Unrestricted Residential Soil Cleanup Objective (SCO) exceedances for petroleum related volatile organic compounds (VOCs) but there were some minor exceedances of semi-VOCs (SVOCs) attributable to fill material (fill dirt) (Section 4.1).

- Soil sampling following two spill incidents (Spill Cases 0109966 and 0401134) revealed that SVOCs indicative of urban fill material were present in the vicinity of the Subject Property (Section 4.1). Historical aerial photography and topographic maps indicated that fill material was added to the vicinity of the Subject Property to increase the amount of land area between 1900 and 1951 (Sections 4.3.4 and 4.3.5).
- During excavation outside of a boiler room, a #6 fuel oil return line was damaged and an estimated 40 gallons of petroleum product was released (Spill Case 1114138). The Spill Case was closed on April 3, 2012, after the impacted soil was removed and end-point sampling was completed. It was reported that although the spill was closed, the concentrations of total xylenes in the end-point samples collected were above regulatory standards (Sections 4.2.2 and 4.5).
- A spill was reported in November 2012 (Spill Case 1208564) when a 50-gallon waste oil “spill to [a] paved area and catch basin” occurred (Section 4.2.2). In an email to the NYSDEC from the Director of the Office of Environmental Health and Safety at Kingsborough Community College sent in January 2013, it was explained that the oil was contained and that the catch basin was pumped out. The Spill Case was closed on January 8, 2013.
- A spill incident was reported in November 2012 (Spill Case 1208565) when it was reported that there was an “oil water mix from [an elevator] shaft” and that the compound was hydraulic oil (Section 4.2.2). In an email to the NYSDEC from the Director of the Office of Environmental Health and Safety at Kingsborough Community College sent in January 2013, it was explained that the elevator pit was pumped out. The Spill Case was closed on January 8, 2013.
- Spill Case 1405830 was reported to have occurred on August 29, 2014 at the High School on the Kingsborough Community College campus (Section 4.2.2). Approximately 15-gallons of hydraulic oil were released from a hydraulic hose during a truck malfunction. The spill was cleaned up using Speedi-Dri and the case was closed on August 29, 2014.
- An electrical transformer was identified in the central portion of the Subject Property (Sections 4.7 and 4.8). A spill response kit was located alongside of the transformer.
- The Subject Property and its vicinity are used for servicing and painting boats (Sections 4.6.1 and 4.7).

#### OPINIONS

HDR has reviewed all of the stated data sources, which are part of the ASTM E 1527-13 assessment protocol. Based upon the review of the data, HDR has developed the following professional opinions:

- Urban fill material is common in the soil throughout the City of New York and has been reported to be present in the vicinity of the Subject Property (Sections 4.1 and 4.2.1). Furthermore, fill material has been added at, and in the vicinity of the Subject Property for the purpose of land reclamation (Sections 4.3.4 and 4.3.5). Historic urban fill material in the City of New York commonly contains elevated concentrations of polycyclic aromatic hydrocarbon (PAHs) and heavy metals. The suspect presence of historic urban fill material is considered a REC.
- The Subject Property and its vicinity have been used for performing boat maintenance. Motor oil was identified in an open container at the time of the Site Reconnaissance. Regularly servicing any type of vehicle can result in releases of petroleum product over time. Maintenance also consisted of painting the underbelly of the boats. Paint staining

was observed on the asphalt and sidewalk throughout the northcentral portion of the Subject Property. Marine paint commonly contains PCBs. The use of the Subject Property for boat maintenance may have impacted its environmental quality and is considered a REC.

- According to the New York City Department of Buildings (NYCDOB) job records for 1813 Oriental Boulevard (BIN# 3326939), the tank described in Spill Case 8910506 was likely to have been a UST formerly located at Temporary Building #8, approximately 300 feet south of the Subject Property (Section 4.2.2). According to the Spill Incident report, the case was administratively closed and the spill did not meet any cleanup requirements (Section 4.2.2). The historic presence of Spill Case 8910506 may have impacted upon the environmental quality of the Subject Property and is considered a REC.
- The precise location of Spill Case 1405830 could not be determined and may have occurred in the southwest portion of the Subject Property (Sections 4.2.2 and 4.6.2). The suspect presence of a historic spill at the Subject Property that was contained, did not impact the soil, and was cleaned up to the satisfaction of the NYSDEC is considered an HREC.
- Spill Case 1208564 was reported to have been contained and cleaned up (Section 4.2.2). Because the location of Spill Case 1208564 could not be determined, it cannot be ruled out that it may have occurred at the Subject Property (Section 4.6.2). Because the presence of Spill Case 1208564 may have presented the potential for impact to the environmental quality of the Subject Property when it occurred, and because the spill was contained and cleaned up without impact to the soil, and to the satisfaction of the NYSDEC, the historic presence of Spill Case 1208564 should be considered an HREC.
- Although there are USTs and ASTs located at the Kingsborough Community College campus, none of them are located at the Subject Property or within the critical distance for volatile petroleum hydrocarbons of 30 feet (as defined by ASTM E2600-10) of the Subject Property, and thus should not be considered a REC.
- Spill Case 8910363 was reported after a tank test failure of a 3,000-gallon diesel tank (Sections 4.1 and 4.2.2). The tank referred to was likely either #005 or #006 which were closed and removed in November 1997 and May 1995, respectively (see Section 4.2.2). Tank #006 was likely replaced with Tank "HP Emer" which is located at the KBCC heating plant, approximately 1,500 feet southwest of the Subject Property. Tank #005 was likely replaced at the same time as Tank #009 and #010 with three 600-gallon diesel tanks including "Phys Ed" (located at the Health and Physical Education building), "PAC" (located at the Performing Arts Center), "LIB" (located at the Library & Media Center), and/or "A & S" (located at the Arts & Sciences Center). All of the sites are located over 600 feet south of the Subject Property. Therefore, Spill Case 8910363 should not be considered a REC or an HREC.
- Spill Case 8910589 was reported after a tank test failure of a 4,000-gallon gasoline tank (Sections 4.1 and 4.2.2). The tank was likely the 4,000-gallon gasoline UST which was approved for removal and replacement in January 1995 by the NYC DOB along with "related products, vent piping, and product pumps" (Section 4.2.2). The only gasoline product pumps present at the KBCC campus are located 180 feet west of the Central Services Building, approximately 1,500 feet southwest of the Subject Property. Therefore, Spill Case 8910589 should not be considered a REC or an HREC.

