

Appendix E
WRP Consistency Assessment Form

For Internal Use Only:

WRP no. _____

Date Received: _____

DOS no. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM

Consistency Assessment Form

Proposed action subject to CEQR, ULURP, or other Local, State or Federal Agency Discretionary Actions that are situated within New York City's designated Coastal Zone Boundary 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 approved in coordination with local, state and Federal laws and regulations, including the State's Coastal Management Program (Executive Law, Article 42) and the Federal Coastal Zone Management Act of 1972 (P.L. 92-583). 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 Agency or the New York City Department of City Planning in its review of the applicant's certification of consistency.

A. APPLICANT

1. Name:

The Trust for Governors Island

Address:

10 South Street, Slip 7, New York, NY 10004

3. Telephone:

212-440-2233

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212-480-4320

E-mail Address:

sbertrang@govisland.nyc.gov

4. Project site owner:

The Trust for Governors Island

B. PROPOSED ACTIVITY

1. Brief description of activity:

Governors Island Corporation, doing business as the Trust for Governors Island (the Trust) holds title to 150 acres of the 172-acre Governors Island (the Island) in the Borough of Manhattan. Redevelopment of the Island was previously analyzed in the Final Generic Environmental Impact Statement for the Phased Redevelopment of Governors Island in December 2011 (the 2011 FGEIS). The 2011 FGEIS analyzed potential future development of the Island as follows: Phase 1 (2013) consisted of park and open space development and infrastructure improvements, construction of which is underway; and the Later Phases (through 2030) consisted of Later Phases—Park and Public Space development (as per the Park and Public Space Master Plan) and Later Phases—Island Redevelopment (which consisted of two components: redevelopment of the North Island Historic Structures and development within two areas called the South Island Future Development Zones). A Supplemental Generic Environmental Impact Statement (SGEIS) has now been prepared, which considers the current plans for North Island re-tenanting and completion of the Park Master Plan by 2022. The current proposal consists of the following: creation of the Special Governors Island District on the North Island; the reuse and re-tenanting of approximately 1.2 million square feet (sf) of space on the North Island; the full development of the Park Master Plan for the entire Island; and ferry service seven days per week to support the uses in the re-tenanting buildings and the expanded Park and Public Space. Similar to the 2011 FGEIS, the SGEIS will consider the impacts of the South Island Development Zones based on a generic development program since there are no specific development plans or proposals for those areas. Together, the above components and the development of 1.625 million square feet of uses in the South Island Development Zones are referred to as the Proposed Project. See Chapter 1 of the SGEIS, "Project Description," for more information about the project. Additional information for responses to the WRP policies is presented in Attachment A.

2. Purpose of activity:
The purpose and need for the Proposed Project is to bring Governors Island back to life for the people of the City and State of New York. The creation of great new public open space would be an important public benefit and would also catalyze Island redevelopment. The redevelopment (reuse of historic buildings and construction of new buildings) would fulfill the Trust's mission while ensuring the Island's financial sustainability and meeting the transfer deed requirements.

3. Location of activity: Borough:
Governors Island Manhattan

- Street Address or Site Description:
Governors Island (single site, consists of the island)

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:
Possible SPDES permits from the New York State Department of Environmental Conservation (NYSDEC) for wastewater and/or stormwater discharge issues.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
No.

6. Will the proposed project result in any large physical change to a site within the coastal area that will require the preparation of an environmental impact statement? **Yes No**
If yes, identify Lead Agency: **X**
New York City Office of the Deputy Mayor for Economic Development.

7. Identify City discretionary actions, such as zoning amendment or adoption of an urban renewal plan, required for the proposed project.
Zoning map and text amendments to create and map the Special Governors Island District over the North Island; Review of project actions within the Governors Island Historic District per the guidelines of the Governors Island Historic District Preservation and Design Manual; Approval of capital funding, the source has yet to be identified.

C. COASTAL ASSESSMENT

The following questions represent, in a broad sense, the policy of the WRP. The number in the parentheses after each question indicated the policy or policies that are the focus of the question. A detailed explanation of the Waterfront Revitalization Program and its policies are contained in the publication the *New York City Waterfront Revitalization Program*.

