

APPENDIX A
WATERFRONT REVITALIZATION PROGRAM

A. INTRODUCTION

Portions of the project site are located within New York City's coastal zone boundary (see Figure A-1) as outlined in the New York City Department of City Planning (DCP)'s coastal zone boundary of New York City, and therefore, the project requires a certification for consistency with New York City's Local Waterfront Revitalization Program (LWRP). This attachment includes a New York City Waterfront Revitalization Program Consistency Assessment Form and provides additional information for the policies that have been checked "yes" in the Consistency Assessment Form.

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

While a portion of the project site is in the 100-year floodplain, the Proposed Project would not have an adverse effect on flooding conditions in the project area and surrounding vicinity. The Proposed Project would not substantially raise ground level and would not have a significant adverse impact on floodplains. Also, the Proposed Project would not include the construction of any habitable structures that would require flood proofing. Therefore, the Proposed Project supports this policy.

Policy 7.2: Prevent and remediate discharge of petroleum products.

As described in Chapter 2, Section D, "Hazardous Materials," a Phase I Environmental Site Assessment identified buried gasoline tanks adjacent to Burling Slip. Prior to any subsurface testing, a Sampling Protocol and Health and Safety Plan (HASP) for the testing would be submitted to the New York City Department of Environmental Protection (DEP) for review and approval. The HASP would detail measures to reduce the potential for exposure (e.g., dust control) and measures to identify and manage known contamination (e.g., contaminated soil) and unexpectedly encountered contamination. All material that needs to be disposed of (e.g., both contaminated soil and excess fill) would be properly handled and disposed of off-site in accordance with all applicable federal, state and local regulations.

With the implementation of these measures, no significant adverse impacts related to hazardous materials would result from construction activities on the project site. Therefore, the Proposed Project would be consistent with this policy.

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

Although Burling Slip and the Titanic Memorial Park site are not located along the waterfront, they fall within the coastal zone. The Proposed Project includes the enhancement of the existing publicly owned Titanic Memorial open space. A new public park would be created on publicly owned land at Burling Slip. The new open space at Burling Slip would provide visual access to the East River and would help to facilitate access to the waterfront from the upland areas of Lower Manhattan. Therefore, the Proposed Action would be consistent with this policy.

Fulton Corridor Revitalization Program

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

The Proposed Project would enhance the visual quality of the project site, including the portion of the site that falls within the coastal zone. Streetscape improvements would be made along John Street, thereby enhancing views to the waterfront from this street. Views to the waterfront would be improved with the construction of a park at Burling Slip on land currently used for parking vehicles. Therefore, the Proposed Project is consistent with this policy.

Policy 10.1: Retain and preserve designated historic resources and enhance resources significant to the coastal culture of New York City.

Portions of the project area are within the Fulton-Nassau Historic District (State and National Registers of Historic Places [S/NR] listed), the South Street Seaport Historic District (S/NR listed), and the South Street Seaport Historic District and Extension New York City Historic District (NYCHD), and the project area includes or is adjacent to a number of historic resources (See Figure 2B-2). As described in Chapter 2, Section B: "Historic Resources," the Proposed Project would not result in significant adverse impacts on historic resources. The proposed streetscape enhancements are designed to improve the visual appearance, accessibility, and walkability of the project area. The Design Guidelines and the incentives are intended to enhance historic resources, and alterations to any New York City Landmark (NYCL) would require the review and approval of New York City Landmarks Preservation Commission (LPC). Overall, no significant adverse impacts on historic resources are expected from the incentives for the façade and storefront improvement program.

The Burling Slip playground would have a beneficial impact on the adjacent historic resources in the South Street Seaport. The proposed refurbishment of the Titanic Memorial Park, which would include unique features that recall the shoreline as early settlers found it, would not have a significant adverse impact on the adjacent historic resources in the South Street Seaport. The proposed improvements at DeLury Square would create a more attractive setting for the nearby historic resources, including the Royal Insurance Company Building (S/NR-eligible, NYCL-eligible) as well as the potential resources at 64-68 Fulton Street and 82-88 Fulton Street.

Therefore, the Proposed Project is consistent with this policy.

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COASTAL ZONE CONSISTENCY ASSESSMENT FORM

For Internal Use Only:

WRP no. _____

Date Received: _____

DOS no. _____

**NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form**

Proposed action subject to CEQR, ULURP, or other Local, State or Federal Agency Discretionary Actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and approved in coordination with local, state and Federal laws and regulations, including the State's Coastal Management Program (Executive Law, Article 42) and the Federal Coastal Zone Management Act of 1972 (P.L. 92-583). As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other State Agency or the New York City Department of City Planning in its review of the applicant's certification of consistency.

