



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, NY 10007

## **Citywide Ferry Service Expansion**

**CEQR Number 15DME009Y**

# **STATEMENT OF FINDINGS**

**Made Pursuant to the New York State Environmental Quality Review Act and  
City Environmental Quality Review**

**Office of the Deputy Mayor for Housing and Economic Development**

**August 12, 2020**

## A. INTRODUCTION

This Statement of Findings is issued pursuant to Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, and the New York City Environmental Quality Review (CEQR) process as set forth in New York City Mayoral Executive Order 91 of 1977, as amended and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York. This Statement of Findings has been prepared to: 1) certify that the procedural requirements have been met; 2) consider the relevant environmental impacts, facts, and conclusions disclosed in the Final Supplemental Environmental Impact Statement (FSEIS) for the Citywide Ferry Service Expansion; 3) weigh and balance the relevant environmental impacts of the proposed actions with social, economic, and other considerations; and 4) provide a rationale for the decision of the Office of the Deputy Mayor for Housing and Economic Development (ODMHED), in the Office of the Mayor.

This statement sets forth the findings of the Office of the Deputy Mayor for Housing and Economic Development, in the Office of the Mayor, as lead agency with respect to the environmental impacts of the Citywide Ferry Service project as analyzed in the Final Supplemental Environmental Impact Statement (FSEIS) approved by the lead agency on July 31, 2020.

<b>Lead Agency:</b>	Office of the Deputy Mayor for Housing and Economic Development 100 Gold Street, 2 <sup>nd</sup> Floor New York, New York 10038
<b>SEQR Classification:</b>	The Citywide Ferry Service is classified as a Type I action pursuant to 6 NYCRR Part 617.4(b)(9), an Unlisted Action occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district.
<b>Location:</b>	Brooklyn Community Districts 1, 2, 6, 7, and 13: Block 2134, Lot 36; Block 25, Lot 1; Block 515, Lot 61; Block 725, Lot 1; Block 6965, Lot 100  Queens Community District 2: Block 6, Lot 1  Bronx Community District 10: Block 5622; Lot 1  Manhattan Community Districts 1 and 4: Block 16, Lot 3; Block 665, Lot 19  Staten Island Community District 1: Block 2, Lot 1 or Lot 5

## **B. SUMMARY OF THE PROPOSED PROJECT**

The New York City Economic Development Corporation (NYCEDC) proposed to implement an expansion of the Citywide Ferry Service (CFS). The proposed CFS Expansion would promote equity by further providing an affordable and convenient transit option to residents in otherwise transit-isolated neighborhoods and connecting these residents to employment opportunities in the city's commercial districts. The proposed expanded ferry service would continue to accommodate fast-growing residential and commercial areas on the waterfront that are not as well served by the city's subway system, and continue to extend one of the city's most flexible and resilient transit alternatives in support of the city's emergency preparedness and ability to respond to storm and flooding events and transit service disruptions. The privately-operated commuter and recreational transit service is paid for by the City of New York and NYCEDC and managed by NYCEDC.

The proposed expansion would consist of the addition of two new routes (Coney Island and St. George) to the seven routes currently in operation (Astoria, East River, Lower East Side, Rockaway, Soundview, and South Brooklyn as well as a seasonal summer shuttle to Governors Island). The new Coney Island route would require the construction of one new landing at Coney Island Creek. The new St. George route would include a new landing at St. George and landings at two existing terminals in Manhattan (Battery Park City and Midtown West).

In addition, the Soundview and South Brooklyn routes would be modified to serve new and/or additional landings: the Soundview route would be extended to serve a new landing at Throgs Neck/Ferry Point Park, and service to the Sunset Park neighborhood on the South Brooklyn route would be shifted to a new landing at Bush Terminal. The new and modified routes are expected to begin service in 2021. A new homeport and maintenance facility (Homeport II) for the CFS fleet would also be constructed at the Atlantic Basin in Red Hook, and is expected to begin operation in 2022. With the proposed expansion, the CFS would continue to provide frequent, daily service between 6:30 am and 10:00 pm on weekdays and weekends to a total of 26 landings.

