



NEGATIVE DECLARATION
Notice of Determination of Non-Significance

June 25, 2012

Coney Island Infrastructure Improvements
CEQR No. 11DEP045K

This Negative Declaration has been prepared in compliance with the requirements of the New York City Environmental Quality Review (CEQR) process as set forth in Executive Order 91 of 1977 and amendments, Article 8 of the Environmental Conservation Law establishing the New York State Environmental Quality Review Act (SEQRA) and its regulations as set forth in 6NYCRR Part 617. The New York City Department of Environmental Protection (DEP), as lead agency, has determined that the proposed project described below would not have a significant effect on the environment and is herein publishing a Negative Declaration. An Environmental Assessment Statement (EAS) form and attachments were distributed on April 6, 2012.

PROJECT DESCRIPTION

The New York City Department of Design and Construction (DDC), on behalf of the New York City Department of Environmental Protection (DEP), is proposing to implement infrastructure improvements over approximately 248 acres in the Coney Island neighborhood, which is located in Brooklyn Community District 13 ("proposed project"). These improvements would be made in accordance with DEP's amended drainage plan (ADP) filed with the Brooklyn Borough President's Office on December 29, 2010. The general boundaries of the proposed project area are Coney Island Creek to the north, Coney Island Boardwalk to the south, West 8th Street to the east and West 21st Street to the west.

The proposed project involves the reconstruction and enlargement of potentially three existing outfalls, installation of new stormwater collection sewers, relocation and upgrade of distribution and trunk water mains, and relocation and upgrade of sanitary sewer lines along with the reconstruction of affected streets. Due to the drainage area's low-lying topography, the proposed stormwater collection sewers are wide and shallow, and therefore require the relocation of sanitary lines, water mains and utilities within certain segments of built streets. Finally, the proposed project includes the design and construction of a consolidated wetland restoration plan at Calvert Vaux Park, in coordination with the New York City Department of Parks & Recreation (DPR), to address all permanent wetland impacts associated with the reconstruction and enlargement of the existing stormwater outfalls.

The proposed project area includes the ADP area described above and is comprised of the Coney Island Rezoning and Redevelopment Plan. The City Planning Commission (CPC) approved the rezoning of this area in July 2009 for the purposes of facilitating the redevelopment of the Coney Island waterfront with amusement and other uses. The proposed project area currently consists of small, medium and high-density residential uses; a mix of light industrial and parking uses along Coney Island Creek; commercial uses along the avenues (Neptune, Mermaid and Surf Avenues);

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and the famous Coney Island amusement center near the Boardwalk (i.e., south of Surf Avenue). There are also private and public open spaces throughout the proposed project area.

The specific elements to be designed and constructed as part of the proposed project include:

- Installation of new gravity flow stormwater collection sewers (in accordance with the ADP and DEP design standards) over an approximately 248-acre project area.
- Relocation and upgrade of sanitary sewers and water mains within certain segments of the built streets as may be necessary to install the proposed storm sewers and meet current zoning conditions.
- Restoration and final paving of streets affected by sewer installation, and raising of streets in accordance with the street map, as necessary.
- Restoration of tidal wetlands at Calvert Vaux Park, which would provide consolidated wetland restoration for each of the reconstructed and enlarged outfalls.
- Replacement or relocation of existing utilities, as necessary, within built streets and reconstruction of the affected streets.
- Reconstruction and enlargement of potentially three outfalls extending from the sub-drainage areas to Coney Island Creek. Specifically, the proposed reconstruction of the outfalls include:
 - Relocation and enlargement of the West 15th Street outfall. This would involve construction of a new single barrel 7-foot-wide by 5-foot-high outfall and new tide gate to Coney Island Creek at a location immediately east of the existing outfall and extending north from West 15th Street. This proposed outfall would replace an existing 54-inch diameter stormwater outfall near the end of West 15th Street and would include reinforced concrete pipes supported by steel piles. The existing outfall would then be decommissioned with a steel sheet pile at the outlet. The site is owned by the Department of Housing and Preservation and Development (HPD). Uses on the site include surface parking for city school buses, although a request for proposal for the redevelopment of the site has been issued through HPD (Block 6997, Lot 158).
 - Replacement and enlargement of the West 21st Street outfall. This would involve replacement of the existing outfall at that location with a new twin double barrel 7-foot 6-inch wide by 7-foot-high box storm sewer outfall and new tide gate to Coney Island Creek at a location immediately north of and extending from West 21st Street. The proposed outfall would replace and enlarge an approximately 13-foot wide by 7-foot 6-inch high stormwater outfall at this location. The site is owned by the Department of Citywide Administrative Services (DCAS) and is currently vacant waterfront land (Block 6992, Lot 8901). The environmental review included assessment of impacts for three outfalls including the proposed reconstruction of the West 21st Street outfall, which was determined not to be necessary given adequate capacity.
 - Installation of a new outfall at West 12th Street. This would involve construction of a new 7-foot-wide by 5-foot-high outfall and new tide gate to Coney Island Creek at a location immediately north of and extending from West 12th Street. The proposed outfall would be in addition to an existing 9-foot wide stormwater outfall currently at this location. The site is owned by the Department of Small Business Services (SBS) and currently used for surface parking (Block 7247, Lot 125).