A. APPLICANT

1. Name:

Lower Manhattan Development Corporation

Address:

One Liberty Plaza, 20th floor

3. Telephone:

(212) 962-2300

Fax:

(212) 962-2431

E-mail Address:

4. Project site owner:

City of New York

B. PROPOSED ACTIVITY

1. Brief description of activity:

As described in EAF Chapter 1, "Project Description," the core components of the Proposed Project include improvements to the streetscape and storefronts and façades of buildings that contribute to the heritage and experience of the corridor, as well as the creation, expansion or improvement of open spaces within the project area. Comprehensive streetscape improvements to enhance the pedestrian and vehicular movement in the portals leading to Fulton Street, including John Street from William Street to South Street to enhance the connection to Burling Slip would be undertaken. The Proposed Project would also include incentives to enhance the exterior and interior of buildings along Fulton Street between Broadway and Water Street and along Nassau Street between Spruce Street and Maiden Lane. Finally, the Proposed Project would reconfigure and expand DeLury Square and create a new public open space at Burling Slip, and would renovate Titanic Memorial Park and improve the Pearl Street Playground.

2. Purpose of activity:

The Proposed Project is intended to revitalize and improve Fulton and Nassau Streets and their environs so that they can be a vibrant mixed-use retail area serving the surrounding commercial and burgeoning residential sectors as well as the numerous tourists and other visitors to the area. The Proposed Project would use public and private investments in streetscape improvements, public open spaces, and incentives to spur private rehabilitation and renovation of retail components, and potential development of mixed-use properties.

Proposed Activity Cont'd

3. Location of activity: **Fulton Street and adjacent streets (see below)** Borough: **Manhattan**
-
- Street Address or Site Description:
Fulton Street between Broadway and Water Street, Nassau Street between Spruce Street and Maiden Lane, William Street between Maiden Lane and Beekman Street, Gold Street between Platt and Beekman streets, Cliff Street between John and Fulton Streets, Pearl Street between Maiden Lane and John Street, Pearl Street Playground, Titanic Memorial Park, DeLury Square, and Burling Slip
-
4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:
N/A
-
5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant funding would be used for improvements to the streetscape and open space and for the incentives program. This funding is being provided by the Lower Manhattan Development Corporation (LMDC).
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6. Will the proposed project result in any large physical change to a site within the coastal area that will require the preparation of an environmental impact statement? **Yes** **No**
 If yes, identify Lead Agency: _____ **X**
-
7. Identify **City** discretionary actions, such as **zoning amendment or adoption of an urban renewal plan**, required for the proposed project.
The Proposed Project requires a change to the City Map at DeLury Square.

C. COASTAL ASSESSMENT

The following questions represent, in a broad sense, the policy of the WRP. The number in the parentheses after each question indicated the policy or policies that are the focus of the question. A detailed explanation of the Waterfront Revitalization Program and its policies are contained in the publication the *New York City Waterfront Revitalization Program*.

Check either "Yes" or "No" for each of the following questions. Once the checklist is completed, assess how the proposed project affects the policy or standards indicated in "()" after each question with a Yes response. Explain how the action is consistent with the goals of the policy or standard.

Location Questions:	Yes	No
1. Is the project site on the waterfront or at the water's edge?	_____	X
2. Does the proposed project require a waterfront site?	_____	X
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	X

Policy Questions:	Yes	No
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The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each questions indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under- used waterfront site? (1)	_____	X
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Policy Questions cont'd:		Yes	No
5.	Is the project site appropriate for residential or commercial redevelopment? (1.1)	_____	X
6.	Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	X
7.	Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____	X
8.	Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	X
9.	Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	X
10.	Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____	X
11.	Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	X
12.	Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	X
13.	Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	X
14.	Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	X
15.	Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	X
16.	Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	X
17.	Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	X
18.	Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound-East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____	X
19.	Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitats? (4.1)	_____	X
20.	Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____	X
21.	Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____	X
22.	Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____	X
23.	Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	X
24.	Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	X
25.	Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	X
26.	Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	X
27.	Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	X

Policy Questions cont'd:		Yes	No
28.	Would the action cause violations of the National or State air quality standards? (5.2)	_____	X
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	X
30.	Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	_____	X
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	X
32.	Would the action result in any activities within a Federally designated flood hazard area or State designated erosion hazards area? (6)	X	_____
33.	Would the action result in any construction activities that would lead to erosion? (6)	_____	X
34.	Would the action involve construction or reconstruction of flood or erosion control structure? (6.1)	_____	X
35.	Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	X
36.	Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	_____	X
37.	Would the proposed project affect a non-renewable source of sand? (6.3)	_____	X
38.	Would the action result in shipping, handling, or storing of solid wastes; hazardous materials, or other pollutants? (7)	_____	X
39.	Would the action affect any sites that have been used as landfills? (7.1)	_____	X
40.	Would the action result in development of a site that may contain contamination or has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	X	_____
41.	Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	_____	X
42.	Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	X
43.	Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	X	_____
44.	Would the action result in the provision of open space without the provision for its maintenance? (8.1)	_____	X
45.	Would the action result in any development along the shoreline but NOT include new water enhanced or water dependent recreational space? (8.2)	_____	X
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	_____	X
47.	Does the proposed project involve publically owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	X
48.	Does the project site involve lands or waters held in public trust by the state or city? (8.5)	X	_____
49.	Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	X

Policy Questions cont'd:		Yes	No
50.	Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	<u> X </u>	<u> </u>
51.	Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)	<u> </u>	<u> X </u>
52.	Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)	<u> X </u>	<u> </u>

