Appendix A

New York City Waterfront Revitalization Program Coastal 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** Fax: **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") is proposing the Phased Redevelopment of Governors Island ("the Proposed Project") on 150 acres of the 172-acre Governors Island ("the Island") in the Borough of Manhattan. The Trust has developed a Park and Public Space Master Plan for 87 acres of publicly accessible open space across its 150-acre parcel. Plans for Phase 1 of the Park and Public Space Master Plan would involve the implementation of approximately $78.5 million of park and public space enhancements expected to be complete by 2013. The first phase would be improvements to the Historic District including Soissons Landing, the South Battery, Liggett Terrace, and improvements to approximately 22 acres of open space in the center of the South Island to create Hammock Grove and the Play Lawn. This phase would also include infrastructure improvements to bring potable water to the Island by constructing a 12-inch water main from Brooklyn to the Island. Future phases of the Park and Public Space Master Plan would provide 32 acres of newly designed open space through the center and perimeter of the South Island. The Park and Public Space Master Plan identifies the currently vacant North Island historic buildings that would be retenanted; and locations for development of new uses in two separate development zone areas in the South Island totaling 33 acres. For the future, several scenarios were developed that could represent a reasonable range of new development that could occur in conformance with the current real estate use covenants. These include a primarily University/Research option (URO) and a predominantly Mixed-Use option (MUO), both of which would provide equivalent amounts of development—approximately 3 million square feet.

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, after centuries of use as a military base. The creation of great new public open space would not only be an important public benefit resource of its own, but would also catalyze Island redevelopment. The later phases of redevelopment (existing and 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:

State permits that may be required for Phase I include State Pollutant Discharge Elimination System (SPDES) permit from the New York State Department of Environmental Conservation (NYSDEC) for the discharge of stormwater from construction activities, and wastewater, and from the US Army Corps of Engineers (USACE) under Section 404 for the construction of the water main. Additional permits may be required for future phases, including additional SPDES permits from NYSDEC for the discharge of stormwater from construction activities and wastewater, authorization from the USACE under Section 404 and/or Section 10 of the Rivers and Harbors Act for in-water work, and NYSDEC air permits related to potential future research/academic laboratory uses.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

No. Funding would be provided by the City of New York.

		Yes	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?		
	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.

Phase I, City discretionary approvals would include approval of funding for construction. Later phases would include associated zoning approvals, including special permits, modifications, variances, and/or authorizations.

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?		
	Phase 1 would involve improvements to Soissons Landing and the South Battery. Improvements at Soissons Landing would include replacement of a portion of pavement with lawn and addition of shade trees. Improvements at the South Battery would include replacement of asphalt with lawn and trees. In addition, a 12-inch water main would be installed from a New York City Department of Environmental Protection (NYCDEP) vault on Sackett Street, Brooklyn, under Buttermilk Channel to the east side of Governors Island. Later phases would result in physical alterations to create new open space and development.	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 project would revitalize and make improvements to existing public open space on Governors Island and add a total of 32 acres of open space newly designed and opened to the public.	**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. Phase 1 of the project would not involve residential or commercial redevelopment. However, future phases 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)		
Phase 1 would result in result in improvements to the Historic District, including Soissons Landing, the South Battery, Liggett Terrace and to approximately 22 acres of open space in the center of the South Island. Future phases would result in a change from the existing landfill area with more modern buildings to additional open space areas and development and construction of new buildings in two possible future 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. As the former potable water supply is no longer serviceable, Phase 1 would include construction of a 12-inch water main from Brooklyn to provide potable water to the Island. The water main will connect from a NYCDEP vault on Sackett Street under Buttermilk Channel to existing island water infrastructure on the east side of the Island.		**X**

