

A. INTRODUCTION

The North River Wastewater Treatment Plan (WWTP) is located within New York City's Coastal Zone Boundary (see **Figure B-1**) as outlined in the New York City Department of City Planning's (DCP's) Coastal Zone Boundary of New York City, June 1986. As such, this attachment discusses the proposed project with respect to coastal zone management.

The federal Coastal Zone Management (CZM) Act of 1972 was established to support and protect the distinctive character of the waterfront, and set forth standard policies for reviewing proposed development projects along coastlines. In response to the CZM Act, New York State adopted its Coastal Management Program, designed to balance economic development and preservation by promoting waterfront revitalization and water-dependent uses while protecting fish and wildlife, open space and scenic areas, public access to the shoreline and farmland, and minimizing adverse changes to ecological systems and erosion and flood hazards.

The program encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. It also provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City. The New York State Department of State (NYS DOS) administers the program at the State level, and DCP administers it in the City.

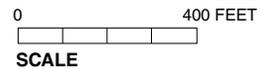
The New York City Waterfront Revitalization Program (WRP) is the City's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by NYSDOS for inclusion in the New York State Coastal Management Program. The WRP establishes the City's policies for development and use of the waterfront and provides a framework for evaluating discretionary actions in the coastal zone. The WRP was revised and a new WRP approved by the City Council in October 1999. In August 2002, the NYSDOS and Federal (i.e., United States Army Corps of Engineers [USACE]) authorities adopted the City's 10 WRP policies for projects located within the City boundaries.

DCP has proposed revisions to the WRP in order to advance the long-term goals laid out in *Vision 2020: The New York City Comprehensive Waterfront Plan*, released in 2011. The proposed changes are intended to enhance sustainability and climate resilience planning through the incorporation of climate change considerations. The proposed revisions to the WRP are also intended to promote various ecological objectives, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. Following referral by the City Planning Commission in March 2012, the revisions to the WRP are undergoing public review following the New York City Charter Section 197-a process for community input and adoption. Following all local approvals, the New York State Department of State and the United States Department of Commerce must also approve the proposed revisions. Completion of the approvals process is anticipated in mid-2013.



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012

-  Project Site Boundary
-  Coastal Zone Boundary



This chapter reviews the applicable New York City coastal zone policies (based on the New York City Waterfront Revitalization Program Consistency Assessment Form) of the WRP as currently adopted, and assesses, where applicable, the general consistency of the project with these policies.

B. NEW YORK CITY WATERFRONT REVITALIZATION POLICIES

New York City's new WRP includes 10 policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. For those policies where "yes" was indicated on the Consistency Assessment Form, a discussion of the consistency of the proposed project with the policy is provided.

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 proposed project is not located in a Significant Maritime and Industrial Area. Therefore, this policy does not apply to the proposed project.

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

The proposed project would result in the replacement of existing tri-fuel pump and blower engines that are nearing the end of their useful life with electrification of the North River WWTP and the installation of cogeneration facilities. The project would improve operations and reliability, reduce greenhouse gas emissions (GHG), and provide cost effective solutions over the existing engine driven pump and blower systems. The project would support the continued use of the North River WWTP. Therefore, the proposed project is consistent with this policy.

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

As discussed in the response to Policy 2.2, the proposed project would support the continued use of the North River WWTP.

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 proposed project is not located in a Special Natural Waterfront Area or Recognized Ecological Complex. However, the site is adjacent to the Lower Hudson Reach Significant Coastal Fish and Wildlife Habitat. The proposed project is limited to the refurbishment of an existing waterfront facility and does not include any activities or alterations that impact this habitat. Furthermore, no in-water work is associated with the proposed project. Therefore, the proposed project does not conflict with this policy.

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

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

The project site is located substantially within a 100-year flood plain. The proposed project would minimize impacts on lives and structures from flooding by complying with all applicable Federal Emergency Management Agency (FEMA) and City of New York requirements to minimize flood damage. Therefore, the proposed project would be consistent with this policy.

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

The proposed project consists of the replacement of existing tri-fuel pump and blower engines that are nearing the end of their useful life with electrification of the Plant and the installation of cogeneration facilities, and is not designed to address flood prevention or ongoing shoreline erosion issues. Therefore, this policy does not apply to the proposed project.

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

The project area is not located on or near any non-renewable sources of sand, nor does it propose beach nourishment. Therefore, this policy does not apply to the proposed project.

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

Policy 7.2: Prevent and remediate discharge of petroleum products.

As described in Attachment C, “Hazardous Materials,” with the implementation of a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) during construction of the proposed project, removal of any suspect asbestos-containing materials (ACM) in accordance with applicable regulatory requirement, conducting demolition activities with the potential to disturb lead-based paint in accordance with the applicable Occupational Safety and Health Administration regulation, removal and disposal of any PCB-containing materials in accordance with applicable regulatory requirement, and disposal of any on-site chemicals in accordance with applicable requirement, the proposed project would not result in significant adverse impacts related to solid or hazardous materials. Therefore, the proposed project would be consistent with this policy.

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

Any handling and transportation of hazardous materials and waste associated with the construction of the proposed project would be done in conformance with applicable regulations and guidelines. Therefore, the proposed project would be consistent with this policy.

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

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

North River WWTP Cogeneration & Electrification Project

The project site is located underneath Riverbank State Park, a landscaped recreational facility managed by the New York State Office of Parks, Recreation and Historic Preservation. The proposed project would not result in any changes to Riverbank State Park's design or operation, nor would it physically affect the open space. Outside of the park area, the project would result in the separation of the park electrical service from the plant's electrical service; this would not affect operations or the public's enjoyment of Riverbank State Park. Therefore, the proposed project is consistent with this policy.

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

The proposed project would not involve the construction of private or public residential or commercial development. Therefore, this policy does not apply to the proposed project.

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

See response to Policy 8.1.

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

See response to Policy 8.1.

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

See response to Policy 8.1. The project site is currently owned by DEP and is currently used as a wastewater treatment facility. The ownership and use of the project site will not be altered through the proposed project. Therefore, the proposed project is consistent with this policy.

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