D. CERTIFICATION

The applicant must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent
 Name: _____
 Address
 : _____
 Telephone

Applicant/Agent
 Signature: _____ Date: _____

APPENDIX B
RESOURCES NOT DETERMINED S/NR-ELIGIBLE

Appendix B:**Resources Not Determined S/NR-Eligible**

In addition to the resources with official designation or status, potential historic resources were identified in the project Areas of Potential Effect (APE). A number of potential historic resources were identified by the Lower Manhattan Emergency Preservation Fund (LMEPF), a consortium of historic preservation organizations that was formed in response to the events of September 11, 2001. This consortium includes the Municipal Art Society, the National Trust for Historic Preservation, the New York Landmarks Conservancy, the Preservation League of New York State, and the World Monuments Fund. The LMEPF produced a map, entitled *Corridors of Concern*, which shows the potential historic resources in addition to the officially recognized (or known) resources. Information obtained from this study was used in the identification of potential historic resources.

While many of these resources later became part of the Fulton-Nassau Historic District, others in the APE that are not included in the district were identified as potential historic resources. These and other potential architectural resources surveyed by AKRF were included in an August 2007 submission to the State Historic Preservation Office (SHPO) that provided photographs and brief descriptions of each potential resource.

In a comment letter dated October 9, 2007, SHPO determined that 12 of these resources are eligible for listing in the State and National Registers of Historic Places (S/NR), while 12 did not appear to be eligible for S/NR listing based on the information provided. Table B-1 and the architectural descriptions provided below inventory the architectural resources architectural resources in the project site and APE were determined not S/NR-eligible as part of this project.

Table B-1
Potential Historic Architectural Resources within Project Site and Study Area

Resource Name	Location
Project Site	
34 Cliff Street Building	34 Cliff Street (52 Fulton Street)
64-68 Fulton Street Buildings	64-68 Fulton Street
82-88 Fulton Street Buildings	82-88 Fulton Street
94 Fulton Street Building	94 Fulton Street
110 Fulton Street	110 Fulton Street
APE	
112 John Street Building	112 John Street
127 John Street Building	127 John Street
26 Cliff Street Building	26 Cliff Street
27 Cliff Street Building	27 Cliff Street
30 Cliff Street Building	30 Cliff Street
136 William Street Building	136 William Street
165-167 William Street Building	165-167 William Street
Notes:	Refer to Figure 2B-3.

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34 Cliff Street (a.k.a.52 Fulton Street)

Located on the southwest corner of Fulton and Cliff Streets, 34 Cliff Street's two street façades are clad in concrete dressed to appear as ashlar (see Figure 2B-3, Resource A; and Figure 2B-4, Photo 1). The building has a flat roof. Constructed in 1936, the building has minimal ornamentation, but exhibits elements of the Art Deco style. The second and third stories on both façades contain large picture windows composed of a central single-light element flanked by narrow three-light elements. The central window is flanked by single rectangular windows with three-light sash. A metal fire escape is located along the western side of the north façade. The building is currently occupied by a McDonald's restaurant, and bears modern signage.

In 1936, *The New York Times* reported the Charles F. Noyes had purchased the property at 34 Cliff Street and intended to construct a new building that spanned the entire block to Pearl Street. Victor Bark, Jr. was the architect, and contractors G. Richard Davis were to erect the building. By 1938, the paper began running advertisements for the sale or lease of the "unique individual [building]." In 1967, *The New York Times* reported that tenants Parkway Distributors, Inc. renovated a portion of the building after signing a 21-year lease. A deli was located in the building in the mid-1980s.

64-68 Fulton Street

The 11-story brick commercial building at 64-68 Fulton Street, located at the southwest corner of Fulton Street and Ryders Alley, exhibits elements of the Renaissance Revival and Art Nouveau styles (see Figure 2B-3, Resource C; and Figure 2B-5, Photo 3). The building has an angled corner bay, and a flat roof with a wooden water tower visible atop it. The design juxtaposes cast-iron Corinthian columns, egg-and-dart motifs, and segmental arches, with corbelled brickwork and simple circular medallions. The façade is dominated by expanses of single, paired, and grouped windows. Most of the windows have been retrofitted with modern replacements, however, some of the earlier three-over-three-light sash remain.

Charles Buek owned and commissioned the building between 1897 and 1900. A New York City developer and architect, Buek designed several noted structures in the city, including Astor Row, a New York City Landmark (NYCL)-designated Renaissance Revival-style rowhouse block in Harlem. According to a 1900 *New York Times* article, Buek hired architect Charles Brendon to design 64-68 Fulton Street. The structure was originally 9 stories in height, the upper two stories being added during the first decades of the 20th century. Historic photographs and newspaper articles indicate that the building was tenanted primarily by jewelry manufacturers and wholesalers during the first half of the 20th century.

82-88 Fulton Street

The seven-story brick building at 82-88 Fulton Street on the southwest corner of Gold Street was originally constructed in 1883, and was remodeled ca. 1979 (see Figure 2B-3, Resource D; and Figure 2B-5, Photo 4). The original portion of the building appears to have been six stories in height, and is characterized by large single and ribbon windows surmounted by wide stone lintels. The façade is highlighted with multiple wide bands of light-colored stone. The top story of the building is also constructed of brick and contains a small number of rectangular windows of varying size. Round balconies have been added on select bays along the façade. A brick shopfront and awning, apparently dating to the second half of the 20th century, occupies the ground story of the building.