## RECOMMENDATIONS

Recommendations included in this report were developed through the investigative procedures described in the Scope of Services, Significant Assumptions, and Limitations sections of this report. These findings should be reviewed within the context of the limitations provided in the Limitations section.

Based upon the identification of RECs for the Subject Property, HDR recommends a Phase II ESA be performed to determine the nature and extent of contamination associated with on-going boat maintenance/repair activities at the Subject Property, the presence of historic fill and possible prior spills reported to NYSDEC.

HDR also recommends that DASNY consider the “shelf life” of Phase I documents in determining risk. ASTM E 1527-13: 4.6 states that a conforming “Phase I” report is valid for a period of 180 days, and may be updated during the 180 days to 1-year timeframe. The report is valid for use in any of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) defenses ONLY if it is updated within this time frame. If greater than one year passes from the final report date, the Phase I effort would need to be repeated to remain in compliance with ASTM and the “All Appropriate Inquiry” protection.

**APPENDIX D**  
**NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM AND**  
**NEW YORK STATE DEPARTMENT OF STATE COASTAL MANAGEMENT PROGRAM**  
**CONSISTENCY DOCUMENTATION**

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQRA, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):  
(a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) X  
(b) Financial assistance (e.g. grant, loan, subsidy) X  
(c) Permit, license, certification \_\_\_\_\_
2. Describe nature and extent of action: Repair or replacement of existing marina structures at Kingsborough Community College (KCC) in Brooklyn that were damaged during Hurricane Sandy in 2012, and also help to reduce susceptibility of the marina from future damage caused by coastal storms and wind-driven rain.
3. Location of action:  

<u>Kings</u>	<u>Borough of Brooklyn</u>	<u>2001 Oriental Blvd at Sheepshead Bay</u>
County	City, Town or Village	Street or Site Description
4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:  
(a) Name of applicant: The City University of New York (CUNY)  
(b) Mailing address: 555 West 57th Street, 16th Floor, New York, New York 10019  
(c) Telephone Number: Area Code ( 646 ) 664-2624  
(d) State agency application number: N/A
5. Will the action be directly undertaken, require funding, or approval by a federal agency?  
Yes X No \_\_\_\_\_ If yes, which federal agency? Federal Emergency Management Administration (FEMA)

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

YES NO

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:  
(a) Significant fish or wildlife habitats? ..... X \_\_\_\_\_  
(b) Scenic resources of statewide significance? ..... \_\_\_\_\_ X  
(c) Important agricultural lands? ..... \_\_\_\_\_ X
2. Will the proposed activity have a significant effect upon:  
(a) Commercial or recreational use of fish and wildlife resources? ..... \_\_\_\_\_ X  
(b) Scenic quality of the coastal environment? ..... \_\_\_\_\_ X  
(c) Development of future, or existing water dependent uses? ..... \_\_\_\_\_ X  
(d) Operation of the State's major ports? ..... \_\_\_\_\_ X  
(e) Land and water uses within the State's small harbors? ..... \_\_\_\_\_ X  
(f) Existing or potential public recreation opportunities? ..... \_\_\_\_\_ X  
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation? ..... \_\_\_\_\_ X

3. Will the proposed activity involve or result in any of the following:

- (a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters? . . . .  X
- (b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area? . . . . .  X
- (c) Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area? . . . . .  X
- (d) Energy facility not subject to Article VII or VIII of the Public Service Law? . . . . .  X
- (e) Mining, excavation, filling or dredging in coastal waters? . . . . .  X
- (f) Reduction of existing or potential public access to or along the shore? . . . . .  X
- (g) Sale or change in use of state-owned lands located on the shoreline or under water?
- (h) Development within a designated flood or erosion hazard area? . . . . .
- (i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? . . . . .  X

4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program? . . . . .

**D. SUBMISSION REQUIREMENTS**

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or  
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN a copy of this completed Coastal Assessment Form shall be submitted to:

New York State Department of State  
Office of Coastal, Local Government and Community Sustainability  
One Commerce Plaza  
99 Washington Avenue, Suite 1010  
Albany, New York 12231-0001

If assistance or further information is needed to complete this form, please call the Department of State at (518) 474-6000.

**E. REMARKS OR ADDITIONAL INFORMATION**

The Project Site is located within the Coastal Zone boundary of the New York City Waterfront Revitalization Program (WRP). An assessment of the proposed action's compliance with the ten local WRP Coastal Zone policies, both current (September 2012) and proposed, is provided in the attached WRP Consistency Assessment Form and Supplementary Documentation.

