

TABLE OF CONTENTS

Chapter 15: Waterfront Revitalization Program.....	15-1
A. INTRODUCTION.....	15-1
1. ISSUES.....	15-2
2. PRINCIPAL CONCLUSIONS.....	15-3
B. LOCAL WATERFRONT REVITALIZATION POLICY.....	15-3

LIST OF TABLES

TABLE 15-1 PROJECTED PEAK DIRECTION WEEKDAY FERRY PASSENGERS AT THE WEST MIDTOWN INTERMODAL FERRY TERMINAL (PIER 79)	15-7
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TABLE OF FIGURES

FIGURE 15-1 WATERFRONT REVITALIZATION PROGRAM
FIGURE 15-2 FEMA FLOOD ZONES
FIGURE 15-3 LWRP COASTAL ZONE MAP
FIGURE 15-4 LWRP SPECIAL NATURAL WATERFRONT AREA MAP

Chapter 15: Waterfront Revitalization Program

A. INTRODUCTION

This chapter assesses the conformance of the Proposed Action with federal, state, and local coastal zone policies. The Coastal Zone Management (CZM) Act of 1972 was enacted to serve and protect the special characteristics of waterfront areas and established policies regarding proposed developments within coastal areas. As a result, New York State developed its Coastal Management Program (CMP) in conformance with CZM Act requirements, while New York City implemented the Local Waterfront Revitalization Program (LWRP) in consideration of federal, state, and local coastal regulations.

The LWRP is intended to address concerns regarding waterfront deterioration and inappropriate waterfront uses in New York City. The CMP and LWRP programs encourage coordination among divisions of government to advance sound waterfront planning and require an evaluation of the consistency of the Proposed Action with coastal zone policies. The objective of the federal, state, and local coastal zone policies is to balance economic development and preservation through promoting waterfront revitalization and water-dependent uses. The New York State Department of State (NYS DOS) administers the CMP at the state level, while New York City Department of City Planning (NYC DCP) oversees the LWRP for the City of New York.

The LWRP designates “Coastal Zones” for protection, enhancement, and preservation. A portion of both the Project Area and the MTA Corona Yards are within these established Coastal Zones (see Figures 15-1 and 15-3). The LWRP, approved in 1982, identified 44 state policies and 12 city policies against which proposed projects within the Coastal Zones were to be evaluated. The LWRP was revised in 1999 by City Council and was subsequently approved by NYS DOS and U.S. Department of Commerce. The revised LWRP consolidated the original state and city policies into 10 coastal policies. These 10 LWRP policies incorporate CMP requirements and address federal coastal review requirements. The amended LWRP is also used as a basis for City review under Uniform Land Use Review Procedures (ULURP) and CEQR. The LWRP includes policies for the following coastal issues within New York City:

- Residential and commercial redevelopment - support and facilitate commercial and residential redevelopment in appropriate coastal zone areas;
- Water-dependent and industrial uses - support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation;
- Commercial and recreational uses - promote use of New York City’s waterways for commercial and recreational boating and water-dependent transportation centers;
- Coastal ecological systems - protect and restore the quality and function of ecological systems within the New York City coastal area;
- Water quality - protect and improve water quality in the New York City coastal area;
- Flooding and erosion - minimize loss of life, structures, and natural resources caused by flooding and erosion;
- Solid waste and hazardous materials - minimize environmental degradation from solid waste and hazardous substances;
- Public access - provide public access to and along New York City’s coastal waters;

- Scenic resources - protect scenic resources that contribute to the visual quality of New York City; and
- Historic and cultural resources - protect, preserve, and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area.

1. Issues

Those portions of the Project Area located within the Coastal Zone will be reviewed for their consistency with the LWRP. Specifically, the western portion of the Project Area, between Eleventh Avenue and the Hudson River, is located within the designated City Coastal Zone, as shown in Figure 15-1. The project elements located within the Coastal Zone are: Projected Development Sites 17 and 18; Convention Center Expansion and Hotel; and the Multi-Use Facility. Also within the Coastal Zone, to accommodate the Convention Center expansion, the MTA Quill Bus Depot would relocate to a site between West 30th and West 31st Streets between Tenth and Twelfth Avenues (The current Quill Bus Depot lies within the Coastal Zone between West 40th and West 41st Streets between Eleventh and Twelfth Avenues). The western portion of the relocated MTA Quill Bus Depot (between Eleventh and Twelfth Avenues) would be located within the Coastal Zone. Corona Yards is also located within the Coastal Zone.

An associated element of the project is the potential relocation of the NYPD Tow Pound and the DSNY facility at Gansevoort Peninsula - both currently on the waterfront - to a site located between West 29th and West 30th Streets between Eleventh and Twelfth Avenues. The Hudson River Park Act (HRPA) mandates that the City:

- “shall use best efforts to relocate the NYPD Tow Pound which is currently located on Pier 76. Subsequent to relocation of the Tow Pound, the City of New York shall convey to the HRPT a possessory interest of fifty percent (50%) of Pier 76 for passive and active public open space use for a period not to exceed 99 years, provided that such open space portion of Pier 76 shall be contiguous with the water. Upon such conveyance, the portion so conveyed will become part of the park and will be used solely for passive and active public open space;” and
- “shall use best efforts for the relocation of the sanitation garage (at the Gansevoort Peninsula) and by December 31, 2003 relocate the salt pile and remove the incinerator.”

If the NYPD Tow Pound and DSNY Gansevoort facility are relocated, Pier 76 and the Gansevoort Peninsula could be modified to accommodate more compatible uses within the Hudson River Park (HRP).