The proposed outfall sites are located along a developed waterfront with a partially deteriorated shoreline edge. The reconstructed outfalls would terminate near the existing bulkhead and would extend out from the base of the outfall. Temporary impacts due to construction at the proposed outfall sites would total

approximately 4,500 square feet of unvegetated area within Coney Island Creek and would be restored onsite during the construction of each outfall. Construction of the proposed outfalls would require the permanent disturbance of about 2,500 square feet of unvegetated area and 750 square feet of the littoral zone (i.e., bottom sediments) within Coney Island Creek. Therefore, the proposed project includes consolidated wetland restoration at DPR's Calvert Vaux Park to address the permanent impacts associated with construction activities at each of the outfall sites. The park is located along Coney Island Creek and the Lower Bay and is approximately a half mile from the proposed project area and has been identified as a representative site for salt marsh and habitat restoration. Assuming a replacement ratio of 2 to 1 for the disturbance of vegetated salt marsh wetland habitat, the total consolidated restoration area would be about 6,500 square feet.

Due to the large extent of the proposed project area and existing built conditions, the proposed project would be constructed as multiple capital projects over several years, beginning in fall 2012. All phases would begin construction at the outfall prior to installing upland infrastructure improvements. Subsequent phases would include completion of storm sewer build-out in upland streets, relocation and upgrade of distribution and trunk water mains, relocation and upgrade of sanitary sewer lines, relocation of utilities, as necessary, and reconstruction of affected streets. All outfall construction, adjacent infrastructure improvements, and wetland restoration would be completed in 2017 with remaining upland construction expected to be completed in 2019. While the remaining upland construction may extend past the anticipated completion year in accordance with DEP's capital program and construction-related approval processes, the assessment of potential environmental impacts uses 2019 as the "build year." The environmental review included assessment of impacts for three outfalls including the proposed reconstruction of the West 21st Street outfall, which was determined not to be necessary given adequate capacity. However, findings of the environmental review did not change.

Under SEQRA guidelines, the proposed action is classified as an Unlisted action¹.

POTENTIAL IMPACT ASSESSMENT

As presented in detail in the April 6, 2012 EAS, the proposed project would not result in the potential for significant adverse impacts to occur to any aspects of the environment. Detailed discussions of all impact categories are presented in the April 6, 2012; key conclusions are summarized below.

Urban Design and Visual Resources

In addition to the proposed outfalls, the proposed project would include the installation of new below-grade stormwater collection sewers, relocation and upgrade of distribution and trunk water mains, relocation of utilities, as necessary, relocation and upgrade of sanitary sewer lines and reconstruction of affected streets. With the exception of the outfall headwalls, the proposed sewers and related upland infrastructure improvements would be buried and not visible. The proposed headwalls along Coney Island Creek would be reconstructed and only partially visible in an area that is largely a developed industrial setting. There are also few, if any, public vantage points to the outfall location and the outfalls would be largely obscured.