Preparer's Name: Sara E. Stein, AICP, LEED-AP  
(Please print)

Title: Environmental Manager Agency: Dormitory Authority State of New York (DASNY)

Telephone Number: ( 212 ) 273-5092 Date: 11/20/2015

For Internal Use Only:

WRP no. \_\_\_\_\_

Date Received: \_\_\_\_\_

DOS no. \_\_\_\_\_

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_
4. Project site owner: \_\_\_\_\_

### B. PROPOSED ACTIVITY

1. Brief description of activity:
  
  
  
  
  
  
  
  
  
  
2. Purpose of activity:
  
  
  
  
  
  
  
  
  
  
3. Location of activity: (street address/borough or site description):



**Proposed Activity Cont'd**

- 4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:
  
- 5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
  
- 6. Will the proposed project require the preparation of an environmental impact statement?  
 Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, identify Lead Agency:
  
- 7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

**C. COASTAL ASSESSMENT**

**Location Questions:**

**Yes No**

- 1. Is the project site on the waterfront or at the water's edge? \_\_\_\_\_
- 2. Does the proposed project require a waterfront site? \_\_\_\_\_
- 3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters? \_\_\_\_\_

**Policy Questions**

**Yes No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

- 4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1) \_\_\_\_\_
- 5. Is the project site appropriate for residential or commercial redevelopment? (1.1) \_\_\_\_\_
- 6. Will the action result in a change in scale or character of a neighborhood? (1.2) \_\_\_\_\_

**Policy Questions cont'd**

**Yes No**

7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3) \_\_\_\_\_
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2) \_\_\_\_\_
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2) \_\_\_\_\_
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1) \_\_\_\_\_
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2) \_\_\_\_\_
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2) \_\_\_\_\_
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3) \_\_\_\_\_
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3) \_\_\_\_\_
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1) \_\_\_\_\_
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2) \_\_\_\_\_
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3) \_\_\_\_\_
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2) \_\_\_\_\_
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1) \_\_\_\_\_
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2) \_\_\_\_\_
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2) \_\_\_\_\_
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3) \_\_\_\_\_
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4) \_\_\_\_\_
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5) \_\_\_\_\_
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1) \_\_\_\_\_
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1) \_\_\_\_\_
27. Will any activity associated with the project generate nonpoint source pollution? (5.2) \_\_\_\_\_
28. Would the action cause violations of the National or State air quality standards? (5.2) \_\_\_\_\_

**Policy Questions cont'd****Yes No**

29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)

\_\_\_\_\_

30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)

\_\_\_\_\_

31. Would the proposed action have any effects on surface or ground water supplies? (5.4)

\_\_\_\_\_

32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)

\_\_\_\_\_

33. Would the action result in any construction activities that would lead to erosion? (6)

\_\_\_\_\_

34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)

\_\_\_\_\_

35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)

\_\_\_\_\_

36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)

\_\_\_\_\_

37. Would the proposed project affect a non-renewable source of sand ? (6.3)

\_\_\_\_\_

38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)

\_\_\_\_\_

39. Would the action affect any sites that have been used as landfills? (7.1)

\_\_\_\_\_

40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)

\_\_\_\_\_

41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)

\_\_\_\_\_

42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)

\_\_\_\_\_

43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)

\_\_\_\_\_

44. Would the action result in the provision of open space without provision for its maintenance? (8.1)

\_\_\_\_\_

45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)

\_\_\_\_\_

46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)

\_\_\_\_\_

47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)

\_\_\_\_\_

48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)

\_\_\_\_\_

49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)

\_\_\_\_\_

50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)

\_\_\_\_\_

**Policy Questions cont'd**

**Yes      No**

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

\_\_\_\_\_

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

\_\_\_\_\_

**D. CERTIFICATION**


The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Sara E. Stein, Dormitory Authority State of New York (DASNY)

Address: One Penn Plaza, 52nd Floor, New York, New York 10119-0098

Telephone (212) 273-5092

Applicant/Agent Signature:  Date: 12/10/15

**KINGSBOROUGH COMMUNITY COLLEGE MARINA RECONSTRUCTION  
NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM (WRP)  
CONSISTENCY ASSESSMENT FORM  
SUPPLEMENTARY DOCUMENTATION**

**B. PROPOSED ACTIVITY**

**1. *Brief description of activity***

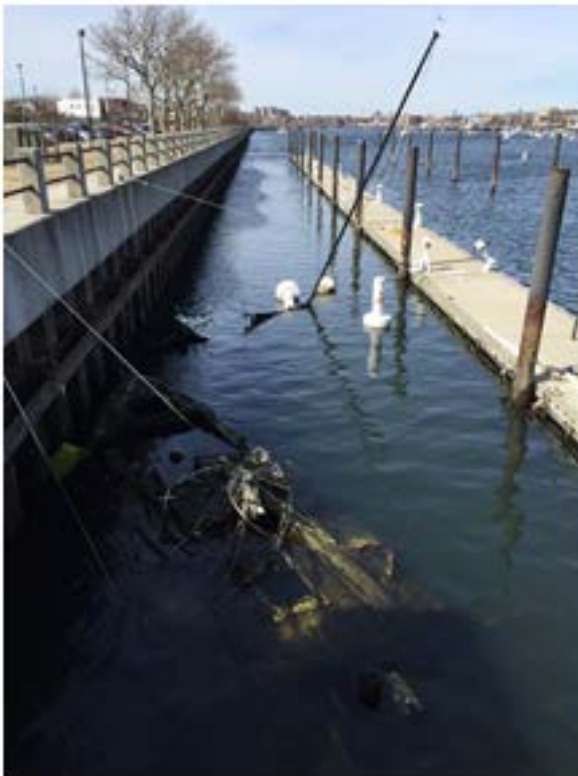
Kingsborough Community College (“KCC”) is part of The City University of New York (“CUNY”) system, and the campus is located in Brooklyn Community District 15 at 2001 Oriental Boulevard, borough of Brooklyn, Kings County, New York. The KCC marina (comprising portions of Block 8760, Lot 60 and Block 8813, Lot 72) is located at the north end of the KCC campus on Sheepshead Bay and is the homeport to approximately 20 to 30 vessels (maximum capacity) used mainly by KCC’s Marine Technology Program. Approximately 10 to 15 vessels are usually docked on any typical day. The marina was significantly damaged due to Hurricane Sandy in 2012, and it is currently operating with its capacity reduced by a third. The serviceable condition of the existing pier face is poor. Additionally the pier electrical service is no longer functional.