Appendix B: Resources Not Determined S/NR Eligible

82-88 Fulton Street was originally designed by John B. Snook, the architect of the Sun Building at 280 Broadway (NYCL) and partner in the firm Trench & Snook. In the 1890s, the building was occupied by a glass mold factory; jewelry manufacturers; printers and lithographer's offices; and exterminator's offices. In 1911, the Diamond Point Pen Factory occupied the building, and in 1935, a jeweler was located there. Consolidated Edison owned the structure from 1961 until 1975. In 1979, the building was converted to apartments.

94 Fulton Street

Originally constructed in 1876 as a four-story building, two stories were added to 94 Fulton Street prior to 1923 (see Figure 2B-3, Resource F; and Figure 2B-6, Photo 6). The building has a four-bay façade, with a modern storefront at ground-story level, and a corbelled brick cornice at eaves level. The building is of brick construction, and has stone window lintels bearing incised ornament, typical of the Anglo-Italianate style, on the second, third, and fourth-story levels. The building has a metal fire escape across the front façade.

94 Fulton Street was designed by Rogers and Brown. In 1895, Fishel, Adler, and Schwartz, art publishers, tenanted the building. In 1930, the Child's restaurant company leased the building, along with nearby 136 William Street.

110 Fulton Street

110 Fulton Street is a fifteen-story brick-faced building on the corner of Fulton and Dutch Streets; the front façade faces Dutch Street (see Figure 2B-3, Resource H; and Figure 2B-8, Photo 9). The structure has minimal ornamentation, but exhibits elements of the Neoclassical style, exemplified by the stone pilasters that distinguish the lower two stories of the building. The structure has a corbelled brick cornice, a fire escape across a portion of the front façade. Round balconies occupying the middle bay of the side façade appear to be a late 20th century addition. Applied shield medallions are located at certain bays between third and fourth story windows.

The building was constructed in 1925-7, designed by William F. Hemstreet, an architect who designed other industrial and commercial buildings in Manhattan, including the 1925 46-50 Hudson Street (located in the Tribeca West Historic District). In 1937, a paint store, Devoe and Reynolds was one of the tenants of the building: this company had apparently occupied an earlier building on the site from 1851 to 1892. In 1943, the building was purchased by the Republic Insurance Company of Dallas. In 1959, the ownership passed to the Commercial Stationary Company.

112 John Street

112 John Street is a four-story brick building (see Figure 2B-3, Resource N; and Figure 2B-10, Photo 14). The windows are surmounted by stone lintels with pronounced keystones. The building has undergone substantial alterations: the cornice has been removed and replaced with a simple brick parapet. The ground story has been remodeled and is now a modern shop front. The windows throughout the structure contain one-over-one-light double-hung sash.

Historic maps suggest that 112 John Street predates 1891. In 1930, at the time that a thirty-three-story building at 114-120 John Street was being constructed adjacent, the four-story building at 112 John Street was owned by the estate of Cortlandt De Peyster (*The New York Times*, May 21, 1930).

127 John Street Building

This 32-story glass and steel building was designed by Emery Roth & Sons and was completed in 1971 (see Figure 2B-3, Resource P; and Figure 2B-11, Photo 15). It was constructed by

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Melvyn Kaufman, who was famous for incorporating whimsical designs into his buildings. The building featured a short neon-lit tunnel that led to the lobby, designed by Corchia-de Harak, as well as several pieces of sculpture throughout the building and a three-story clock on the exterior. Around 1997 the building was converted to residential use, with retail and commercial space on the lower floors. Conversion of the building was an example of the transformation of the former insurance district that was located east of Broadway and south of Fulton Street.

26 Cliff Street

The structure at 26 Cliff Street is a three-bay four-story brick-faced building, designed in the Colonial Revival style (see Figure 2B-3, Resource Q; and Figure 2B-11, Photo 16). The ground story of the building has been treated with bands of projecting brick, referencing rustication. A Colonial Revival-style doorway occupies the westernmost bay of the story, composed of a doorway surmounted by a fanlight with tracery, flanked by pilasters supporting a denticulated cornice. A masonry floor belt course is located between first and second-story level. Windows on the second story have brick lintels with pronounced stone keystones. A wide band of stucco or stone surmounting third-story level appears to be a vestige of a removed cornice. The fourth story has been constructed of more modern brick and appears to be a relatively recent addition. The easternmost bay of former windows throughout the building has been blocked with brick. The remaining windows contain one-over-one-light double-hung sash.