HRP - west of the Hudson Yards, along the Hudson River shoreline - is currently under development by the HRP Trust (HRPT). HRPT, under the HRPA, has been granted jurisdiction of most of Manhattan’s Hudson River waterfront, between Battery Park and West 59th Street. It is managing the development of improvements intended to enhance the publicly accessible waterfront. The HRP consists of a landscaped bikeway, esplanade, and passive recreation and overlook areas. A portion of the greenspace medians and the bike/pedestrian-way is currently open to the public.

In addition, NYSDOS (Under 6 NYCRR Part 600) has designated the Lower Hudson River (Yonkers, NY to Battery Park, NY) as one of 15 Significant Coastal Fish and Wildlife Habitat areas in New York City. This designation is given to habitats that have been evaluated and rated by the NYSDOS, in consultation with NYSDEC, and which must be “protected, preserved, and, where practical, restored so as to maintain their viability as habitats.”

The Corona Yards is located within the Coastal Zone Boundary of the Flushing Bay estuary, but not within the Special Natural Waterfront Area (SNWA), as indicated in Figure 15-3. The southern portion of Flushing Bay is designated as a Special Natural Waterfront Area (SNWA) of New York

City, and includes freshwater wetland habitats, tidal wetland habitats, and Significant Coastal Fish and Wildlife Habitats (see Figure 15-4, for SNWA Map).

Therefore, the Proposed Action must be reviewed by the NYSDOS and NYCDCP for consistency with LWRP and CMP.

2. Principal Conclusions

The Proposed Action is consistent with LWRP policies. The Project Area is currently underutilized and does not provide convenient public access to the waterfront. Under the Proposed Action, residential, commercial, and entertainment-related developments would serve to enliven and enrich the experience and usage of the Hudson Yards waterfront, consistent with the goals of the LWRP.

The Project Area is located directly east of Route 9A and HRP and currently has limited pedestrian connections to the waterfront. The Proposed Action would allow for pedestrian connections across Route 9A to HRP at West 42nd Street, West 40th Street, West 34th Street, and West 30th Street. The Convention Center Expansion would result in street closures at West 33rd Street, West 39th Street, West 40th Street, and a portion of West 41st Street between Eleventh and Twelfth Avenues. However, the Convention Center Expansion would incorporate a pedestrian connection through the Convention Center at West 40th Street. The West 33rd Street closure would allow for a Full Block 3.6 acre Open Space between Eleventh and Twelfth Avenues. These improvements would encourage pedestrian use of the Hudson River waterfront, as would pedestrian bridges at West 33rd and West 39th Streets. In addition, the Multi-Use Facility events, increased number of events at the expanded Convention Center, and added commercial and residential uses permitted under the rezoning would result in a substantial addition of visitors and residents to the Hudson River waterfront compared to the Future Without the Proposed Action. The proposed redevelopment of the Project Area and related improved connections to the HRP would further enhance public access and usage of the Hudson River waterfront.

The NYPD Tow Pound (Pier 76) and DSNY facilities may be relocated within the Hudson Yards area as an associated element of the project. Relocation of these facilities from the shoreline would provide the opportunity to create additional public open space and recreational space that would further enhance visitor experience of the HRP.

The Proposed Action would encourage public access to the Hudson River waterfront, water-dependent uses, and other commercial and recreational waterfront uses of the Project Area. As indicated in Chapter 13, “Natural Resources,” and in Chapter 23, “Construction Impacts,” the Proposed Action would not result in adverse impacts to the aquatic life and water quality of the Hudson River and Flushing Bay ecosystems. In addition, no adverse impacts to designated (architectural) cultural resources in the Project Area are anticipated due to avoidance, protective, and mitigation measures that would be implemented during the design and construction phases of the project, except for partial demolition of the High Line, a structure identified by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as having historic significance. Two separate Letters of Resolution (LORs) with OPRHP specify mitigation for the adverse impacts to the High Line that include photographic documentation and salvage (See Chapter 9, “Historic Resources”).

B. LOCAL WATERFRONT REVITALIZATION POLICY

LWRP is intended to maximize benefits derived from economic development, environmental preservation, and public uses of the waterfront. Each policy identified in the LWRP is listed below, followed by an assessment of the consistency of the Proposed Action with each policy.

Policy 1: Support and facilitate commercial and residential redevelopment in appropriate coastal zone areas.

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

The Proposed Action would generate substantial amounts of new commercial (28 million square feet) and residential (12.6 million square feet) development in the Rezoning Area. A portion of this redevelopment would occur within the Coastal Zone, between West 42nd and West 43rd Streets between Eleventh and Twelfth Avenues. The bulk of the commercial and residential development generated by the proposed Zoning Amendments would occur east of Eleventh Avenue. The Proposed Action includes elements that would encourage significant job creation, new residential units, and public attractions. The construction of the new commercial and residential spaces in such close proximity to the Hudson River would attract the public and further enliven the waterfront area. The Convention Center expansion and the Multi-Use Facility also represent appropriate commercial redevelopment within the Coastal Zone. Events at these facilities would draw the public to the waterfront in greater numbers than the Future Without the Proposed Action.

Within the Coastal Zone, Projected Development Sites 18 [by 2010] and 17 [by 2025], between West 42nd and West 43rd Streets between Eleventh and Twelfth Avenues, are anticipated to contain 1,382 residential dwelling units and 35,429 square feet of retail space. These redevelopment sites of the Proposed Action, including the Convention Center Expansion and Multi-Use Facility, represent appropriate developments within the Coastal Zone primarily because these sites are within: previously disturbed sites void of vegetation; an area close to mass transit; and a favorable locale between the HRP and the populous area of Midtown Manhattan. The original shoreline of the Hudson River was located approximately along Eleventh Avenue; all sites west of Eleventh Avenue were developed on urban fill (construction debris, soil, gravel, rock, etc.). Since the late 1800s the Project Area has been occupied by factories, foundries, rail yards, storage warehouses, and other industrial facilities. The native soils and vegetation of the Project Area have been removed, disturbed, and buried by urban fill soils as new developments occurred in the area. Hence, there are no existing wetlands or wildlife habitats within these areas.