The Proposed Project would repair or replace damaged KCC marina structures and reduce its susceptibility to future damage caused by coastal storms and wind driven rain, as illustrated in the Site Plan (see FEAF Appendix A). Operational capacity of the marina would be restored to pre-Hurricane Sandy levels. Reconstruction activities include removal of the existing fixed pier to facilitate construction of a new travel lift. New floating docks would be installed on either side of the proposed travel lift, and a wave attenuator would be located at the northern end of the lift’s west travelway. The existing travel lift, which is currently silted in, would remain in place (approximately 150 feet east of the Project Site). The new travel lift would be located in an area known to have naturally deeper waters with lower siltation rates; which in turn would reduce the need for maintenance dredging. Water hookups would be provided for the east and west floating docks with backflow prevention devices installed for supply lines for potable water. The bulkhead and existing piles to remain would be repainted with a non-coal tar epoxy coating. In addition, to improve marine operations, two existing sunk vessels within the Project Site would be removed. Suitable booms would be in place when the vessels are raised.

The Proposed Project is scheduled to be completed and in operation by fall 2018, with an approximately 9-month estimated construction period. The construction period may be non-continuous depending on lead times for docks, school schedule, and operational requirements for the moored vessels. Existing piles would be extracted in their entirety using barge mounted equipment by methods including hammer, vibratory, spinning, or jetting. New piles would be hammer driven from a barge. A limited number of new piles may be driven from the landside, if appropriate, during construction of the travel lift. Concrete would be delivered by trucks and conveyed over water for filling piles. The over-water conveyance of concrete would likely be

pumped, with possible additional handling on a floating barge for ultimate delivery into the piles by “tremie” methods. Structural steel may be delivered overland or by barge. Welding activities would occur over water for construction of the travel lift and extending existing piles. Grinding and cutting activities may be performed over water for fit-up of new-to-existing and new-to-new structures. No dredging would occur.

Concurrent with the construction activities described above, two sunken sail boats would be removed from the water. These two ships are resting west of the fixed pier and between the steel sheet pile bulkhead and the west floating pier (see Photo 1). They have approximately a 10-foot beam and 20-foot length, with a hull depth (freeboard plus draft) of about 8 feet, for a total in-water volume of about 3,200 cubic feet. While these ships are small sailing boats, spill prevention booms would be placed around the vessels during removal. A truck-mounted crane located upland along shoreline would be used for such removal activities; the crew would sling, raise and swing each vessel to a designated upland lay down area for proper storage and disposal.



**Photo 1 –Sunken Sail Ships in front of Bulkhead**

## **C. COASTAL ASSESSMENT**

The Project Site is located within the Coastal Zone boundary of the city's Waterfront Revitalization Program ("WRP"). An assessment of the proposed action's compliance with the ten local WRP Coastal Zone policies, both current (September 2012) and proposed, is provided below.<sup>1</sup> Applicable current policies are shown in "*black*"; while proposed ones are shown in "*blue*."

### *Consistency of Proposed Project with Applicable WRP Policies*

#### **Policy 1: Residential and Commercial Redevelopment**

This policy is not applicable to the Proposed Project.

#### **Policy 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**

(Response to Questions 9, 12, 13)

*Policy 2.1: Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.*

The Project Site is not located within a Significant Maritime and Industrial Area. Therefore, the Proposed Project would be consistent with this policy.

*Policy 2.2: Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.*

The Proposed Project would not involve the siting of a new maritime facility. It would repair or replace existing KCC marina structures that were damaged due to Hurricane Sandy. Features to reduce susceptibility of the marina from future damage caused by coastal storms and wind driven rain would be included. Therefore, the Proposed Project would be consistent with this policy.

*Policy 2.2: Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas.*

---

<sup>1</sup> In October 2013, the City Council approved the revisions to the new WRP. The newly proposed WRP is currently under review by the New York State Department of State ("NYSDOS") and then the U.S. Department of Commerce ("USDOC") before it goes into effect. At the direction of the New York City Department of City Planning Waterfront and Open Space Division, this WRP consistency assessment was prepared to address both current and proposed WRP policies.

*Policy 2.3: Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecology Sensitive Maritime Industrial Area.*

As noted above, the Proposed Project would not involve the siting of a new maritime facility. It would repair or replace existing KCC marina structures that were damaged due to Hurricane Sandy. No new uses would be introduced. Features to reduce susceptibility of the marina from future damage caused by coastal storms and wind driven rain would be included. Therefore, the Proposed Project would be consistent with this policy.

*Policy 2.3: Provide infrastructure improvements necessary to support working waterfront uses.*

*Policy 2.4: Provide infrastructure improvements necessary to support working waterfront uses.*

As described in Section B, the Proposed Project would restore operations and introduce resiliency features to an existing maritime facility damaged by Hurricane Sandy. In addition, to improve marine operations, two existing sunk vessels within the Project Site would be removed. Therefore, the Proposed Project would be consistent with this policy.

**Policy 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation centers.**

*Policy 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.*

(Response to Questions 12, 13, 14)

*Policy 3.1: Support and encourage recreational and commercial boating in New York City's maritime centers.*

*Policy 3.1: Support and encourage in-water recreational activities in suitable locations.*

The Proposed Project repair and replacement of KCC marina structures would not involve the siting of a new maritime facility. The restored marina, as under baseline conditions, would be primarily used for educational purposes. No new uses would be introduced. Additionally, the Proposed Project would not interfere with current navigation and mooring operations at the Sheepshead Bay's Recreational Mooring Area. Close coordination with the U.S. Coast Guard would be undertaken in advance of all in-



water construction activities. Therefore, the Proposed Project would be consistent with this policy.