Check either "Yes" or "No" for each of the following questions. Once the checklist is completed, assess how the proposed project affects the policy or standards indicated in "()" after each question with a Yes response. Explain how the action is consistent with the goals of the policy or standard.

Location Questions:		Yes	No
1.	Is the project site on the waterfront or at the water's edge? The project site is Governors Island—surrounded by the Upper New York Harbor and Buttermilk Channel.	X	
2.	Does the proposed project require a waterfront site? The goal of the project is to create a vibrant, mixed-use destination, including waterfront public parks and open space, on Governors Island.	X	
3.	Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters? Certain previously approved improvements on the Island are underway and/or will be complete by 2014, pursuant to the 2011 FGEIS. These comprise open space and infrastructure improvements, including rehabilitation of 2.2 miles of existing seawall, with the consolidation and upgrade of stormwater outfalls. Under the Proposed Project, 1.2 million square feet of vacant space in existing historic structures on the North Island are expected to be re-tenanted by 2022, as well as the completion of a significant amount of newly-opened park space. By 2030, the South Island would be developed with 1.625 million square feet of new uses in two development zones.	X	

Policy Questions:**Yes****No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each questions 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)

The Proposed Project would revitalize and make improvements to existing public open space on Governors Island and add a significant amount of newly-opened park space. The Proposed Project would also result in re-tenanting of 1.2 million square feet of vacant space in existing historic structures on the North Island and development of 1.625 million square feet of new uses in in two development zones in the South Island.

X

5. Is the project site appropriate for residential or commercial redevelopment? (1.1)

The Island is subject to deed restrictions that require and prohibit certain uses. The deed prohibits residential uses, except for those residential uses associated with expressly permitted uses, such as education, hospitality, health care, and commercial uses. The Proposed Project would result in mixed-use development that may include academic and/or research institution space, lab space or similar uses, housing for students and faculty, a conference center/hotel, commercial office use, cultural uses (e.g., galleries or museums), entertainment uses, other commercial uses, educational uses, and recreation facilities, consistent with deed restrictions.

X

6. Will the action result in a change in scale or character of a neighborhood? (1.2)

The proposed re-tenanting of the historic North Island would not change the scale or character of this area. The proposed redevelopment of the South Island would result in new open space areas and development and construction of approximately 1.625 million square feet of new uses in modern buildings in two development areas.

X

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)

Governors Island is currently served by public sewer and a separate storm sewer system. The Island is also served by Con Edison natural gas. Work on a 12-inch water main from Brooklyn to provide potable water to the Island is currently underway and will be constructed by 2014.

X

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)

X

9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)

The project site includes piers along Buttermilk Channel: Yankee Pier, Tango Pier, Lima Pier, and Pier 101. In addition, Soissons Dock/Landing is located at the north end of the Island. While technically not part of Governors Island, the Brooklyn Battery Tunnel Ventilator is located between Soissons Dock and Pier 101 and is connected by a walkway.

X

Policy Questions cont'd:		Yes	No
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)	<hr/>	X <hr/>
11.	Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	<hr/>	X <hr/>
12.	Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)		
	Rehabilitation of 2.2 miles of the Island's existing seawall, including the consolidation and upgrade of stormwater outfalls, is underway and will be completed by 2014, pursuant to the 2011 FGEIS.	X <hr/>	<hr/>
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)		
	No mining, dredging, dredged material disposal or placement of dredged or fill materials in coastal waters would occur under the Proposed Project. The water main that will be built by 2014 pursuant to the 2011 FGEIS will be installed using a trenchless method (i.e., horizontal directional drilling) and would not result in the dredging or placement of fill within coastal waters.	X <hr/>	<hr/>
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)		
	Governors Island is not located in a commercial or recreational boating center but is in New York Harbor and relies on water-dependent transportation for access. Construction of the water main will take place beneath an active navigable channel (Buttermilk Channel), but construction techniques will be designed to minimize disturbance to marine traffic. The Proposed Project includes additional ferry service that would be provided by 2022. It is anticipated that ferry service would be provided 7 days per week between Governors Island and the Battery Maritime Building in Manhattan and between Governors Island and Pier 6 in Brooklyn. In addition, late night ferry service would be provided (24 hours per day); at this time, it is anticipated that the late night ferry service would operate between Governors Island and Pier 11 in Manhattan.	X <hr/>	<hr/>
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)		
	The Proposed Project would not have any adverse effect upon land or water uses within a commercial or recreation boating center or water-dependent transportation center.	<hr/>	X <hr/>
16.	Would the proposed project create any conflicts between commercial and recreational boating? (3.2)		
	See response to Question 14.	<hr/>	X <hr/>
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)	<hr/>	X <hr/>
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)	<hr/>	X <hr/>