In addition, barge replacements would be made to existing landings at Hunters Point South, South Williamsburg and Brooklyn Bridge Park-Pier 1 locations to improve navigation and standardize equipment. There are no service changes anticipated at the Hunters Point South or South Williamsburg locations. In 2021, Brooklyn Bridge Park-Pier 1 would no longer be served by the South Brooklyn route and would only be served by the East River route.

## **DISCRETIONARY ACTIONS**

The proposed project requires multiple City approvals. Some of these approvals are discretionary actions requiring review under SEQRA and CEQR. The ODMHED is the lead agency for CEQR. It is anticipated that the proposed CFS Expansion would require approval of several discretionary actions including the following:

- Capital expenditures by the City of New York to provide funding for procurement of barge and gangway landing infrastructure, and ferry vessel procurement;
- Potential decision to provide CFS operational funding;
- Mayoral Zoning Override<sup>1</sup> to allow for the construction of two additional landings that are currently subject to zoning at St. George and Bush Terminal. Specifically, the Mayoral Zoning Override

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<sup>1</sup> The Mayoral Zoning Override action is to restate and revise the Mayoral Zoning Override approved on August 22, 2016, for the landings constructed for the original CFS 2017 launch. The 2016 override request comprised various waterfront zoning requirements (Article VI, Chapter 2 of the Zoning Resolution of the City of New

would waive regulations under Waterfront Zoning (Article VI, Chapter 2 of the Zoning Resolution of the City of New York [ZR]) relating to parking requirements for dock facilities (ZR §62-43), visual corridors and waterfront public access areas (ZR §62-50; specifically §62-513 and §62-52), design requirements for waterfront public access areas (ZR §62-60), and special review by the City Planning Commission (ZR §62-80). In addition, the Mayoral Zoning Override approval would update the previously approved CFS Override to include the current capacity of vessels that have been purchased since 2016 at all landing locations.

The implementation of the proposed CFS Expansion would also require permitting approvals from NYSDEC and USACE for in-water construction and dredging. Specifically, a NYSDEC Tidal Wetlands Permit under Article 25 of the Environmental Conservation Law would be required for the construction or modifications of piers and landing barges at St. George, Coney Island Creek, Throgs Neck/Ferry Point Park, Bush Terminal, Brooklyn Bridge Park-Pier 1 and Hunters Point South. In addition, a NYSDEC Excavation and Fill in Navigable Waters Permit under Article 15, Title 5 of the Environmental Conservation Law would be required for construction and potential maintenance dredging activities at the Coney Island Creek landing. Permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) would be required from USACE for the construction of ferry landings in navigable waterways. Federal navigational and resource agencies will serve in an advisory role for the issuance of the USACE permit and the USCG would have regulatory authority over vessel design and operation.

In addition, certain new and modified landings require additional ministerial permits and approvals not subject to CEQR or SEQRA. All new and modified landing designs are subject to the review and approval of the New York City Public Design Commission (PDC) and the New York City Department of Small Business Services (SBS). Approval of a Tenant Alteration Application by the Port Authority of New York and New Jersey (PANYNJ) would be required for the use of the Battery Park City landing and the Homeport II site in Atlantic Basin (which is under PANYNJ jurisdiction). Construction permits from the New York City Department of Parks and Recreation (NYC Parks) would be required for landings located in NYC Parks property. The proposed modification to the Brooklyn Bridge Park-Pier 1 landing (which is within the boundaries of the Fulton Ferry Historic District) requires approval by the New York City Landmarks Preservation Commission (LPC). Approvals from the New York City Department of Citywide Administrative Services (DCAS) may be required for the use of the potential St. George landing location that is adjacent to the St. George Ferry Terminal. In addition, new or reconstructed landings may potentially need a New York City Board of Standards and Appeals (BSA) appeal of requirements of Appendix G of the New York City Building Code for the construction of new structures located in the VE flood hazard zone, which includes St. George, Coney Island Creek, Bush Terminal, Brooklyn Bridge Park-Pier 1, South Williamsburg, Hunters Point South, and Throgs Neck/Ferry Point Park. Finally, the CFS Expansion would also require New York City Department of Transportation (NYCDOT) approvals to operate a private ferry service and/or to use landings under the jurisdiction of NYCDOT.