Although the façade dates to the early 20th century, the structure itself may date to before 1866. Bartlett Savery, a hollowware dealer occupied the “spacious premises” offered by the building in the late 19th century, according to Edwards and Critten’s *New York’s Great Industries*. According to *The New York Times*, the property was owned by Frank T. Morrill prior to 1904 and by 1910 was in use as the office and factory of Paul Schaad Co. In 1901, the ground floor was used partially for the storage of plumbing supplies and the windows were covered with iron shutters. In 1934, *The New York Times* reported that the building had been purchased by Charles F. Noyes, who intended to convert the structure into a three story office building. The renovations, supervised by G. Richard Davis and Co., were completed by the following year, at which time the *Times* advertised the building’s sale. The building was touted as being completely remodeled with a new colonial façade.

27 Cliff Street

The narrow five-story brick building at 27 Cliff Street was constructed in 1916, designed by architect James S. Maher (see Figure 2B-3, Resource R; and Figure 2B-12, Photo 17). The building, which exhibits minimal flat geometric ornamentation, combines elements of the Neoclassical and early Art Deco styles. The building has ribbon windows in groupings of four on the upper four stories. The windows are echoed between stories by ribboned rectangular brickwork patterns. These are flanked by pilasters surmounted by stylized capitals with diamond shapes and angular pendants. A low chevron-shaped parapet surmounts the flat roof on the front façade. Among the first tenants of the structure were Thurston & Braidich, dealers in ‘crude drugs, gum, arabic, etc.’ In 1936, the structure was leased to the New York Steam Company. On 1943, it became a warehouse for the Alien Property Custodian of the United States government.

30 Cliff Street

The six-story three-bay building at 30 Cliff Street probably dates to the first half of the 19th century, but was so extensively remodeled during the second half of the 20th century that little of its original appearance is currently evidenced on the façade (see Figure 2B-3, Resource T; and Figure 2B-11, Photo 16). A stone belt course between the first and second story level, consistent

with the neighboring buildings at 28 and 32 Cliff Street, is one of the few remaining vestiges of its original construction. The originally four-story building is now six stories in height, and a modern brick façade lacking in detail has been added. Windows currently occupying the façade are single-light paired windows. The ground floor has two large glass windows and a central doorway. Remnants of the original ground-story stone facing remain in place. An obituary published in *The New York Times* noted that in the late 1890s, a wholesale drug retail company, Coffin, Reddington, & Co., was based at 30 Cliff Street. By the early 20th century, the building was the home of the Electro-Silicon Company, who advertised their silverware cleaner in such domestic publications as *Harper's Bazaar*, *McClure's*, and *Good Housekeeping*. In 1990, a New York Sports Club franchise opened in the location.

136 William Street

136 William Street is a six-story structure clad in light-colored brick (see Figure 2B-3, Resource W; and Figure 2B-13, Photo 19). The building features minimal ornamentation, with the exception of a stepped brick parapet wall at the roofline. The ground story is clad in polished pink marble tiles; a decorative metal plate bearing the building's address number surmounts the off-set doorway. The upper five stories all contain ribbon windows, the five rectangular elements of which each contain one-over-one-light double-hung sash.

The building appears to date to the first decades of the 20th century, however, no records of its construction has been found. Historic maps show that a six-story building occupied the lot prior to 1891. Newspaper articles record two severe fires that damaged the building in 1899 and in 1906. Coverage of the 1899 fire noted that 136 William Street was then occupied entirely by the Berlin-Jones Envelope Company, and was said to have been constructed in 1809 (*The New York Times*, NYT December 25, 1899). It is not known if the building was demolished or retained after this fire, however, newspaper coverage of the 1906 fire notes that the structure was occupied by the Berlin-Jones Envelope Company, the C. W. Gaudineer Printing Company, the International Press, and the Gaudineer Company. Whether the building was entirely replaced with a structure of similar height and dimensions, or whether the building's façade was replaced, the current façade of the building dates to the first half of the 20th century. In 1930, the Child's restaurant company leased the building, along with nearby 94 Fulton Street.

165-7 William Street

The 11-story Neoclassical-style building at 165-7 William Street is faced in brick and has stone detailing (see Figure 2B-3, Resource X; and Figure 2B-13, Photo 20). The five-bay symmetrically fenestrated façade is defined by a central three-bay grouping flanked by vertical bands or pilasters that terminate in finials. The uppermost story of the building is stepped back. The lower stories are faced in dressed light-colored stone and area surmounted by a large projecting cornice. The windows throughout the structure have stone voussoirs. The two outermost bays are emphasized by vertical bands of light-colored brick, teaming with the stone detailing to contrast with the red brick of the façade and to give the building a vertical emphasis. 165-7 William Street was built in 1906, designed by the architectural firm of Bannister and Schell. This New York City firm, established c. 1899, was responsible for the design of numerous buildings of varying types in Manhattan during the first decade of the 20th century. *

APPENDIX C
PROGRAMMATIC AGREEMENT

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**Programmatic Agreement Regarding
Fulton Street Corridor Revitalization Project**

Agreement, dated as of February __, 2008 (“Effective Date”), of the New York State Historic Preservation Officer (“SHPO”) and the Lower Manhattan Development Corporation (“LMDC”).