Policy Questions cont'd:		Yes	No
19.	Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitats? (4.1)	<hr/>	X <hr/>
20.	Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	<hr/>	X <hr/>
21.	Would the action involve any activity in or near a tidal or freshwater wetland? (4.2) While the completely armored shoreline of the Island eliminates the potential for vegetated tidal wetlands, portions of the northwestern and southern shoreline are considered NYSDEC littoral zone tidal wetlands. The Proposed Project may result in limited activity within littoral zone tidal wetlands for storm sewer outlets and/or in-water activities associated with use of the existing piers.	X <hr/>	<hr/>
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)	<hr/>	X <hr/>
23.	Would the action have any effects on commercial or recreational use of fish resources? (4.4) The project would have the potential to increase recreational fishing on the Island.	X <hr/>	<hr/>
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)	<hr/>	X <hr/>
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) The Proposed Project is not expected to result in any direct or indirect discharges into a waterbody. Any discharges that may occur during construction of the water main would be temporary and would be regulated under the applicable in-water construction permits.	<hr/>	X <hr/>
26.	Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1) The Proposed Project is not expected to result in any increase in stormwater runoff or sewer overflows, but would be expected to result in a reduction of stormwater discharged to the Upper Bay due to the decrease in impervious cover that would result from the proposed conversion of areas of asphalt to lawn. Stormwater discharges would be regulated under the General SPDES permit GP-0-10-001 Stormwater Discharges from Construction Activity.	X <hr/>	<hr/>
27.	Will any activity associated with the project generate nonpoint source pollution? (5.2)	<hr/>	X <hr/>
28.	Would the action cause violations of the National or State air quality standards? (5.2)	<hr/>	X <hr/>
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	<hr/>	X <hr/>
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) See response to Question 21.	X <hr/>	<hr/>
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)	<hr/>	X <hr/>

Policy Questions cont'd:

Yes

No

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

The entire shoreline of Governors Island is classified as FEMA Zone A (100-year floodplain) and the western and southern shorelines are classified as FEMA Zone V (100-year floodplain with velocity (wave action)). The remained of Governors Island is classified as either Zone B (500-year floodplain, Critical Action Floodplains-development limitations due to flooding potential) or as Zone C (within 500-year floodplain, minimal to no flooding). All structures constructed under the Proposed Project would be consistent with the New York City Building code for construction within the floodplain.

X

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

X

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

X

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

X

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

X

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

X

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

The Proposed Project would not involve the shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants. The Proposed Project would introduce new development that would require sanitation services. As described in Chapter 2 of the SGEIS, "Analytical Framework," waste associated with the Proposed Project would not result in a significant adverse impact based on the CEQR Technical Manual.

X

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

X

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

Governors Island has been expanded through extensive landfilling, with fill materials including historical material from excavations for the Lexington Avenue subway line, ash or other waste materials from industrial processes, and demolition debris. There is information available regarding petroleum storage tank removal activities and past locations where hazardous materials may have been used. Also, since Governors Island was an active military base for over 200 years, it is possible to encounter unexploded ordnance. Any contaminated soils or materials disturbed by the Proposed Project would be remediated in conformance with applicable regulations and guidelines.