## **C. PROCEDURAL HISTORY**

The CFS began in 2017 with the launch of four routes (Rockaway, South Brooklyn, Astoria, and the re-branded East River route); two more routes (Soundview and Lower East Side) launched in 2018,

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York [ZR]) related to parking (ZR §62-43) and pick up and drop off areas (ZR §62-462); general requirements for visual corridors and waterfront public access areas (ZR §62-50); design requirements for waterfront public areas (ZR §62-60); and provisions for special review by the City Planning Commission (ZR §62-80).

along with the modification of the weekend-only Governors Island summer service to be a direct shuttle route from Pier 11 to Governors Island, connecting with all six core routes. The service currently includes 21 landings, including two terminals (Midtown/East 34th Street and Pier 11/Wall Street) and six landings that were used by the East River Ferry service, the predecessor to the CFS. The main hubs are Pier 11 and East 34th Street, with a homeport facility at the Brooklyn Navy Yard. From its 2017 launch through July 2019, the CFS has carried nearly 11 million riders.

ODMHED issued the FEIS for the CFS project in 2016. The 2016 FEIS analyzed the creation of the CFS through the introduction of five new routes to join the existing East River Ferry Service and the construction of 13 new or upgraded landings in the Bronx, Queens, Brooklyn, and Manhattan, as well as upgrades to two Manhattan terminals (Pier 11/Wall Street and East 34th Street). The FEIS also analyzed two potential locations for the CFS homeport, one of which (the Brooklyn Navy Yard homeport) was selected.

Subsequent to the environmental review, the CFS was launched. With the successful implementation of the project, the Mayor announced an expansion of the service at the 2018 Mayoral State of the City address.

ODMHED issued a Positive Declaration on May 7, 2019, requiring that an EIS be prepared for the proposed CFS expansion. A Draft Scope of Work was made available to agencies and the public for review and comment. To provide a forum for public comments on the Draft Scope of Work, public scoping meetings were held on the following dates and locations:

- June 11, 2019 at the New York Aquarium, 602 Surf Avenue, Brooklyn, NY 11224
- June 12, 2019 at the Metropolitan College of New York, 60 West Street, New York, NY 10006
- June 18, 2019 at the Villa Barone Manor, 737 Throgs Neck Expressway, Bronx, NY 10465
- June 20, 2019 at the Staten Island Borough Hall, 10 Richmond Terrace, Staten Island, NY 10301

The period for submitting written comments remained open until July 1, 2019. A Final Scope of Work was prepared, taking into consideration comments received during the public comment period, to direct the content and preparation of a DSEIS. ODMHED issued the Final Scope of Work on January 28, 2020.

The DSEIS was prepared in accordance with the Final Scope of Work. ODMHED determined the DSEIS to be complete and issued a Notice of Completion for the DSEIS on January 28, 2020. Public hearings on the DSEIS were held at the following dates and locations:

- March 2, 2020 at the Staten Island Borough Hall, 10 Richmond Terrace, Staten Island, NY 10301
- March 3, 2020 at the Villa Barone Manor, 737 Throgs Neck Expressway, Bronx, NY 10465
- March 4, 2020 at the PS 90 Edna Cohen School, 2840 West 12<sup>th</sup> Street, Brooklyn, NY 11224
- March 5, 2020 at the 6 River Terrace Community Room, New York, New York, 10028

Public comments were accepted at the hearings and throughout the comment period, which remained open through March 30, 2020. The FSEIS incorporated responses to the public comments received on the DSEIS and additional analysis conducted subsequent to the completion of the DSEIS. ODMHED determined the FSEIS to be complete and issued a Notice of Completion for the FSEIS on July 31, 2020.