WHEREAS, LMDC, as the recipient of U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant program funds, is responsible pursuant to 42 U.S.C. § 5304(g) for conducting environmental reviews of projects receiving HUD funds in accordance with 24 CFR Part 58 and other applicable laws and regulations; and

WHEREAS, LMDC proposes to allocate a portion of such funds to the City of New York (“City”) for the Fulton Corridor Revitalization Project (“Fulton Project”) pursuant to grant subrecipient agreements dated as of November 17, 2006 and December 11, 2006, which require the City to comply with 24 CFR Part 58 and other applicable legal requirements relating to the Fulton Project as a condition to receiving any funds for project construction; and

WHEREAS, LMDC and the City are working together to conduct all necessary reviews for the Fulton Project pursuant to Section 106 of the National Historic Preservation Act (“Section 106”) and other applicable laws; and

WHEREAS, LMDC is responsible for coordinating the environmental and historic reviews for the Fulton Project, which would improve the streetscape of portions of Fulton Street, Nassau Street and surrounding streets; enhance the Pearl Street Playground and Titanic Park; create open space at Delury Square and Burling Slip; include targeted improvements to the street wall on Fulton Street; and establish a comprehensive retail and façade improvement program for Fulton and Nassau Streets (collectively, the “Project Site”); and

WHEREAS, this Project Site includes portions of the South Street Seaport Historic District and the Fulton-Nassau Historic District (both listed on the State and National Register of Historic Places) and the New York City’s South Street Seaport Historic District and Extension (“Historic Districts”); and

WHEREAS, the reviews and consultation for the Fulton Project pursuant to the National Environmental Policy Act (“NEPA”) and Section 106 have been coordinated and LMDC has prepared an environmental assessment (“Environmental Assessment”) that addresses the Fulton Project’s potential effects on historic properties; and

WHEREAS, the effects of the Fulton Project on certain historic properties cannot be fully determined prior to the completion of final designs for such properties; and

WHEREAS, the Project Site includes areas, as identified in the Environmental Assessment, where archaeological resources may be discovered during the excavation of such areas as part of the construction of the Fulton Project; and

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WHEREAS, SHPO and LMDC desire to set forth a procedure to assure that final designs for improvements to historic properties and excavation of areas where archeological resources may be present do not result in any adverse effects on historic properties or that if adverse affects can not be avoided, measures will be taken to minimize and mitigate those adverse effects; and

WHEREAS, SHPO and the City serve as consulting parties in the Section 106 process; and

WHEREAS, LMDC has provided early notice of the Section 106 process to Native American tribes and other potentially interested persons and the public and they have not submitted comments to LMDC; and

WHEREAS, LMDC will provide notice of this Agreement to potentially interested persons and the public; and

WHEREAS, LMDC [will invite] the Advisory Council on Historic Preservation to become a signatory to this Agreement; and

NOW, THEREFORE, the signatories hereby agree that the Fulton Project will be implemented in accordance with the following stipulations of this Agreement entered into pursuant to 36 CFR § 800.14(b) in order to take into account the effects of the Fulton Project on historic properties.

Stipulations

LMDC, in consultation with the City, will ensure that the following measures are carried out:

1. Definitions.

The terms in this Agreement will have the meaning provided by the Section 106 regulations, 36 CFR Part 800.

2. Grant Program Consultation.

(a) Design Guidelines. As part of the Fulton Project, the City proposes to provide grants for façade and storefront improvements for eligible property owners on Fulton Street between Broadway and Water Street and on Nassau Street between Spruce Street and Maiden Lane.

- (i) The City will provide grants for three categories of improvements, presently called “Tier 1,” “Tier 2,” and “Tier 3.”¹

¹ Tier 1 may involve improvements to awnings, signage and security gates. Tier 2 may involve improvements to storefronts to address transparency; bulkheads; entrances; cornices, piers and pilasters; transoms; and air conditioners. Tier 3 may involve improvements to building facades and interior upgrades.

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- (ii) The City will provide these grants in conformance with its Design Guidelines, which the City and LMDC may amend from time to time.
- (iii) LMDC and the City will seek SHPO's concurrence with any substantive amendments to the Design Guidelines.
- (iv) LMDC will obtain the Design Guidelines and any amendments from the City and make them available at www.renewnyc.com.

(b) Incentives Review Panel. The Design Guidelines will provide for an "incentives review panel" that will make determinations regarding the award of Tier 2 and Tier 3 grants. At least one member of this panel will be a person who possesses a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

- (i) At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
- (ii) Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

(c) Tier 3 Grants. LMDC, the City and SHPO will consult regarding the allocation of Tier 3 grants to eligible storefront owners.

- (i) LMDC and the City will provide SHPO with at least 30 days to review each proposed Tier 3 grant prior to award of that grant.
- (ii) To facilitate SHPO's review of proposed Tier 3 grants, LMDC or the City will provide SHPO with the Tier 3 grant application, conceptual designs for the proposed improvements and a concise description of the proposed construction techniques (collectively, "Tier 3 Proposal"). The parties recognize that the Tier 3 Proposal will reflect early designs.
- (iii) SHPO will respond with any comments or objections (including any disparity between the Tier 3 Proposal and the Design Guidelines) within the 30-day review period. If SHPO has objections, it will include with its response the changes to the Tier 3 Proposal that would resolve those objections.
- (iv) If SHPO, LMDC and the City agree that the proposed improvements will not have an adverse effect on historic resources,

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the City will proceed with the grant-making process. (LMDC and the City may also accept SHPO's objections and the proposed changes to resolve those objections.) If SHPO, LMDC and the City disagree about the effects of the proposed improvements, they will immediately undertake timely and good faith negotiations to resolve those disagreements. If the disagreement cannot be resolved, SHPO and LMDC will comply with Section 106 regulations guiding such disputes, including 36 CFR §§ 800.5, 800.6 and 800.7.