X

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)

The Proposed Project would not involve transport, storage, treatment, or disposal of hazardous materials, and would not result in any significant adverse solid waste impacts. Any contaminated soils or materials disturbed by the Proposed Project would be remediated in conformance with applicable regulations and guidelines.

X

Policy Questions cont'd:		Yes	No
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) The project would increase access through the creation of new public open space, and the provision of increased ferry service to the Island.	<hr/>	<hr/> X
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) The Proposed Project would be located in and adjacent to existing public open space, including the National Monument, and will benefit these existing open spaces through a number of improvements as well as creation of additional newly designed open space areas.	<hr/> X	<hr/>
44.	Would the action result in the provision of open space without the provision for its maintenance? (8.1) The Proposed Project would improve existing open space and create new open space on the Island. The Proposed Project would include park maintenance facilities for all public open spaces. Provision for the maintenance of the Proposed Project's open space will be provided for through park maintenance facilities and operating funding.	<hr/>	<hr/> X
45.	Would the action result in any development along the shoreline but NOT include new water enhanced or water dependent recreational space? (8.2) The Proposed Project is specifically intended to create and/or improve water enhanced or water dependent recreational space.	<hr/>	<hr/> X
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3) As described in Chapter 6 of the SGEIS, "Urban Design and Visual Resources," none of the project elements would have the potential to impede views of visual resources or view corridors, except for the future South Island development zones. It is possible that the new buildings to be constructed in the two development zones would obstruct some views from the interior of the South Island that would be created as part of Phase 1 park and public space improvements. Other components of the Proposed Project, such as the proposed Great Promenade, would enhance visual access to New York Harbor.	<hr/> X	<hr/>
47.	Does the proposed project involve publically owned or acquired land that could accommodate waterfront open space or recreation? (8.4) The project is specifically intended to accommodate waterfront open space or recreation through the creation of new open space and improvement of existing open space. Governors Island Corporation, doing business as the Trust for Governors Island (The Trust), is a not-for-profit corporation and instrumentality of the City of New York. The Trust holds title to 150 acres of the 172-acre island. The remaining 22-acre portion of the island is a National Monument owned and operated by the National Park Service.	<hr/> X	<hr/>
48.	Does the project site involve lands or waters held in public trust by the state or city? (8.5) See response to Question 47.	<hr/> X	<hr/>
49.	Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9) The project will make improvements to natural and built resources that contribute to the scenic quality of Governors Island.	<hr/> X	<hr/>
50.	Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	<hr/>	<hr/> X

51.	Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)	<hr/>	<hr/>
	See Chapter 5 of the SGEIS, “Historic and Cultural Resources.”	<hr/>	X <hr/>
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)	<hr/>	<hr/>
	The project would be located in and adjacent to the Governors Island Historic District—a National Historic Landmark District and a New York City Historic District. The project is also adjacent to the Governors Island National Monument, a federal national landmark, which includes Fort Jay and Castle Williams.	<hr/>	X <hr/>

D. CERTIFICATION

The applicant 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: _____

Address: _____

Telephone _____

Applicant/Agent Signature: _____ Date: _____

Attachment A: Waterfront Revitalization Program—Policy Responses

A. INTRODUCTION

The Waterfront Revitalization Program (WRP) is the City's principal coastal zone management tool. As originally adopted in 1982 and revised in 1999, it establishes the City's policies for development and use of the waterfront. All proposed actions subject to CEQR, ULURP, or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the WRP.

The project site is located within the City's designated Coastal Zone Boundary. Therefore, in accordance with the guidelines of the *CEQR Technical Manual*, a preliminary evaluation of the Proposed Project's consistency with WRP policies was undertaken. As determined by the Consistency Assessment Form (CAF), the proposed project requires detailed assessment for several WRP policies, as described below.

B. CONSISTENCY OF PROPOSED PROJECT WITH THE WATERFRONT REVITALIZATION PROGRAM POLICIES

New York City's WRP includes 10 principal policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. For each policy and sub-policy question that was answered "yes" in the CAF, this analysis includes a discussion of the policy's applicability to the proposed project and the proposed projects' consistency with the respective policy.

Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The Island is subject to deed restrictions that require and prohibit certain uses. The deed prohibits residential uses, except for those residential uses associated with expressly permitted uses, such as education, hospitality, health care, and commercial uses. The Proposed Project would result in mixed-use development that may include academic and/or research institution space, lab space or similar uses, housing for students and faculty, a conference center/hotel, commercial office use, cultural uses (e.g., galleries or museums), entertainment uses, other commercial uses, educational uses, and recreation facilities, consistent with deed restrictions. The areas that would be redeveloped are not within a Special Natural Waterfront Area or Significant Maritime and Industrial Area, and nor do they contain any unique or significant natural features. No jobs would be displaced by the Proposed Project. Therefore, the Proposed Project would result in commercial and

“residential” development in an area well-suited to such development, and is consistent with this policy.

Policy 1.2: Encourage non-industrial development that enlivens the waterfront and attracts the public.

The Proposed Project would result in open space improvements and mixed-use development as described above for Policy 1.1. The Proposed Project would include promenade improvements and other components that would enliven the waterfront and the Island and attract visitors to a major resource in New York Harbor. The Proposed Project would also result in expanded ferry service that would allow increased public access to the Island. Therefore, the Proposed Project is consistent with this policy.

Policy 1.3: Encourage redevelopment in the coastal area where public facilities and infrastructure are adequate or will be developed.

Governors Island is currently served by public sewer and a separate storm sewer system. The Island is also served by Con Edison natural gas. Work on a 12-inch water main from Brooklyn to provide potable water to the Island is currently underway and will be constructed by 2014. In addition, the Proposed Project would rehabilitate the Island’s existing 2.2 miles of seawall, including the consolidation and upgrade of stormwater outfalls. Therefore, the Proposed Project is consistent with this policy.

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

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

There are no working waterfront uses on Governors Island and the Proposed Project would not result in such uses. Therefore, this policy is not applicable to the Proposed Project. However, rehabilitation of 2.2 miles of the Island’s existing seawall, including the consolidation and upgrade of stormwater outfalls, is underway and will be completed by 2014, pursuant to the 2011 FGEIS. Work on a 12-inch water main from Brooklyn to provide potable water to the Island is currently underway and will also be constructed by 2014.

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

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

The action would not be located in a commercial or recreational boating center but would be located on an island dependent on water-borne transportation to access and exit the island. Construction of the water main to Brooklyn is located in an active navigable channel (Buttermilk Channel), but construction has been designed to minimize disturbance to marine traffic. The Proposed Project would result in additional ferry service to Governors Island. Therefore, the Proposed Project is consistent with this policy.

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

The Proposed Project would result in increased ferry access to the Island, which would not be expected to adversely affect commercial or recreational boating. The Proposed Project

would not result in the siting of a recreational boating facility. Therefore, the Proposed Project is consistent with this policy.

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

Policy 4.2: Protect and restore tidal and freshwater wetlands.

While the completely armored shoreline of the Island eliminates the potential for vegetated tidal wetlands, the entire shoreline of Governors Island is mapped as New York State Department of Environmental Conservation (NYSDEC) littoral zone tidal wetlands. The Proposed Project may result in limited activity within littoral zone tidal wetlands for storm sewer outlets and/or in-water activities associated with use of the existing piers. The stormwater outfall reconstruction and consolidation activities that would occur as part of Phase 1 would reduce the total number of outfalls on the Island. The overall stormwater runoff peak flows from the Island would decrease because of the total decrease in impervious surfaces which would also improve the quality of the stormwater discharged. Riprap would be installed at the toe of the rehabilitated seawall and would be designed to prevent scour at the base of the seawall and dissipate the flow of stormwater discharged through the 29 consolidated stormwater outfalls. Therefore, discharge of stormwater would not have the potential to result in significant adverse impacts to water quality or littoral zone tidal wetlands of the Upper bay due to resuspension of bottom sediment.