Policy Questions cont'd:	Yes	No
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 3 large piers located along Buttermilk Channel: Yankee Pier, Tango Pier, and Lima Pier. The project site also includes asmaller pier (Pier 101) and a dock (Omaha Dock), all along Buttermilk Channel. In addition, Soissons Dock/Landing is located at the north end of the Island. The Brooklyn Battery Tunnel Ventilator is located between Soissons Dock and Pier 101.**	X	
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)		X
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)		X
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2) **Phase 1 would include upland-only improvements at Soissons Landing and construction of a 12-inch water main from Brooklyn to provide potable water to the Island. Future phases may include improvements to in-water structures such as Yankee Landing and in-water modifications to existing bulkheads.**	X	
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 as part of Phase I. The water main constructed under Phase I would be installed using a trenchless method such as horizontal directional drilling and would not result in the dredging or placement of fill within coastal waters. Future phases may require minimal excavation or placement of fill along the shoreline for storm sewer outlets.**	X	
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) **The action would not be located in a commercial or recreational boating center but would be located on an island dependent on water-dependent transportation to access and exit the island. Construction of the water main would be located in an active navigable channel (Buttermilk Channel) but construction would be designed to minimize disturbance to marine traffic. Future phases of the project are expected to include development of additional water transportation support uses on Governors Island.**	X	
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) **Phase 1 would not have any adverse effect upon land or water uses within a commercial or recreation boating center or water-dependent transportation center. Future phases would require increased ferry access to the Island. Installation of the water main along Buttermilk Channel would not be expected to adversely affect commercial or recreational boating.**		X
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2) **See response to Question 15.**		X
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)		X
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)		X

	Policy Questions cont'd:	**Yes**	**No**
19.	Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitats? (4.1)		**X**
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)		**X**
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. Phase 1 would not involve any activity within these littoral zone tidal wetland areas. Future phases 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**	
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)		**X**
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**	
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)		**X**
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) **Phase 1 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.**		**X**
26.	Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1) **Phase 1 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 under Phase I and future phases would be regulated under the General SPDES permit GP-0-10-001 Stormwater Discharges from Construction Activity.**	**X**	
27.	Will any activity associated with the project generate nonpoint source pollution? (5.2)		**X**
28.	Would the action cause violations of the National or State air quality standards? (5.2)		**X**
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)		**X**
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) **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. Phase 1 would not involve any activity within these littoral zone tidal wetland areas. Future phases 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**	
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)		**X**

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). No buildings would be constructed as part of Phase I. Structures constructed as part of future phases 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) **Phase 1 would not involve the shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants. Phase 1 would generate less than 50 tons per week of solid waste, and therefore would not result in a significant adverse impact based on the C*EQR Technical Manual*. However, future phases would introduce new development that would require sanitation services.**	**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.**	**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) **Phase 1 would not involve transport, storage, treatment, or disposal of hazardous materials, and would result in the generation of less than 50 tons per week of solid waste. Because of past activities that have occurred on Governors Island, future phases would have the potential to result in the transport of solid or hazardous wastes.**	**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.		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)		
	Phase 1 of the project would be located in and adjacent to existing public open space and will benefit these existing open spaces through a number of improvements as well as creation of additional newly designed open space areas.	X	
44.	Would the action result in the provision of open space without the provision for its maintenance? (8.1)		
	Phase 1 of the project will be specifically aimed at making improvements to existing open space as well as the creation of new open space on the South Island. Future phases will include park maintenance facilities for all public open spaces. Provision for the maintenance of Phase 1 and Later Phases open space will be provided for through park maintenance facilities and operating funding.		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 project is specifically intended to create and/or improve water enhanced or water dependent recreational space.		X
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)		
	Phase I would not affect visual access to coastal lands, waters and open space. Future phases would have the potential to result in new building, a new building height, or result in a substantial physical alteration to the streetscape or public space that would result in obstruction of publicly-accessible views to visual resources.	X	
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.	X	
48.	Does the project site involve lands or waters held in public trust by the state or city? (8.5)		
	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.	X	
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 Islands.	X	
50.	Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)		
			X
51.	Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)		
	Potential effects on historic, archaeological, or cultural resources will be examined in the GEIS.		
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)		
	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.	X	

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: **The Trust for Governors Island/Simon Bertrang, VP of Planning and Design**

Address: **10 South Street, Slip 7, New York, NY 10004**

Telephone **212-440-2233**

Applicant/Agent Signature: _____ Date: **3/3/11**