## **D. FACTS AND CONCLUSION RELIED UPON TO SUPPORT THE DECISION**

Having reviewed the SDEIS and the SFEIS, ODMHED makes the findings and conclusions contained herein based on those documents and the administrative record.

The proposed project's environmental review concluded that it would result in potential significant adverse impacts with respect to transportation, noise, and air quality. No potential significant adverse impacts were identified with respect to land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste; energy; greenhouse gas emissions; public health; or neighborhood character.

As described in the Mitigation chapter of the SFEIS, mitigation measures were identified to mitigate, if practicable, significant adverse impacts with respect to transportation. The SFEIS identified mitigation measures that may partially or fully mitigate air quality impacts after the launch of the ferry expansion; however, the SFEIS concluded that there would be potential for unavoidable adverse impacts for noise and air quality at the time the proposed project is implemented.

The environmental review analyzed a No Action Alternative, No Unmitigated Significant Adverse Impacts Alternative, and Reduced Service Alternative. The environmental review concluded that these alternatives would not substantively meet the goals and objectives of the proposed project.

## **CONCLUSION**

The Citywide Ferry Service provides an affordable and convenient transit option to residents in otherwise transit isolated neighborhoods. The proposed expansion of the service would continue NYCEDC's long-standing goal of expanding ferry service as a resource for commuters and recreational users. In particular, as noted above, recent economic shifts have led to increased residential, recreational, and commercial development along the waterfront. The proposed expanded ferry service would accommodate these fast-growing residential and commercial areas on the waterfront that are not as well served by the city's subway system. In these areas, expanded ferry service would provide benefits to commuters, including improved travel time, convenience, and comfort, as well as a new recreational resource for residents and visitors.

Expanded ferry service is likely to produce further economic benefits by providing connectivity between workers and employment areas, particularly commercial corridors and innovation centers that are outside of the Manhattan central business districts. In addition, expanded ferry service would promote equity by further providing an affordable and convenient transit option to residents in otherwise transit-isolated neighborhoods and connecting these residents to employment opportunities. Therefore, the proposed expansion of ferry service would serve important economic development and equity purposes benefiting the city as a whole. In addition, the proposed expansion would provide additional service for recreational ferry users to waterfront parks and open spaces such as Ferry Point Park in the Bronx and Kaiser Park in Coney Island, Brooklyn; this would support the citywide effort to increase recreational activity on the waterfront.

Finally, the proposed expansion would continue to extend one of the city's most resilient transit alternatives. The city has a goal of strengthening the city's infrastructure to handle future storm and flooding events like Superstorm Sandy in 2012. While there was significant flooding of the city's subway system with attendant

service interruptions and costly repairs, the city was able to rely on ferry services to return to normal operation within days of the storm. The proposed expansion would provide a flexible transportation alternative that would better serve waterfront communities, thereby improving the city's emergency preparedness and ability to respond to transit service disruptions.

On balance, after considering the benefits and impacts of the expansion of the CFS disclosed in the FSEIS, ODMHED concludes that the social, economic, and environmental benefits provide a rationale to proceed with the proposed project notwithstanding its environmental impacts.

## **E. CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE**

Having considered the relevant environmental impacts, facts, and conclusions disclosed in the SFEIS and weighed and balanced relevant environmental impacts with social, economic, and other essential considerations as required in 6 NYCRR 617.11, the Office of the Deputy Mayor for Housing and Economic Development certifies that:

- the requirements of Article 8 of the New York State Environmental Conservation Law (SEQRA) and its implementing regulations found at 6 NYCRR Part 617 and the requirements of City Environmental Quality Review (CEQR) found at Title 62, Chapter 5, of the Rules of the City of New York and as set forth in Executive Order 91 of 1977, as amended, have been met; and
- consistent with social, economic, and other essential considerations of state and city policy, from among the reasonable alternatives available, the proposed project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that the SFEIS and this Statement of Findings have identified as practicable.



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Hilary Semel

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August 12, 2020

Date

Assistant to the Mayor

On Behalf of the Office of the Deputy Mayor for Housing Economic Development