The Proposed Project may also result in limited activity within littoral zone tidal wetlands for in-water activities associated with use of the existing piers. Measures to minimize the resuspension of bottom sediment would be implemented during any in-water construction activities to minimize the potential for adverse impacts to littoral zone tidal wetlands.

Overall, the Proposed Project would provide a benefit to natural resources by improving existing open spaces and creating new open space, which would increase the diversity and quality of habitats available on Governors Island. This includes the creation of a wetland garden on the south tip of the Island. Therefore, the Proposed Project is consistent with this policy.

Policy 4.4: Maintain and protect living aquatic resources.

This policy seeks to promote sustainable commercial and recreational use of living aquatic resources. The Proposed Project could result in additional recreational fishing on the Island, as it would be open for public access year-round. It is expected that recreational fishing from the Island would be small-scale and would not adversely affect living aquatic resources. In addition, the Proposed Project would minimize effects to water quality around the Island by increasing the pervious surface on the Island, which would reduce stormwater runoff, and by managing stormwater on site to minimize runoff into the estuary. Therefore, the Proposed Project would be consistent with this policy.

Policy 5: Protect and improve water quality in the New York City coastal area.

Policy 5.1: Manage direct or indirect discharges to waterbodies.

The Proposed Project is not expected to result in any increase in stormwater runoff or sewer overflows, but would be expected to result in a reduction of stormwater discharged to the Upper Bay due to the decrease in impervious cover that would result from the proposed conversion of areas of asphalt to lawn. Stormwater discharges would be regulated under the

General SPDES permit GP-0-10-001 Stormwater Discharges from Construction Activity. Therefore, the proposed project would be consistent with this policy.

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

While the completely armored shoreline of the Island eliminates the potential for vegetated tidal wetlands, portions of the entire shoreline of Governors Island is mapped as NYSDEC littoral zone tidal wetlands. As discussed for Policy 4.2, in-water activities associated with the Proposed Project would implement measures (e.g., floating booms, turbidity curtains, coffer dams) to minimize the resuspension of bottom sediment into the water column. Any sediments suspended as a result of the in-water construction activities would be expected to dissipate shortly after the sediment disturbing activities are completed. The Proposed Project may result in limited activity within littoral zone tidal wetlands for in-water activities associated with use of the existing piers. Measures to minimize the resuspension of bottom sediment would be implemented during any in-water construction activities. Therefore, the Proposed Project is consistent with this policy.

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

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.

The entire shoreline of Governors Island is classified as FEMA Zone A (100-year floodplain) and the western and southern shorelines are classified as FEMA Zone V (100-year floodplain with velocity (wave action)). The remainder of Governors Island is classified as either Zone B (500-year floodplain, Critical Action Floodplains- development limitations due to flooding potential) or as Zone C (within 500-year floodplain, minimal to no flooding). All structures constructed under the Proposed Project would be consistent with the New York City Building code for construction within the floodplain.

As described in the 2011 FGEIS, the Master Plan has accounted for the projected 2-foot sea level rise reducing the Island's vulnerability to storm surges as compared to existing conditions, by designing the new topography on the Island for Phase 1 to be at least 4 feet above the current 1-in-100 year flood levels (this includes an additional 2 feet to elevate tree roots above saltwater levels during future 1-in-100 year events). In fact, elevations in most of the Park and Public Space will be significantly higher than this, sheltering thousands of trees planted in the new Park and Public Space from the effects of projected sea-level rise. Finally, saltwater tolerant plant species will be used in low lying areas where practicable. Therefore, the Proposed Project would be consistent with this policy.

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

Policy 7.2: Prevent and remediate discharge of petroleum products.

Governors Island has been expanded through extensive landfilling, with fill materials including historical material from excavations for the Lexington Avenue subway line, ash or other waste materials from industrial processes, and demolition debris. There is information available regarding petroleum storage tank removal activities and past locations where hazardous materials may have been used. Any contaminated soils or materials disturbed by the Proposed Project would be remediated in conformance with applicable regulations and guidelines. Therefore, the proposed project would be consistent with this policy.