Under the Future Without the Proposed Action, there would be less development within the Coastal Zone; the Multi-Use Facility would not occur over the western portion of Caemmerer Yard; the Convention Center would not expand; Projected Development Sites 17 and 18 would contain substantially less residential and commercial floor area; and the site of the Convention Center Hotel would be occupied by a large residential development. (See Chapter 4, “Land Use, Zoning, and Public Policy”, for a detailed description of the Future Without the Proposed Action in the Project Area).

The Proposed Action would generate residential and commercial development appropriate to the area and compatible with the expanded Convention Center, Multi-Use Facility, and HRP. Furthermore, the No. 7 Subway Line Extension would serve transit needs of additional residents, tourists, and businesses in the Project Area. To that end, the Proposed Action would support and facilitate commercial and residential redevelopment in the Coastal Zone.

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

The Multi-Use Facility and expanded Convention Center would provide major public attractions to the waterfront. The Proposed Action would also generate substantial new residential and commercial development that would enhance the public use of the Hudson River waterfront. Events at the Multi-Use Facility and expanded Convention Center would attract substantial numbers of people to the waterfront. The experience at the Convention Center would be enhanced by the five acres of publicly accessible open space and vegetated roof on the expanded Convention Center roof. Patrons would

have an unobstructed view of the Hudson River waterfront from this publicly accessible open space. In addition, patrons of either the Multi-Use Facility or Convention Center event could make use of the Full Block Open Space between West 33rd and West 34th Streets between Eleventh and Twelfth Avenues, which would provide both additional publicly accessible open space and encourage pedestrian access to HRP at West 34th Street.

Relocation of the NYPD Tow Pound and DSNY facilities from HRP to a site within the Project Area by 2010 would allow for improvements and enhancements of the waterfront to better serve the public. Under the Proposed Action, the multi-agency municipal facility would be located between West 29th and West 30th Streets, just south of the Multi-Use Facility. An additional public benefit of the Proposed Action would include approximately 3.6 acres of active open space on the roof of this facility. In addition, the HRP would be accessible from this public recreational area via the Route 9A at-grade crosswalk at West 30th Street.

The combined open space provided on the Convention Center roof (5.0 acres), Full-Block Open Space (3.6 acres), and Block 675 (3.6 acres) would provide a significant public attraction to the Hudson River waterfront and enliven the new Hudson Yards neighborhood.

The No. 7 Subway Extension, including added track storage at Corona Yards, would provide improved transit and mobility for the additional residents, tourists, and businesses in the Project Area. The Proposed Action would be consistent with this policy.

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

The Proposed Action would be located in close proximity to existing and planned police services, fire services, and water and sewer infrastructure. The Manhattan Trunk Main Master Plan, currently under development by DEP, will identify proper upgrades to water supply infrastructure that would be required to support the developments of the Proposed Action. The City is also preparing a hydraulic assessment to identify necessary improvements to existing wastewater infrastructure that would be sufficient to serve the future redevelopments within the Project Area. These improvements to infrastructure would provide an opportunity to modernize and replace aging water and sewer lines. This is described in greater detail in Chapter 16, "Infrastructure." Public facilities; police stations, fire stations, and schools located adjacent to the Coastal Zone would be improved, as necessary, to accommodate the future population and employment growth of the Project Area. See Chapter 6, "Community Facilities and Services" for the potential improvements to police and fire services, elementary and intermediate schools, outpatient and emergency health care facilities, and publicly funded day care facilities.

Extension of the No. 7 Subway would provide improved public transportation to serve the additional residents, tourists, and businesses in the Project Area.

Therefore, the Proposed Action would be 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 2.1: Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.

The Project Area is not located within a Significant Maritime and Industrial Area; therefore, this policy does not apply.

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

The Project Area is not located in proximity to any Significant Maritime and Industrial Areas. There would be no working waterfront uses planned under the Proposed Action or in the Future Without the Proposed Action. However, the projected development anticipated as a result of the Proposed Action would further encourage patronage of existing working waterfront uses adjacent the Project Area: NY Waterway ferry (West 38th Street), World Yacht tours (West 41st Street), and Circle Line (West 43rd Street) tours which currently provide recreational and commercial boating and ferry services.

The existing Corona Yards and planned improvements do not and would not provide waterfront uses on Flushing Bay. Therefore, this policy does not apply to this action.

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

The Proposed Action would include infrastructure improvements within the Project Area, including public transportation improvements, and improvements to water, sanitary, and stormwater systems (see Chapter 16, “Infrastructure”), which could support working waterfront uses. Although there would not be any working waterfront uses planned under the Proposed Action, the Proposed Action would encourage existing working waterfront uses adjacent the Project Area, including the use of: NY Waterway ferry (West 38th Street), World Yacht tours (West 41st Street), and Circle Line (West 43rd Street) tours which currently provide recreational and commercial boating services.

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 NY Waterway ferry, Circle Line tours, and World Yacht tours currently provide recreational and commercial boating services to and from the Project Area. NY Waterways is currently constructing a new terminal, the “West Midtown Intermodal Ferry Terminal” that would transfer passenger ferry operations from Pier 78 (West 38th Street) to Pier 79 (West 39th Street). Pier 78 would be reconfigured for private ferry excursions. The Convention Center Expansion would provide access to the West Midtown Intermodal Ferry Terminal via a West 40th Street pedestrian connection through the Convention Center. The upland developments that would result from the Proposed Action would generate increased recreational and commercial boating passengers in the City’s waterways compared to the Future Without the Proposed Action. As seen in Table 15-1, the cumulative effect of the Multi-Use Facility, Convention Center Expansion, No. 7 Subway Extension, and the anticipated commercial and residential developments within the Project Area would generate approximately 1,100 additional passengers per hour (pph) during the morning peak hours and 1,000 pph during peak evening hours compared to existing conditions. This would represent an estimated 45 percent increase in passenger usage, compared to approximately 15 percent increase under the Future Without the Proposed Action.