*Policy 3.2: Support and encourage recreational, educational and commercial boating in New York City's maritime centers.*

As described in Section B, the Proposed Project would restore operations and introduce resiliency features to an existing educational maritime facility damaged by Hurricane Sandy. In addition, to improve marine operations, two existing sunk vessels within the Project Site would be removed. The KCC marina supports the operational component of the KCC's Marine Technology Department, which in turn offers the Marine Technology Program, a U.S. Coast Guard approved program. Therefore, the Proposed Project would be consistent with this policy.

*Policy 3.2: Minimize conflicts between recreational, commercial, and ocean-going freight vessels.*

*Policy 3.3: Minimize conflicts between recreational boating and commercial ship operations.*

The Proposed Project would restore an existing maritime facility and would not introduce conflicts with other maritime uses. Nor would it place vessels in harms way due to inappropriate siting. Therefore, the Proposed Project would be consistent with this policy.

*Policy 3.3: Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.*

*Policy 3.4: Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.*

The Proposed Project includes replacing or repairing existing marina structures to restore marina operations, while also improving resiliency to future storm events. Neither new vessel traffic nor new dock services, such as pump-out facilities, would be introduced. Electrical and water services would be restored.

The Project Site is located within Sheepshead Bay, which is identified as having Natural Protective Features on the NYSDEC Coastal Erosion Hazard Area ("CEHA") map. These may include nearshore areas, beaches, or dunes. These areas are regulated by the NYSDEC under Title 4, Chapter 7 of the Unconsolidated Laws of New York, "Projects to Prevent Shore Erosion", enacted in 1945 to regulate land use which may alter natural areas that act as buffers along shorelines. The shoreline along the Project Site consists of a concrete seawall and landside activities to support the proposed marina repair and replacement would not result in soil erosion.

Therefore, the Proposed Project would not introduce contamination or shoreline erosion, and would be consistent with this policy.

*Policy 3.5: In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.*

KCC marina structures damaged during Hurricane Sandy would be repaired or replaced under the Proposed Project. Therefore, the Proposed Project would be consistent with this policy.

**Policy 4: Protect and restore the quality and function of ecological systems within the New York City coastal area.**

(Response to Questions 13, 19, 21)

*Policy 4.1: Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.*

The Project Site is not located within a Special Natural Waterfront Area. Since the Proposed Project would result in structural improvements and restore operations at the KCC marina, future operations would be similar to those under baseline conditions. Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.2: Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.*

The Project Site is not located within an Ecologically Sensitive Maritime and Industrial Area. Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.1: Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas, Recognized Ecological Complexes, and Significant Coastal Fish and Wildlife Habitats.*

*Policy 4.3: Protect designated Significant Coastal Fish and Wildlife Habitats.*

The Project Site is located outside the designated Jamaica Bay Significant Coastal Fish and Wildlife Habitat. Therefore, this policy does not apply to the Proposed Project. However, and as further detailed below, all proposed measures will be taken to protect the natural ecosystem.

*Policy 4.4: Identify, remediate and restore ecological functions within Recognized Ecological Complexes.*

The Project Site is located within the Sheepshead Bay Recognized Ecological Complex. Proposed repair and replacement activities would conform to federal and state permitting requirements.

Available information from the NYSDEC Natural Heritage Program (“NHP”) and U.S. Fish and Wildlife Service (“USFWS”) were reviewed to identify the presence of rare, threatened or endangered species at the Proposed Project area. Information from the NHP and the USFWS regarding species of concern and threatened and endangered species in the vicinity of the Proposed Project area is included as Appendix B. Correspondence received from the NHP on April 16, 2015 indicated that there were records or known occurrences of two vascular plants, including the Threatened Red Pigweed (*Chenopodium rubrum*) and Endangered Retrorsed Flatsedge (*Cyperus retrorsus* var. *retrorsus*). The Red Pigweed and Retrorsed Flatsedge were last reported in 1982 at Plumb Beach and 1938 in Marine Park, respectively. No animals, significant natural communities or other significant habitats were identified at or in the immediate vicinity of the Project Site.

A review of the USFWS files indicated four Federally-listed threatened or endangered species are known to occur within or in the vicinity of the Project Site. These species are the endangered Roseate Tern (*Sterna dougallii*), the threatened Piping Plover (*Charadrius melodus*) and Red Knot (*Calidris canutus rufa*) and Seabeach Amaranth (*Amaranthus pumilus*). There is no critical habitat within the Project Site.

The Seabeach Amaranth is an annual plant that is found on sandy beaches above the high tide line (USFWS 2015). Roseate Terns breed on barrier islands, such as those in Long Island Sound, and begin arriving to these areas at the end of April. The terns will breed through the summer and then migrate south starting in late August/early September (USFWS 2011). Piping Plovers prefer flat and open sandy beaches with minimal vegetation cover for breeding, such as those found along the sandy beaches of Long Island Sound. Piping Plovers arrive at their breeding sites in early to mid-March with the season lasting until early September then migrating south (USFWS 2007). Red Knots utilize intertidal habitats in coastal areas for feeding or invertebrates during an annual migration (USFWS 2013).