Policy 7.3: Transport solid wastes and hazardous substances and site solid and hazardous waste facilities in a manner that minimizes degradation of coastal resources.

The Proposed Project would not involve transport, storage, treatment, or disposal of hazardous materials, and would not result in any significant adverse solid waste impacts. Any contaminated soils or materials disturbed by the Proposed Project would be remediated in conformance with applicable regulations and guidelines. 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 8.3: Provide visual access to coastal lands, waters and open space where physically practical.

As described in Chapter 6 of the SGEIS, "Urban Design and Visual Resources," none of the project elements would have the potential to impede views of visual resources or view corridors, except for the future South Island development zones. It is possible that the new buildings to be constructed in the two development zones would obstruct some views from the interior of the South Island that would be created as part of Phase 1 park and public space improvements. Other components of the Proposed Project, such as the proposed Great Promenade, would enhance visual access to New York Harbor. Overall, the Proposed Project would result in significant new public open space set within New York Harbor and would provide increased physical and visual public access to the coastal area. Therefore, the proposed project would be consistent with this policy.

Policy 8.4: Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.

The Trust for Governors Island is a not-for-profit corporation and instrumentality of the City of New York that holds title to 150 acres of the 172-acre Island (the remainder is owned and operated by the National Park Service). The Proposed Project is specifically intended to accommodate waterfront open space and recreation through the creation of new open space and improvement of existing open space. Since the Proposed Project would include significant waterfront open space improvements, it would therefore be consistent with and supportive of this policy.

Policy 8.5: Preserve the public interest in and use of lands and waters held in public trust by the state and city.

As noted for policy 8.4, The Trust holds title to 150 acres of the Island. The Proposed Project would result in public open space improvements and development that would conform to the public purpose stipulations of the deed restrictions, as described above. Therefore, the Proposed Project would preserve the public interest of the Island and is consistent with this policy.

Policy 9: Protect scenic resources that contribute to the visual quality of the New York City coastal area.

Policy 9.1: Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.

The Proposed Project would make improvements to natural and built resources that contribute to the scenic quality of Governors Island. The project site is not located within a

working waterfront area. As noted below under Policy 10.1, the Proposed Project includes significant restoration and reuse of the historic resources of the Island.

Policy 9.2: Protect scenic values associated with natural resources

The Proposed Project would make improvements to natural and built resources that contribute to the scenic quality of Governors Island. While the project site is not located within SNWAs or Recognized Ecological Complexes, the new public open space that would result from the Proposed Project would enhance the scenic values associated with the Island. Therefore, the proposed project would be consistent with this policy.

Policy 10: Protect, preserve, and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area.

Policy 10.1: Retain and preserve designated historic resources and enhance resources significant to the coastal culture of New York City.

Potential effects on historic or cultural resources are analyzed in Chapter 5, “Historic and Cultural Resources.” The Proposed Project would be located in and adjacent to the Governors Island Historic District—a National Historic Landmark District and a New York City Historic District. The Proposed Project is also adjacent to the Governors Island National Monument, which includes Fort Jay and Castle Williams. The Proposed Project includes the rehabilitation and reuse of historic resources and would include open space improvements to the Historic District. Compliance with the Governors Island Preservation and Design Manual would avoid significant adverse impacts to historic resources. Therefore, the Proposed Project would comply with this policy.

Policy 10.2: Protect and preserve archaeological resources and artifacts.

Potential effects on archaeological resources are analyzed in Chapter 8 of the SGEIS, “Historic and Cultural Resources.”

The South Island is not considered sensitive for archaeological resources as it is composed of circa 1901-1912 landfill from excavation of the Lexington Avenue subway. Certain areas of the North Island are considered sensitive for prehistoric and historic archaeological resources. Any subsurface disturbance that would occur in areas considered sensitive would be conducted in coordination with the New York State Office of Parks, Recreation and Historic Preservation and The New York City Landmarks Preservation Commission, as appropriate, and would comply with the Trust's established protocols for ground disturbing activities on the North Island. Therefore, no significant impacts are anticipated and the Proposed Project would comply with this policy.