The redevelopment and planned open space included in the Proposed Action are designed to accommodate and encourage pedestrians traveling within the Coastal Zone. By 2010, ferry passengers would arrive at the West Midtown Intermodal Ferry Terminal at Pier 79, enter the HRP, and cross Route 9A at either West 30th Street, West 34th Street, West 39th Street or West 42nd Street to enter the Project Area. From the ferry terminal, pedestrians could access all of the amenities associated with the Proposed Action.

TABLE 15-1
PROJECTED PEAK DIRECTION WEEKDAY FERRY PASSENGERS AT THE WEST MIDTOWN
INTERMODAL FERRY TERMINAL (PIER 79)

Hourly Volumes	Existing Conditions 2003	Future Without the Proposed Action in 2010	Future With the Proposed Action in 2010	Future Without the Proposed Action in 2025	Future With the Proposed Action in 2025
Morning Peak	2,756	2,895	3,021	3,136	3,837
Evening Peak	1,866	1,989	2,197	2,163	2,869

Source: PB Team (see Chapter 20, Transit and Pedestrians)

Pedestrians crossing at West 42nd Street could continue east along West 42nd Street and enter the new Hudson Yards community:

- turn south on Eleventh Avenue and enter the Convention Center Hotel, travel through the Convention Center, then walk east at West 40th Street across Eleventh Avenue, and enter the Midblock Park and Boulevard System at West 39th Street;
- continue along West 42nd Street and turn south between Eleventh and Tenth Avenues to enter the Midblock Park and Boulevard System.

At West 40th Street, pedestrians crossing Route 9A could continue east through the Convention Center pedestrian connection, and enter the Project Area:

- enter the Convention Center, use Convention Center elevators to access the five acres of open space on the roof,
- continue east across Eleventh Avenue to West 39th Street, and enter the Midblock Park and Boulevard System.

Pedestrians crossing Route 9A at West 34th Street could enter the open space between West 33rd and West 34th Streets, adjacent to the Multi-Use Facility (between West 33rd and West 34th Streets, Eleventh Avenue and Route 9A). From the Full-Block Park, pedestrians could:

- enter the Multi-Use Facility, or continue east across Eleventh Avenue to the Eastern Rail Yards open space (between West 30th Street and West 34th Street, Tenth to Eleventh Avenues);
- turn north, crossing West 34th Street to enter the southern end of the Midblock Park and Boulevard System.

At West 30th Street, Pedestrians could cross Route 9A, and enter the Project Area:

- turn south across West 30th Street, walk the stairwell to the park on the roof of the multi-agency facility for the DSNY and NYPD Tow Pound operations;
- turn north and walk the ramp to the elevated pedestrian connection (West 30th Street between Eleventh Avenue and Twelfth Avenue) to the Multi-Use Facility;
- continue east along West 30th Street, cross Eleventh Avenue and enter the open space on the deck over the eastern portion of Caemmerer Yard.

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

The Proposed Action would not affect recreational, commercial or ocean going freight vessels. All elements of the Proposed Action would be developed on land east of Route 9A.

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

The Proposed Action would not modify existing commercial or residential boating activities and would not change the impact of commercial or recreational boating activities on the aquatic environment and surrounding land and water uses.

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

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.

The portion of the Hudson River adjacent to the Project Area is not considered a Special Natural Waterfront Area (SNWA) or a Recognized Ecological Complex. However, the Lower Hudson River from Yonkers, NY to Battery Park, NY, including the portion adjacent to the Project Area, has been designated a Significant Coastal Fish and Wildlife Habitat by the NYSDOS in coordination with NYSDEC. The Proposed Action would not directly affect the viability of fish and wildlife habitats within this reach of the Hudson River since it is limited to improvements within already developed upland areas of the Project Area. Indirect discharges from the stormwater and sanitary system would be treated, under normal circumstances, at the North River Wastewater Pollution Control Plant (WPCP) prior to discharge into the designated area.

During a significant storm event, a combined sewer overflow (CSO) event could occur under existing conditions and would continue to occur in both the Future With the Proposed Action and the Future Without the Proposed Action conditions. In the Future With the Proposed Action, improvements to wastewater infrastructure would be required to accommodate the increased sanitary volumes. DEP is preparing amendments (plans for the wastewater infrastructure improvements) to the Manhattan Drainage Plan that would identify improvements necessary to support the Proposed Action. Wastewater system improvements would be designed to accommodate twice the daily dry (sanitary only) flow. If, under the Proposed Action, a CSO event occurs it would largely consist of stormwater, but would also contain sanitary sewage. CSO events are usually site-specific and depend upon a variety of factors, including intensity of rainfall or snowmelt, topography of the area, local drainage area, volumes of sanitary sewage, and capacities of the infrastructure. Currently, the water quality of the Hudson River is within acceptable standards, according to the DEP Harbor Water Quality Survey Data. As part of Amended Drainage Plan, the City has identified four sub-drainage areas within the Project Area where storm sewer separation would be implemented. These separate storm sewers would discharge storm water directly to the Hudson River and thus reduce flows being directed to the combined sewer system. In addition, the City would modify, as required, the regulators receiving flow from the Project Area to divert two times the proposed dry weather flow to the interceptor and the North River WPCP in order to avoid additional CSOs in the future in the Project Area for storms when the North River WPCP's maximum capacity is not utilized. Based upon the conservative results of the CSO model analysis, which did not take credit for these measures, the Proposed Action in 2025 would generate average an estimated 5 percent increase in annual CSO volumes and approximately 5 to 6 percent increase in CSO events, compared to 2025 Future Without the Proposed Action. The incremental effect of CSOs would not cause a significant adverse impact to water quality (see Chapter 13, "Natural Resources").