The Proposed Project would repair or replace existing marina structures, and would not result in significant changes to the existing habitats present at the Project Site. The Proposed Project would require the removal of two existing trees, 10 to 12 inches in diameter, that are not located in a park or public right-of-way. However, the removed trees would be voluntarily replaced at another location. Based on the life history and habitat requirements of the NHP and USFWS-listed species, the Project Site does not offer habitat suitable such as sandy beaches or intertidal wetlands to

support these species and would have no short-term or long-term negative effect on significant, sensitive or designated resources. In addition, Essential Fish Habitat (“EFH”) analysis will be completed and submitted as part of the permit applications, and fish-related work windows would be followed per regulatory or permit requirements, when they are issued. Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.2: Protect and restore tidal and freshwater wetlands.*

*Policy 4.5: Protect and restore tidal and freshwater wetlands.*

In the project area, a majority of the shoreline is developed with a concrete seawall. A riprap breakwater and sandy area exist at the eastern end of the Project Site. Based upon a review of NYSDEC and USFWS National Wetland Inventory (“NWI”) maps, Sheepshead Bay is located within tidal wetlands and mapped by the NYSDEC as littoral zone, which is defined as tidal wetlands that include all lands under tidal waters six (6) feet or less at mean low water (“MLW”). The NWI maps classify the Bay in the vicinity of the proposed dock as “estuarine, subtidal, unconsolidated bottom with a subtidal water regime (E1UBL).” The area immediately east of the existing boat lift is mapped as “estuarine, intertidal, unconsolidated shore with sand with an irregularly exposed water regime” (E2US2M). No vegetated wetlands exist on the site. While minor impacts to the littoral zone can be anticipated as a result of construction activities, the project proposes an approximately 109 square foot (“sf”) net decrease in over water structures, reducing shading effects of the existing marina structures.

The Proposed Project would not result in new discharges or large-scale disturbance to sediments that would have result in a significant effect on water quality. Construction activities would result in temporary and localized effects to water quality as a result of the removal of existing pilings and structures and during the installation of the new pilings, travel lift and dock. An increase in turbidity is expected, but would be localized and short term in nature. All construction activities would be completed in accordance with local, state and federal permits that would be acquired for the activities.

While minor, temporary, effects to the littoral zone may occur as a result of construction activities, the Proposed Project would result in a net decrease of approximately 109 sf in over-water structures, thus reducing the shading effects of the existing marina structures on the littoral zone. The existing footprint of the marina is 7,242 sf, compared to the 7,133 sf with the Proposed Project. Therefore, the Proposed Project would not result in significant adverse impacts to water quality or wetlands.

Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.6: In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal*

*benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.*

The proposed repair and replacement activities would occur in the area generally used by the existing KCC marina. The Project Site is located within an academic campus, does not include islands or provide opportunities for maritime forests. Design of replacement structures would consider creating habitat for aquatic species, if appropriate and practicable, such as opportunities for epibenthic habitat along the pilings. Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.7: Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize that integration or compatibly with the identified ecological community.*

As described above under the Policy 4 consistency discussion, no animals, significant natural communities or other significant habitats were identified at or in the immediate vicinity of the Project Site. Therefore, the Proposed Project would be consistent with this policy.

*Policy 4.8: Maintain and protect living aquatic resources.*

As under baseline conditions, the restored KCC marina would primarily be used for educational purposes. Operation of the marina would be similar to that under baseline conditions and would not involve artificial stocking or introduction of new species into natural environments. Therefore, the Proposed Project would be consistent with this policy.

**Policy 5: Protect and improve water quality in the New York City coastal area.**  
(Response to Questions 13, 30)

*Policy 5.3: Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.*

The Proposed Project would not result in new discharges or large-scale disturbance to sediments that would have result in a significant effect on water quality. Construction activities would result in temporary and localized effects to water quality as a result of the removal of existing pilings and structures and also two existing sunk vessels, and during the installation of the new pilings, travel lift and floating docks. An increase in turbidity is expected, but would be localized and short term in nature. No dredging would occur. All construction activities would be completed in accordance with applicable local, state and federal permits. Therefore, the Proposed Project would be consistent with this policy.

**Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion.**

***Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.***

(Response to Questions 13, 32)

*Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the condition and use of the property to be protected, and the surrounding area.*

A review of Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps indicate that upland areas adjoining the Project Site are located within a Special Flood Hazard Area (“Zone AE”) that is subject to flooding by the one percent annual chance flood (100-year flood). The Proposed Project would neither result in any new land development nor alter the floodplain storage capacity. Therefore, it would not result in a change in the existing baseline flood elevations. No impacts to floodways or floodplains would result from the Proposed Project. In addition, the Proposed Project would not affect the Sheepshead Bay CEHA as it would not result in a change to land use or alter existing natural areas that act as buffers along shorelines. Therefore, the Proposed Project would be consistent with this policy.

*Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city’s coastal zone.*

The Proposed Project would not involve the siting of a new maritime facility. It would repair or replace existing KCC marina structures that were damaged due to Hurricane Sandy. Features to reduce susceptibility of the marina from future damage caused by coastal storms and wind driven rain would be included, as described above in the project description. Therefore, the Proposed Project would be consistent with this policy.

*Policy 6.2: Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.*

*Policy 6.3: Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.*

The Proposed Project would restore an existing maritime facility that is currently operating at a reduced capacity due damage sustained during Hurricane Sandy. The shoreline along the Project Site consists of a concrete seawall, which would be

maintained under the Proposed Project. Therefore, the Proposed Project would be consistent with this policy.

*Policy 6.3: Protect and preserve non-renewable sources of sand for beach nourishment.*

The Proposed Project would not involve the use of beach nourishment sands, and therefore would be consistent with this policy.

**Policy 7: Minimize environmental degradation from solid waste and hazardous substances.**

*Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.*

(Response to Question 40)

*Policy 7.2: Prevent and remediate discharge of petroleum products.*

The Proposed Project would not involve the handling or storage of petroleum products. The bulkhead and existing piles to remain would be repainted with a non-coal tar epoxy coating, and existing piles to be removed would be disposed of in compliance with all federal, state and local regulations. Therefore, the Proposed Project would be consistent with this policy.

**Policy 8: Provide public access to and along New York City's coastal waters.**

*Policy 8: Provide public access to, from, and along New York City's coastal waters.*

(Response to Question 48)

*Policy 8.5: Preserve the public interest in and use of lands and waters held in public trust by the State and City.*

The Proposed Project would restore an existing maritime facility located within a public academic institution, the Kingsborough Community College of The City University of New York. Access to the Project Site would be allowed as under existing conditions. Public ownership and interest in the Project Site would be retained. Therefore, the Proposed Project would be consistent with this policy.