Because sizable infrastructure would be installed in existing streets, it is expected that the proposed project would require the removal or pruning of street trees along sidewalks and street edges. Densities of street trees within the proposed project area are not uniform, as local streets tend to have more trees than the avenues, with densities varying even among certain streets. Every effort would be made to protect and replace street trees in their current location in accordance with DEP rules and regulations and in

¹ According to SEQRA and set forth in 6NYCRR Part 617, Unlisted actions are those actions or projects that do not meet or exceed a threshold contained in the Type I list and is not identified as a Type II action.

coordination with utilities. DEP would coordinate with DPR to identify the optimal location to plant replacement street trees if necessary. None of the proposed infrastructure improvements would change the form or arrangement of blocks, and the design of the street, sidewalks, and any streetscape elements to be reconstructed would be consistent with the existing urban design and visual resource pattern in the area. The proposed project would be beneficial to residents and visitors by improving stormwater drainage throughout a 248-acre area of Coney Island and upgrading sanitary sewers in accordance with the ADP. Therefore, the proposed project is not expected to result in potential significant adverse impacts to urban design or visual character.

Natural Resources

Installation of the three proposed outfalls would require the permanent disturbance of about 2,500 square feet of unvegetated wetland area and 750 square feet of littoral zone wetlands (i.e., bottom sediments) within the adjacent creek. This permanent wetland disturbance is due to the proposed outfall structural components such as the outfall pipe, stone aprons and stabilizing stone. The proposed project includes wetland restoration for all outfalls (i.e., a consolidated wetland restoration plan) at Calvert Vaux Park that would address the permanent wetland impacts. With a replacement ratio of 2 to 1 for the disturbance of each wetland habitat, the total consolidated restoration area is projected to be about 6,500 square feet.

Under the proposed consolidated wetland restoration plan, intertidal wetlands would be created along the east shore of Calvert Vaux Park. The proposal would excavate up to approximately 6,500 square feet to create new wetland area that would be graded, stabilized and planted with spartina alterniflora that is known to thrive in the protected intertidal zones of this cove. Native trees and rises would be avoided to minimize tree clearing and excavation/grading and the restoration would be shaped to work within existing contours. Additionally, the proposed plan would supplement and not overlap with mitigation (immediately to the northeast) previously agreed upon between DPR and NYSDEC for the reconstruction of Calvert Vaux Park (per Calvert Vaux Tidal Wetlands and Replacement Plan, May 8, 2009). The final wetland restoration design would be based upon additional information including site survey data with topography and trees, soils, and planting plans and developed through additional coordination with DPR. Final designs will be submitted to DEC for review and approval.

The proposed project would have only a limited direct impact on wetlands and would include a consolidated wetland restoration plan. As described below under "Construction Impacts," all areas affected by construction of the outfalls would be restored following construction. Specifically, areas to be cleared for construction of the outfalls would be covered and revegetated as part of the proposed project and considered temporary construction impacts. Therefore, the proposed project is not expected to result in potential significant adverse impacts to on wetlands.

Hazardous Materials

A Phase I Corridor Assessment Report was prepared for the proposed project area for the purposes of determining the potential for environmental conditions of high or moderate risk as it relates to hazardous materials. The final conclusion of the Phase I Corridor Assessment Report was that based on "Risk Criteria Protocol" established by DDC and review of applicable databases, 67 sites along the project corridor were categorized as having a "High" risk with respect to potential impact on the proposed project and 74 sites were categorized as having a "Moderate" risk for hazardous materials conditions.

Based on the identification of potential sources of hazardous materials within the proposed project area (i.e., high and moderate risk sites), a Phase II Subsurface Corridor Investigation was performed for the purposes of sampling soil and groundwater at selected locations along the corridor to determine if there

were issues or concerns related to hazardous materials. It is concluded that the proposed project should include the following:

- A Community Air Monitoring Plan (CAMP) during construction at the outfall sites. These regulations would require real-time monitoring for VOC's and particulate matter (dust) at the downwind perimeter of each of the proposed outfall sites when certain activities are in progress at locations of potential contamination.
- A "Materials Handling Plan," and to identify the specific protocols and procedures that would be used to manage soil in accordance with applicable regulations.
- A site-specific construction health and safety plan (CHASP) prior to excavation of the proposed project. The CHASP should be submitted to DEP for review/approval. Soil disturbance should not occur without DEP's written approval of the CHASP.
- If de-watering is necessary during construction and discharge into the city sewer system is necessary, then a DEP Sewer Discharge Permit must be obtained prior to the start of any de-watering activities. Given the potential for contamination in the local groundwater, sampling for DEP Sewer Discharge Criteria should therefore be performed as necessary.