An SNWA established by NYSDOS is located within Flushing Bay. This SNWA contains a small portion of tidal wetlands habitat to the north of Corona Yards, and freshwater wetlands which provide Significant Coastal Fish and Wildlife Habitat to the south of Corona Yards (see Figure 15-4). The proposed modifications to Corona Yards would occur within MTA property limits and not within the SWNA, and therefore, would not create significant adverse impacts to the SWNA.

There is not a significant amount of wildlife habitat on the Corona Yards site, and no known threatened or endangered species are present. Therefore, disturbances at this site would not create adverse impacts to wildlife species and habitat. Fish and wildlife species and habitats of the Hudson River and Flushing Bay are further described in Chapter 13, “Natural Resources”.

Policy 4.2: Protect and restore tidal and freshwater wetlands.

The only element of the Proposed Action that would occur within a wetland area would be Corona Yards. A small portion of the Corona Yards modifications would occur within a freshwater wetland area and NYSDEC Adjacent Area (a protected wetland buffer zone). Construction activities in Corona Yards would incorporate preventative soil erosion measures (i.e., installation of silt fences, hay bales, filter fabric, dewatering, and/or the utilization of sedimentation basins), a Construction Environmental Protection Program (CEPP), a Stormwater Pollution Protection Plan, and other stormwater and erosion control measures to prevent pollution and contaminated materials from entering the nearby waters. A CEPP is a programmatic document that will outline the means to manage hazardous materials in accordance with applicable regulations. The final design of the approach and storage tracks will include a program to further avoid and minimize potential impacts to the wetlands and adjacent area. Potential impacts to the wetland areas and adjacent areas could be minimized and mitigated by using permeable surfaces, where appropriate, and by constructing the tracks on pilings. Sediment control and soil erosion control techniques would be employed during construction to prevent any tidal wetland areas from becoming silted in, and existing wetland areas that have been silted in would be restored to their natural conditions. In addition, construction activity in this area would be limited to the fall and winter seasons (November 1 – April 1), and the surface topography would be restored to pre-construction conditions. See Chapter 13, “Natural Resources” and 23, “Construction Impacts” for a detailed description of protective measures to be undertaken during construction.

Policy 4.3: Protect vulnerable plant, fish, and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.

Construction activities associated with the Proposed Action would not occur within waterbodies or wetland areas, and would therefore have no direct effect on aquatic species or habitats. Construction activities would occur on upland sites devoid of threatened species, endangered species, exploitable vulnerable and rare species or rare ecological communities. Therefore, there would be no direct effect on vulnerable plant, fish, and wildlife species, and rare ecological communities.

As stated previously, preventative measures minimizing impact to natural resources would be implemented during construction to protect the aquatic resources of the Hudson River and Flushing Bay. There are no vulnerable plant, fish, and wildlife species, rare ecological communities on the Corona Yards site. No known threatened or endangered species are present. Therefore, disturbances at this site would not create adverse impacts to wildlife species and habitat. Although a portion of the construction activities in Corona Yards would occur with a wetland area and wetland buffer area, techniques including preventative soil erosion measures, a CEPP, a Stormwater Pollution Protection Plan, and other stormwater and erosion control measures to prevent pollution and contaminated materials from entering the nearby waters would be implemented. The final design of the approach and storage tracks will include a program to further avoid and minimize potential impacts to the

wetlands and adjacent area. See Chapter 13, “Natural Resources” to reference special status species of the Hudson River and Flushing Bay.

Policy 4.4: Maintain and protect living aquatic resources.

The Proposed Action would not entail development within waterbodies or wetlands, and therefore would not have a direct effect on the living aquatic resources of Hudson River or Flushing Bay. Construction activities would occur on upland sites devoid of state and federal special status aquatic species or rare aquatic habitats. Therefore, there would be no direct effect on local living aquatic resources. In addition, as indicated in the response to Policy 4.1, aquatic resources would not be adversely affected (see also Chapter 13, “Natural Resources”).

As stated previously, preventative measures minimizing impact to aquatic resources including dewatering and pretreatment prior to North River WPCP would be implemented during construction to protect living resources of the Hudson River and Flushing Bay.

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 Action would not increase the stormwater volumes beyond what is currently discharged to the Hudson River, since the Project Area is currently covered with impervious surfaces. The Multi-Use Facility would be designed to capture and reuse rainwater that could supplement flushing water needed for restroom facilities. The proposed open spaces and parks would provide approximately 20 acres of open space or impervious cover on the Convention Center roof; the full block public open space between West 33rd and West 34th Streets from Eleventh to Twelfth Avenues; the Midblock Park and Boulevard System; open space on Block 675 (West 29th to West 30th Streets, Eleventh to Twelfth Avenues); and public open space on the deck over the eastern portion of Caemmerer Yard. Collectively, these features would have the potential to reduce stormwater discharge when compared to the existing and Future Without the Proposed Action conditions.

Under both the Future With and Future Without the Proposed Action conditions, stormwater and sanitary system discharges would be treated at the North River WPCP prior to discharge into the designated area, with the exception of a CSO event. As indicated in the response to Policy 4.1, any incremental CSOs from the Proposed Action would not cause significant adverse impacts to aquatic resources (see also Chapter 13, “Natural Resources”).

The modifications to Corona Yards are not anticipated to generate any significant increase in stormwater or sewage volumes and would, therefore, be consistent with this policy.

Policy 5.2: Protect the quality of New York City’s waters by managing activities that generate non-point source pollution.