**Policy 9: Visual Quality**

***Policy 9: Scenic Resources***

This policy is not applicable to the Proposed Project.

**Policy 10: Historic, Archaeological and Cultural Resources**

***Policy 10: Historic and Cultural Resources***

This policy is not applicable to the Proposed Project.



**APPENDIX E  
SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM**

# DASNY

(DORMITORY AUTHORITY STATE OF NEW YORK)

## SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

**Date:** December 3, 2015  
**Project Name:** Kingsborough Community College (“KCC”) Marina Reconstruction  
**Project Number:** 326320  
**Completed by:** Sara E. Stein, AICP, LEED AP  
Environmental Manager, Office of Environmental Affairs

**This Smart Growth Impact Statement Assessment Form (“SGISAF”) is a tool to assist the applicant and the Dormitory Authority State of New York (“DASNY”) Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the State of New York *State Smart Growth Public Infrastructure Policy Act (“SSGPIPA”), article 6 of the New York Environmental Conservation Law (“ECL”). Not all questions/answers may be relevant to all projects.***

**Description of Proposed Action and Proposed Project:** DASNY has received a request from The City University of New York (“CUNY”) for funding and assistance with the Kingsborough Community College (“KCC”) Marina Reconstruction Project (the “Proposed Project”), which would involve the repair and/or replacement of KCC marina structures that were damaged during Hurricane Sandy in 2012. The Proposed Project would also help to reduce susceptibility of the marina from future damage caused by coastal storms and wind-driven rain.

The KCC campus is located at 2001 Oriental Boulevard in the borough of Brooklyn, Kings County, New York, and the KCC marina is located at the northeast corner of the campus on Sheepshead Bay (comprised of portions of Block 8760, Lot 60 and Block 8813, Lot 72). The KCC marina is the homeport to approximately 20 to 30 vessels (maximum capacity) used mainly by KCC’s Marine Technology Program. Approximately 10 to 15 vessels are usually docked on any typical day. The marina was significantly damaged due to Hurricane Sandy in 2012, and it is currently operating with its capacity reduced by a third. The serviceable condition of the existing pier face is poor. Additionally the pier electrical service is no longer functional.

The Proposed Project would restore operational capacity of the marina to pre-Hurricane Sandy levels. Reconstruction activities would include removal of the existing fixed pier to facilitate construction of a new travel lift. New floating docks would be installed on either side of the proposed travel lift, and a wave attenuator would be located at the northern end of the lift’s west travelway. The existing travel lift, which is currently silted in, would remain in place (approximately 150 feet east of the Project Site). The new travel lift would be located in an area known to have naturally deeper waters with lower siltation rates, which in turn would reduce the need for maintenance dredging. Water hook ups would be provided for the east and west floating docks with backflow prevention devices installed for supply lines for potable water.

**Smart Growth Impact Assessment:** Have any other entities issued a Smart Growth Impact Statement (“SGIS”) with regard to this project? (If so, attach same).

Yes  No

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure? Check one and describe:

Yes  No  Not Relevant

The KCC marina was significantly damaged due to Hurricane Sandy in 2012. The marina is currently operating with its capacity reduced by approximately one-third, and the pier electrical service is no longer functional. The Proposed Project would repair and/or replace the damaged KCC marina structures and restore the marina’s operational capacity to pre-Hurricane Sandy levels. The Proposed Project would also help to reduce susceptibility of the marina from future damage caused by coastal storms and wind-driven rain. As such, the Proposed Project would be generally supportive of this criterion.

2. Is the project located wholly or partially in a **municipal center**, characterized by any of the following: Check all that apply and explain briefly:

- A city or a village
- Within the interior of the boundaries of a generally-recognized college, university, hospital, or nursing home campus
- Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to:
- Central business districts (such as the commercial and often geographic heart of a city, “downtown”, “city center”)
- Main streets (such as the primary retail street of a village, town, or small city. It is usually a focal point for shops and retailers in the [central business district](#), and is most often used in reference to retailing and socializing)
- Downtown areas (such as a city's core (or center) or central business district, usually in a geographical, commercial, and community sense).
- Brownfield Opportunity Areas  
([http://nyswaterfronts.com/BOA\\_projects.asp](http://nyswaterfronts.com/BOA_projects.asp))
- Downtown areas of Local Waterfront Revitalization Plan areas  
([http://nyswaterfronts.com/maps\\_regions.asp](http://nyswaterfronts.com/maps_regions.asp) )
- Locations of transit-oriented development (such as projects serving areas that have access to mass or public transit for residents)
- Environmental Justice areas (<http://www.dec.ny.gov/public/899.html>)
- Hardship areas

DASNY interprets the term “municipal centers” to include existing, developed, institutional campuses such as universities, colleges, and hospitals. The KCC marina is located at the northeast corner of the KCC campus on Sheepshead Bay in Brooklyn. The campus is an

existing, developed, institutional campus. As such, the Proposed Project would be generally supportive of this criterion.

3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe:

Yes  No  Not Relevant

As noted above, the KCC marina is located on an existing college campus, which is defined as a municipal center as indicated in question 2, and the KCC campus is within the Manhattan Beach neighborhood of Brooklyn, within Brooklyn Community District 15. As such, the Proposed Project would be generally supportive of this criterion.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe:

Yes  No  Not Relevant

As noted above, the project site is located on the KCC campus, which is an established, institutional campus. The project site is not located in an area that is designated as a future municipal center. While the Proposed Project would not be directly supportive of this criterion, it would not conflict with its ideals.