3. Archaeological Resources.

(a) Burling Slip. Prior to the start of any construction at Burling Slip, LMDC and the City will complete the steps outlined in the attached Archaeological Testing Protocol, which provides for investigation and monitoring of archeological resources (Attachment A to this Agreement). SHPO and the Landmarks Preservation Commission have previously concurred with that protocol.

(b) Other Locations.

- (i) As set forth in the historic resources section of the Environmental Assessment (Chapter 2, Section B), most of the proposed impact areas include substantial depths of fill and/or recent disturbance above archaeologically sensitive zones. These sensitivity zones are based on the results of Phase 1A studies that LMDC prepared for DeLury Square, the Pearl Street Playground, Titanic Memorial Park and the Street Corridor Improvements (See page 2B-1 of the Environmental Assessment). The Fulton Project is therefore not expected to have impacts deep enough to disturb sensitive archeological zones other than the areas identified for Burling Slip. If project plans change and the Fulton Project would cause disturbance to depths of identified archaeological sensitivity in any other locations, the City and LMDC will prepare an archeological testing protocol (similar to the Burling Slip protocol) for those locations and seek SHPO's concurrence in that protocol.
- (ii) Prior to the start of construction of open space improvements in DeLury Square, the Pearl Street Playground, Titanic Memorial Park or the streetscape, LMDC and the City will cooperate in the preparation of a plan for unanticipated discoveries ("Unanticipated Discoveries Plan") for archaeological resources in those locations. SHPO will have 30 days to submit comments and recommendations to LMDC and the City with respect to the adequacy of the Unanticipated Discoveries Plan. In the event that unanticipated archaeological deposits or features are encountered during construction of the Fulton Project, LMDC and the City will immediately implement the procedure of the Unanticipated Discoveries Plan. All parties recognize that stopping construction may have extraordinary costs. They will therefore make every

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effort to implement the approved Unanticipated Discoveries Plan expeditiously in circumstances requiring its use.

4. Public Participation.

LMDC will provide public notice of its intention to enter into this Agreement. LMDC will also make a copy of the final Agreement available on its website, www.renewnyc.com, and upon request to LMDC's environmental project manager.

5. Termination of Agreement.

a. This Agreement will terminate upon the latest of (i) the conclusion of construction of the open space improvements at Burling Slip, DeLury Square, Pearl Street Playground, Titanic Memorial Park or the streetscape; or (ii) the conclusion of the grant program; or (iii) ten years after the Effective Date.

b. Any party may terminate this Agreement prior to the time set forth in section 5(a) above by providing 30 days written notice to the other party(ies). Prior to termination, however, the parties will consult in good faith to seek agreement or amendments or other actions that would avoid termination and clarify the procedure for future review of any outstanding activities subject to this Agreement.

c. In the event that any party terminates its participation under this Agreement under section 5(b) above, LMDC will either prepare and execute a new programmatic agreement for the Fulton Project pursuant to 36 CFR § 800.14(b) or request and consider comments from the ACHP consistent with 36 CFR § 800.7.

6. Amendments to the Agreement.

Amendments as negotiated by the parties will be effective only when in writing and upon the written approval of all parties to this Agreement.

7. Notices.

All notices, including for the initiation of comment periods, required by this Agreement will be provided by first class mail as follows. Notice will be effective at mailing.

SHPO: Beth Cumming
Office of Parks Recreation and Historic Preservation
Peebles Island, 219 Delaware Avenue
Waterford, NY 12188

With a copy to: Douglas Mackey
Office of Parks Recreation and Historic Preservation
Peebles Island, 219 Delaware Avenue
Waterford, NY 12188

DRAFT

LMDC: Lower Manhattan Development Corporation
1 Liberty Plaza, 20th Floor
New York, NY 10006
Attention: General Counsel

with a copy to: Gina Santucci, Environmental Review Coordinator
New York City Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, NY 10007

8. Successors.

This Agreement will be binding on and inure to the benefit of the parties' respective successors and assigns.

9. Enforcement.

Only parties to this Agreement will have the authority to enforce its terms.

10. Execution.

This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which will together constitute one instrument. Facsimile signatures will be treated as originals.

EXECUTION AND IMPLEMENTATION of this Agreement evidence LMDC's compliance with Section 106 of the National Historic Preservation Act with respect to the project improvements addressed herein.