In both the Future With and Future Without the Proposed Action conditions, non-point source pollution in the form of stormwater originating from streets, sidewalks, parking lots, roofs, and other impervious surfaces could eventually reach the Hudson River through a CSO event via an outfall. During the initial phase of a significant storm, when rainwater runoff collects the most concentrated pollutants from the impervious surfaces and drains to the City sewer system, the majority of these pollutants would reach North River WPCP for treatment prior to release to the Hudson River. In the Future With the Proposed Action, improvements to wastewater infrastructure would be in place to accommodate the increased wastewater flow. See Chapter 16, “Infrastructure” for the description of the potential wastewater infrastructure improvements and the required DEP approval process. The water quality of the Hudson River adjacent to the Project Area is within acceptable water quality standards. Under the Proposed Action, no significant adverse impact to water quality would occur (see Chapter 13, “Natural Resources”), as discussed under Policy 4.1.

Furthermore, specific design elements may be incorporated into the Multi-Use Facility and Convention Center Expansion that would further reduce the volumes of stormwater runoff and non-point source pollution. The Multi-Use Facility may be designed to capture and reuse rainwater to provide up to 25% of the makeup cooling water demand. Additionally, public open spaces constructed under the Proposed Action would provide a substantial addition of open space and pervious surfaces compared to the Future Without the Proposed Action. Collectively, these features of the Proposed Action would have the potential to reduce stormwater runoff compared to the Future Without the Proposed Action.

The modifications to Corona Yards are not anticipated to generate any significant increase in stormwater or sewage volumes and would, therefore, 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 or wetlands.

Excavation and spoil removal activities in the Project Area would occur within upland areas and not in navigable waters, marshes, estuaries, tidal marshes or wetlands. During construction CEPPs, stormwater and erosion control measures would be implemented to control runoff. All reasonable efforts to protect the water quality of the Hudson River will be made. See Chapter 23, “Construction Impacts” to reference planned construction methods and activities.

As described above, construction within Corona Yards would implement techniques to minimize and avoid impacts to wetlands, protected adjacent areas, and Flushing Bay. Sediment control and soil erosion control techniques would be employed during construction to prevent any tidal wetland areas from becoming silted in. Construction within the portion of a wetland area and NYSDEC Adjacent Area will require the preparation and submission of the appropriate permit applications to state and federal agencies. Site-specific techniques and safeguards would be utilized throughout all construction areas to protect water quality in the event of materials, oil, or fuel spills from construction equipment, as well as for soil erosion and sedimentation control. Best management practices would include the installation of silt fences, hay bales, filter fabric, dewatering, and/or the utilization of sedimentation basins. A specific Stormwater Pollution Protection Plan, focusing on the protection and improvement of site water quality, would be developed. The mitigation plan would include wetland protection and improvements to the site’s water quality functions through the use of best management practices. See Chapter 23, “Construction Impacts,” to reference additional planned construction methods and activities.

Policy 5.4: Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.

The major contributing water sources to the Lower Hudson River originate from Upstate New York and not the Project Area. The groundwater of the Project Area is typically found at approximately 10 feet below the ground surface. Groundwater resources in Manhattan are not used for potable water and would not be adversely affected by construction of the subway extension or the associated development, as discussed in Chapter 23, “Construction Impacts.”

The Corona Yards modification would not occur within streams or water sources supplying water to Flushing Bay. The modified Corona Yards would not significantly increase the quantity of stormwater runoff due to the open deck structures. There would be no adverse impacts to water quality.

Prior to construction activities, core samples would be taken to determine the presence and depth of an aquifer, and as necessary, mitigation measures to avoid and minimize impacts to the local aquifer would be taken. Please see Chapter 23, “Construction Impacts.”

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

Policy 6.1: Minimize loss of life 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 western portion of the Project Area (See Figure 15-2) and a portion of Corona Yards are within the Federal Emergency Management Agency (FEMA) 100-year flood plain. Structures planned for this area would not be considered a significant encroachment or result in any increases in flood levels in surrounding areas. Structures under the Proposed Action would either be elevated above the base flood elevation or flood-proofed in accordance with all applicable city, state, and federal requirements. The Proposed Action would not eliminate or reduce existing beneficial floodplain characteristics of the Project Area. Because the Proposed Action would not increase impervious surfaces to the Project Area, the potential for flooding - compared to the Future Without the Proposed Action - would not be increased. Design components of structures associated with the Proposed Action would comply with all relevant design criteria of Executive Order 11988, National Flood Insurance Program, and state regulations; and necessary permits would be obtained prior to construction.

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

This policy is not applicable to the Proposed Action.

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

There are no non-renewable sources of sand in the Project Area or Corona Yards; therefore this policy does not apply.

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

Policy 7.1: Manage solid waste material, hazardous wastes, toxic pollutants, and substances hazardous to the environment to protect public health, control pollution and prevent degradation of coastal ecosystems.

The solid waste generated by the Proposed Action would be collected by DSNY collection trucks and private carters, and disposed at out-of-city locations. In the future, DSNY may collect and truck municipal solid waste from the Project Area to out-of-City disposal sites. Municipal and commercial solid waste collection disposal is discussed in greater detail in Chapter 17, “Solid Waste and Sanitation Services”.

Any toxic or hazardous waste encountered during construction activities associated with the Proposed Action would be handled in accordance with NYCDEP, NYSDEC, OSHA and EPA requirements. See Chapter 14, “Hazardous Materials,” for potential hazardous wastes that may be encountered during construction and control measures that would be implemented during the construction and operation of the Proposed Action. Any industrial cleaners or solvents used at the Multi-Use Facility, Convention Center, or No. 7 Subway stations would be used in the appropriate manner and in conformance with applicable regulations.