5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe:

Yes  No  Not Relevant

The KCC marina is located within New York City's Coastal Zone Boundary and is subject to the City's *Waterfront Revitalization Program* ("WRP") and the New York State Department of State ("NYS DOS") *Coastal Management Program* ("CMP"). The Proposed Project was reviewed to determine consistency with both programs.<sup>1</sup> DASNY reviewed the applications and determined that the Proposed Project would comply to the maximum extent practicable with the WRP and the CMP and that it would be conducted in a manner consistent with such programs. Accordingly, DASNY certifies that the Proposed Project would be consistent with applicable policies set forth in 19 N.Y.C.R.R. § 600.5. As such, the Proposed Project would be generally supportive of this criterion.

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<sup>1</sup> An assessment of the Proposed Project's compliance with the local WRP policies is provided in Appendix D of the New York State Environmental Quality Review ("SEQR") Environmental Assessment Form ("EAF").

6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe:

Yes  No  Not Relevant

The Proposed Project would serve to improve existing conditions at KCC marina. There would be no adverse impacts on agricultural land, forest, surface and groundwater, air quality, recreation and open space, scenic areas, or significant historic and archeological resources. Construction activities would result in temporary and localized effects to water quality as a result of the removal of existing pilings and structures and two existing sunken vessels, and also during the installation of the new pilings, travel lift and dock. An increase in turbidity is expected, but would be localized and short-term in nature. All construction activities will be completed in accordance with local, state and federal permits that will be acquired for the activities. As such, the Proposed Project would be generally supportive of this criterion.

7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe:

Yes  No  Not Relevant

The Proposed Project would repair and/or replace the damaged KCC marina structures, restoring the marina's operational capacity to pre-Hurricane Sandy levels. While the Proposed Project would not be directly supportive of this criterion, it would not conflict with its ideals.

8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe:

Yes  No  Not Relevant

This question is not relevant. There is no public transportation component of the Proposed Project, and automobile dependency would not be affected. The Proposed Project would restore the KCC marina's operational capacity to pre-Hurricane Sandy levels. While the Proposed Project would not be directly supportive of this criterion, it would not conflict with its ideals.

9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials? (Demonstration may include *State Environmental Quality Review* ["SEQR"] coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System ["SPDES"] permit issuance/revision notices, etc.). Check one and describe:

Yes  No  Not Relevant

The Proposed Project requires a coordinated review effort among local, State and Federal agencies. DASNY, as lead agency, is conducting a coordinated review of the Proposed Project in accordance with New York's *State Environmental Quality Review Act* ("SEORA") and the *City Environmental Quality Review* ("CEQR") procedures. The Proposed Project will also require approval of a United States Army Corps of Engineers ("USACE") / New York State Department of Environmental Conservation ("NYSDEC") *Joint Permit Application* (see EAF for a list of required permits and approvals). The Proposed Project will also be reviewed by the Federal Emergency Management Agency ("FEMA") in accordance with the *National Environmental Policy Act* ("NEPA"). Other involved and interested agencies include, but are not limited to, the New York State Department of State ("NYS DOS"), New York State Office of General Services ("NYSOGS"), New York City Office of Management and Budget ("NYCOMB"), New York State Office of Parks, Recreation, and Historic Preservation ("OPRHP"), New York City Department of City Planning ("NYCDCP"), New York City Department of Environmental Protection ("NYCDEP"), New York City Department of Transportation ("NYCDOT"), New York City Landmarks Preservation Commission ("LPC"), Brooklyn Borough President, and Brooklyn Community Board 15 ("CB 15"). As such, the Proposed Project would be generally supportive of this criterion.

10. Does the project involve community-based planning and collaboration? Check one and describe:

Yes  No  Not Relevant

As noted above, DASNY is conducting a coordinated *SEQR* process for the Proposed Project. As part of the environmental review process, DASNY representatives engage in discussions, meetings and correspondence with representatives of various local, city and state agencies in an effort to ensure that any potential environmental effects of the Proposed Project are adequately disclosed. As such, the Proposed Project would be generally supportive of this criterion.

11. Is the project consistent with local building and land use codes? Check one and describe:

Yes  No  Not Relevant

The project site is located on portions of Block 8760, Lot 60 and Block 8813, Lot 72 in Brooklyn, New York, and is within an R3-1 Detached and Semi-Detached Residence District. The Proposed Project is consistent with local building and land use codes. As such, the Proposed Project would be generally supportive of this criterion.

12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations?

Yes  No  Not Relevant

The Proposed Project would have no adverse impact on ambient greenhouse gas levels, and environmentally sustainable measures would be incorporated into the design of the Proposed Project, as appropriate. As such, the Proposed Project would be generally supportive of this criterion.

13. During the development of the project, was there broad-based public involvement? (Documentation may include *SEQR* coordination with involved and interested agencies, SPDES permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, *Environmental Notice Bulletin* [“ENB”] or other published notices, letters of support, etc.). Check one and describe:

Yes  No  Not Relevant

As previously noted, DASNY, acting as *SEQR* lead agency, is conducting a coordinated environmental review of the Proposed Project. Involved agencies and interested parties in DASNY’s *SEQR* process include federal, state, and local agencies and/or officials. As such, the Proposed Project would be generally supportive of this criterion.

14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe:

Yes  No  Not Relevant

KCC has a campus master plan that would provide guidelines for future development on the campus. Future development would be subject to *SEQR* and would include consultation with state, regional, and local agencies, as appropriate. Therefore, the Proposed Project would be generally supportive of this criterion.

**DASNY has reviewed the available information regarding this project and finds:**

- The project was developed in general consistency with the relevant Smart Growth Criteria.
- The project was not developed in general consistency with the relevant Smart Growth Criteria.
- It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria for the following reasons:

**ATTESTATION**

I, Director, Office of Environmental Affairs, designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.



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**Signature**

Jack D. Homkow, Director, Office of Environmental Affairs  
**Print Name and Title**

December 3, 2015

**Date**