With these measures in place, the proposed project is not expected to result in potential significant adverse impacts due to hazardous materials

Construction

Due to the extent of the proposed project area, the proposed outfalls and related upland infrastructure and consolidated wetland restoration would be constructed as multiple capital projects over several years, with construction beginning in fall 2012.

All construction activities for the proposed project would be performed in accordance with NYSDEC's technical standards for erosion and sediment control (e.g., use of silt fences, hay bales, and containment booms) that would be implemented in accordance with a SWPPP in order to minimize potential adverse impacts to water quality and aquatic biota during construction. With these measures in place, no significant impacts on water quality in Coney Island Creek are expected as a result of project construction. This SWPPP must be developed by a licensed/certified professional and must also be in compliance with New York State's State Pollutant Discharge Elimination System (SPDES) General Permit for Storm Water Runoff from Construction Activity.

In addition, to protect surface waters from the impacts of turbidity during construction, the proposed project would include techniques to minimize turbidity impacts and ensure that the proposed construction activity does not significantly adversely impact water quality.

The proposed project would generate trips from workers traveling to and from the site, as well as from the movement of goods and equipment. Given typical construction hours, worker trips would occur in off-peak travel times and would not represent a substantial increase in local traffic. Standard peak traffic periods in New York City are from 8:00 AM to 10:00 AM and 5:00 PM to 7:00 PM. Temporary increases in vehicular traffic during construction of the proposed project would not be expected to exceed the 50-peak hour trip threshold established by the CEQR guidelines.

The proposed project would require work in local streets for the installation of storm sewers, water mains, sanitary sewer lines, utilities and street reconstruction, which would require temporary lane and possible street closures along with disruption of local traffic. It is expected that traffic flows would be only partially and temporarily affected by the proposed project. If full street closures are required, these would also be temporary. Overall, work in local streets would progress along at a rate of 40-80 feet per day or

about 5 days on a short block (200 feet), or 10-15 days on a long block (600 feet). In addition, the contractor would be required to restore the full width of the street at the end of each daily construction period to allow free flow of traffic. Lastly, all construction activities and closures would be subject to DOT approval under a street and sidewalk construction permit that would include a traffic mitigation plan.

Construction of the proposed project may temporarily affect curbside parking along affected streets, but would be limited and temporary in each phase. Street construction is expected, on average, to impact about 20-30 on street parking spaces during the periods of more intensive street construction activities and repaving. All construction activities and temporary removal of street parking would be subject to DOT approval under a street and sidewalk construction permit. It is expected that any truck parking at the site of the proposed outfalls would be addressed in the parking lane along Neptune Avenue (i.e., West 21st and West 12th Street outfall sites) or West 15th Street (i.e., West 15th Street outfall site) where parking is available.

Impacts associated with construction of the proposed project would be temporary and short in duration given distinct sites for outfall reconstruction and the pace of in-street construction (which would be commensurate with a typical sewer installation project, approximately 40-80 feet per day). The proposed consolidated wetland restoration at Calvert Vaux Park is expected to last approximately 90-120 days. Therefore, the proposed project is not expected to result in potential significant adverse construction related impacts.

STATEMENT OF NO SIGNIFICANT EFFECT

The NYCDEP has determined that, as proposed, the Coney Island Infrastructure Improvements are not anticipated to have any potential significant adverse impacts on the quality of the environment. No significant adverse impacts on land use, zoning and public policy, urban design and visual resources, natural resources, hazardous materials or other impact categories would occur as a result of the proposed action. Any open space, natural resources, traffic, air quality, and noise impacts related to construction will be temporary and short in duration, and will follow appropriate governing regulations and therefore are not considered significant effects on the environment or public health. These conclusions are based on the analyses and determinations provided within the EAS of April 6, 2012.

Supporting Statements

The above determination is based on an environmental assessment that finds that the action, as proposed, would not result in significant effects on the environment that requires the preparation of an Environmental Impact Statement.

For further information, please contact:

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