Therefore, the Proposed Action would not be expected to cause degradation of New York City coastal ecosystems.

Policy 7.2: Prevent and remediate discharge of petroleum products.

Any petroleum products encountered during construction activities associated with the Proposed Action would be managed and mitigated according to pertinent NYCDEP, NYSDEC, OSHA and

EPA requirements. (E) designations would require appropriate remediation of petroleum contaminated sites redeveloped as a result of the proposed zoning map amendments. Storage and handling of petroleum products would follow applicable regulations. Also, any transportation, storage, and handling of petroleum products would not occur on the Hudson River waterfront (see Chapter 14, “Hazardous Materials”).

Corona Yards operations utilizing petroleum products occur within the maintenance shop and the practice would continue under the Proposed Action. MTA employs internal guidelines for the use and storage of petroleum products used for the maintenance and operations of equipment.

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

According to DSNY’s proposed Comprehensive Solid Waste Management Plan (SWMP) the residential and institutional waste generated by the Proposed Action would be collected by DSNY collection trucks, and disposed at out-of-city landfills. DSNY would be responsible for handling and disposal of solid waste in a manner that will protect the public and coastal areas (see Chapter 17, Solid Waste and Sanitation Services”). Private carters would be responsible to collect and dispose the solid waste generated from the Multi-Use Facility, expanded Convention Center, No. 7 Subway stations, Corona Yards, and commercial buildings at out-of-city landfills. Private carters can not collect, process, or dispose of solid waste in New York City’s waterfront areas.

Any toxic or hazardous waste encountered during the construction of the Proposed Action would be contained and transported to according to pertinent OSHA and EPA regulations. See Chapter 14, “Hazardous Materials” for potential hazardous wastes that may be encountered during construction. Any industrial cleaners or solvents used at the Multi-Use Facility, Convention Center, or No. 7 Subway stations would be used in the appropriate manner and in conformance with applicable regulations.

Therefore, the Proposed Action would not result in the transport of solid waste or hazardous materials in a manner that would degrade coastal ecosystems.

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

Policy 8.1: Preserve, protect and maintain existing physical, visual and recreational access to the waterfront.

The Proposed Action would encourage access to water-related recreational resources within the Coastal Zone. The existing pedestrian connections across Route 9A, at West 30th, West 34th, West 40th, and West 42nd Streets from the Hudson Yards neighborhood to the HRP would remain in place under the Proposed Action. The Convention Center Expansion would close West 39th, and West 40th Streets, and partially close West 41st Street between Eleventh and Twelfth Avenues. However, the expanded Convention Center would provide a pedestrian connection through the Convention Center at West 40th Street. Among the mitigation measures for the Proposed Action would include pedestrian overpasses at West 40th and West 34th Streets. In addition, the full-block open space would provide an enhanced pedestrian connection between Eleventh and Twelfth Avenues between West 33rd and West 34th Streets, and provide an improved view of the Hudson River from the Project Area. The open space on the roof of the Convention Center Expansion would also provide expansive views of the Hudson River Waterfront. The DSNY and Tow Pound Facility roof would also provide elevated views of the waterfront, as well as, a recreational area within the Coastal Zone.

The Corona Yards track modifications would not impact visual or recreational access to the Flushing Meadows - Corona Park or Flushing Bay. No recreational or park lands would be impacted by this action.

Policy 8.2: Incorporate public access into new public and private development where compatible with proposed land use and coastal location.

The expanded Convention Center would include an at-grade pedestrian walkway through the Convention Center at West 40th Street, which would allow direct passage from the Hudson Yards neighborhood to the NY Waterway ferry terminal at Pier 79. Other existing pedestrian connections between HRP and the Hudson Yards neighborhood would remain under the Proposed Action, including Route 9A crossings at West 30th, West 34th, West 39th and West 42nd Streets. The pedestrian connection through the Convention Center at West 40th Street, would allow a direct corridor to HRP, public access to open space on the roof of the Convention Center, and pedestrian linkage to Eleventh Avenue and the Mid-Block Boulevard. The full-block open space (West 33rd to West 34th Streets, Eleventh to Twelfth Avenues) would provide an enhanced pedestrian connection between the HRP and the open space on the deck over the eastern portion of Caemmerer Yard, and the Midblock Park and Boulevard System. Pedestrians originating within the Midblock Park and Boulevard System would have the option to:

- Walk north to West 42nd Street, continue west along West 42nd Street, cross Route 9A and enter the HRP;
- Exit the Midblock Park and Boulevard System to the west along West 39th Street, cross Eleventh Avenue and continue west through the West 40th Street Convention Center pedestrian connection, cross Route 9A and access the HRP;
- Walk south, cross West 34th Street to the open space on the deck over the eastern portion of Caemmerer Yard, continue west along the full-block open space, cross Route 9A at West 34th Street, and enter the HRP;
- Walk south, cross West 34th Street to the open space on the deck over the eastern portion of Caemmerer Yard, and continue south to the High Line.

To the south, the Proposed Action would encourage pedestrian transit to and from the potential Highline open space and the public open space and Project Area attractions, as well as, to the HRP. Highline hikers could enter the Project Area at West 30th Street and Eleventh Avenue, and either:

- descend to the street level, cross West 30th Street and access the Block 675 roof top active recreation space;
- descend to the street level and continue north to access the open space on the deck over the eastern portion of Caemmerer Yard;
- continue west on the elevated pedestrian connection and enter the Multi-Use Facility;
- continue west on the elevated pedestrian connection, descend to street level at Twelfth Avenue, and cross Twelfth Avenue to enter the HRP;
- or continue west on the elevated pedestrian connection and descend to the full-block open space.

As a result, the Proposed Action would not impede, prohibit, or preclude future access to publicly accessible coastal areas within the Project Area. The mitigation measures for the Proposed Action would include pedestrian overpasses at West 40th and West 34th Streets which would enhance public access to the waterfront.

The Corona Yards track modifications would not impact access to the Flushing Meadows - Corona Park or Flushing Bay.

Policy 8.3: Provide visual access to coastal lands, waters and open space where physically practical.

The Proposed Action would not obstruct visual corridors to the Hudson River along West 29th, West 30th, West 34th, West 42nd, and West 43rd Streets. Enhanced and elevated views of the Hudson River would be available from the Multi-Use Facility, Convention Center rooftop open space and Convention Center hotel. The expansion of the Convention Center would obstruct street-level views of the Hudson River along West 39th, West 40th Street, and West 41st Streets; however, these are not considered significant adverse visual impacts. Instead of street-level views, the public open space on the Convention Center roof would provide enhanced views of the HRP and Hudson River. In addition, there would be elevated, improved visual access to the Hudson River from the Full-Block Open Space (between West 33rd and West 34th Street), the elevated pedestrian connection to the Multi-Use Facility, and the open space on the roof of the multi-agency facility for DSNY and NYPD Tow Pound operations.

The Corona Yards modifications would not impact visual resources of the Flushing Meadows - Corona Park or Flushing Bay.

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

As an associated element of the Proposed Action that would further establish consistency with the LWRP, the NYPD Tow Pound and the DSNY facility at Gansevoort Peninsula may be relocated away from the HRP to a site located between West 29th and West 30th Streets between Eleventh and Twelfth Avenues. This would satisfy HRP directives. The proposed multi-agency facility for DSNY and NYPD Tow Pound operations would include a rooftop recreational park within the Coastal Zone. The relocation of the MTA Quill Bus Depot, required for the Convention Center Expansion, would not compromise existing or future waterfront uses, as it would be accommodated under the Multi-Use Facility.

Therefore, the Proposed Action would accommodate waterfront open space and recreation on publicly owned land at suitable locations.

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 Action would not include alterations to the Hudson River and HRP. The Proposed Action would enhance the connectivity of the Project Area and adjacent neighborhoods to the HRP. The increased growth population, employment, and tourism generated by the Proposed Action would enliven public activities within the HRP.

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

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

The Proposed Action would preserve visual corridors to the Hudson River along West 29th, West 30th, West 34th, West 42nd, and West 43rd Streets. Enhanced and elevated views of the Hudson River would be provided from the Multi-Use Facility, expanded Convention Center, Convention Center hotel, and office and residential buildings allowed under the rezoning from rooftop open space at the expanded Convention Center and the relocated NYPD/DSNY facility, and from the West 33rd Street to West 34th Street full block open space. The expansion of the Convention Center would obstruct street-level views of the Hudson River along West 39th, West 40th, and West 41st Streets, however, the publicly accessible Convention Center roof would provide greater visual access to the HRP and Hudson River.

If the High Line is renovated, pedestrian utilization of the potential High Line open space as an entrance into the Multi-Use Facility would enhance its value as a significant visual resource within the Project Area. In addition, there would be greatly enhanced views of the Hudson River from the full-block open space, and the open space on the roof of the multi-agency facility under the Proposed Action.

Modifications to the Corona Yards would not obstruct the visual context of the Unisphere, the nearest designated historic resource, nor adversely impact any other designated or potentially eligible historic resources in the area.

Policy 9.2: Protect scenic values associated with natural resources.

There are no Special Natural Area Districts, SNWAs or Recognized Ecological Complexes in the vicinity of the Project Area, and therefore, no adverse impacts to the scenic values of these natural resources are anticipated.

The proposed expansion of storage capacity at the Corona Yards, like the existing facility, would not impede views to Flushing Bay.

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.

There are no federal, state, or city designated historic resources within the Coastal Zone portion of the Project Area. The Lincoln Tunnel Ventilation Structures and the High Line are the considered “eligible” for State and National Register List of Historic Places. The Proposed Action would not modify or remove the ventilation structures. Although the proposed Convention Center Expansion, as currently contemplated, would partially envelop the two Lincoln Tunnel ventilation structures, there would be no adverse direct impact to them from adjacent construction, because the Port Authority of New York and New Jersey would require the implementation of construction protection measures. No other architectural resources are located close enough to the Convention Center Expansion site to be affected by construction-related physical impacts. Also, there would be enhanced views of the ventilation structures, as well as, the Intrepid Museum and other historic structures from the expanded Convention Center roof and projected residential and commercial developments. In addition, no adverse impacts to designated (architectural) cultural resources in the Project Area are anticipated due to avoidance, protective, and mitigation measures that would be implemented during the design and construction phases of the project, except for partial demolition of the High Line, a structure identified by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as having historic significance. Two separate Letters of Resolution (LORs) with OPRHP, specify mitigation for the adverse impacts to the High Line that include photographic documentation and salvage. If the High Line open space is constructed, the added pedestrian use generated by the Proposed Action would highlight this resource. Mitigation measures to protect eligible historic structures are included in Chapter 9, “Historic Architectural Resources” analysis.

Modifications to the Corona Yards would not obstruct the visual context of the Unisphere, the nearest designated historic resource, nor adversely impact any other designated or potentially eligible historic resources in the area. Modifications to the Corona Yards would not obstruct the visual context of the Unisphere, the nearest designated historic resource, nor adversely impact any other designated or potentially eligible historic resources in the area.

Policy 10.2: Protect and preserve archaeological resources and artifacts.

There are no archaeological resources identified within the Coastal Zone of the Project Area or Corona Yards. Therefore, disturbance activities that would occur under within the Coastal Zones of

the Project Area and Corona Yards are not anticipated to impact archaeological resources, based on the assessment presented in Chapter 10, "Archaeological Resources." ❖