NEW YORK STATE HISTORIC PRESERVATION OFFICER

By: _____

Name: _____

Title: _____

LOWER MANHATTAN DEVELOPMENT CORPORATION

By: _____

Name: David Emil

Title: President

APPENDIX D
HAZARDOUS MATERIALS



November 1, 2007

Seth Myers
New York City Economic Development Corporation
110 William Street
New York, NY 10038

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

59-17 Junction Boulevard
Flushing, New York 11373

**Emily Lloyd
Commissioner**

Tel. (718) 595-6565
Fax (718) 595-3525
elloyd@dep.nyc.gov

**Re: Fulton Corridor Improvement Project
Block 74, portions of Lots 1 and 20
Block 94, portions of Lot 1
Block 95, Lot 101
08DEPTECH101M**

Dear Mr. Myers:

The New York City Department of Environmental Protection Bureau of Environmental Planning and Analysis (DEP) has reviewed the project description and June 2007 Phase I Environmental Site Assessments for the above-referenced project prepared by AKRF. The project area is made up of three sites, each of which was characterized by an individual Phase I: Burling Slip, DeLury Square Park, and Titanic Memorial Park & Pearl Street Playground. It is our understanding that the Lower Manhattan Development Corporation and the New York City Economic Development Corporation propose to enhance Fulton and Nassau Streets and their environs by investing in streetscape improvements, public open spaces and incentives to spur private rehabilitation.

**Angela Licata
Deputy Commissioner**

**Bureau of Environmental
Planning & Analysis**

Tel. (718) 595-4398
Fax: (718) 595-4479
alicata@dep.nyc.gov

Burling Slip

This subject site (Block 74, portions of Lots 1 and 20) is located southeast of the intersection of Front and John Streets. The project site consists of an asphalt-paved former slip, which is used for parking. According to the Phase I prepared for Burling Slip, the historical land use maps indicate that the surrounding area was developed prior to 1894 with commercial, industrial, and some residential structures. A filling station was located adjacent to the south of the site, at the intersection of John and South Streets, prior to 1950 until some time before 1996. Another filling station was located adjacent to the north of the site at the intersection of John and South Streets, prior to 1977 until some time before 1985. Adjacent blocks historically included several print shops, parking garages, the Fulton Market (with gasoline tanks), and an auto repair shop. The regulatory database search listed two active-status spills north-adjacent to the site. In November 2002, a petroleum-like odor of unknown origin was noted in an excavation in front of 159-171 John Street. In August 2000, underground gasoline storage tanks and contaminated soil were discovered during an excavation at an empty lot at 173-179 John Street (the former location of the north-adjacent filling station). The tanks were removed and registered by the City, and State Petroleum



Bulk Storage Database noted the closure and removal of eight 550-gallon gasoline tanks from this address in November 2000. Transformer vaults are located in the sidewalk north-adjacent to the subject site. In addition, the State SPILLS database listed a closed status spill of 40-gallons of dielectric fluid from another transformer vault in front of 170 John Street, south-adjacent to the site across John Street.

Based upon our review of the submitted documentation, we have the following comments and recommendations:

- A Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify and characterize the surface and subsurface soils of the subject parcel prior to on-site soil disturbance. A Phase II Investigative Protocol/ Workplan (Workplan) summarizing the proposed drilling and soil/ groundwater sampling activities should be submitted to DEP for review and approval prior to any fieldwork. The Workplan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP)-certified laboratory for the presence of volatile organic compounds (VOCs) by Method 8260, semi-volatile organic compounds (SVOCs) by Method 8270, pesticides/ poly-chlorinated biphenyls (PCBs) by Method 8081/8082 and Target Analyte List (TAL) metals. An investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

DeLury Square Park

This subject site (Block 94, portions of Lot 1) is a park that is located on DeLury Square, on the northeast corner of the intersection of Fulton and Gold Streets, including the adjacent sidewalk running along the eastern side of Fulton Street between DeLury Square and Cliff Street. The project consists of the triangular western portion of the park, occupied by a granite-paved seating area with benches, trees, and raised planters; the rectangular eastern portion, occupied by a raised planter surrounded by benches and sidewalks; a road separating the two portions of the park; and the adjacent sidewalk described above. According to the Phase I prepared for DeLury Square Park, historical land use maps indicate that the northern portion of the subject site had been developed prior to 1894, and included an office building and part of a building used for manufacturing and storage of steam fitting supplies, prior to 1923 until sometime prior to 1977. The surrounding property has a long history of commercial and industrial use, including a shoe factory and a print shop to the east on the subject block; drug, chemical, and dye stores on the blocks to the north, west, and south; and electrical substations and a transformer building on blocks to the northwest, west, and south. During visual site inspection by an AKRF representative, a transformer vault was observed north-adjacent to the site across Gold Street. An active spill of approximately nine gallons of transformer oil was associated with this transformer in the State SPILLS database. Dry cleaners were observed on the block north of the park across Gold Street (88 Fulton Street)

and on the block west of the on-site sidewalk, across Fulton Street. The Metropolitan Transit Authority Cliff Street Substation was located east of the on-site sidewalk across Cliff Street.

Based upon our review of the submitted documentation, we have the following comments/recommendations:

- A Phase II in the areas where ground disturbance will be taking place is necessary to adequately identify/ characterize the surface and subsurface soils of the subject parcel prior to on-site soil disturbance. A Workplan summarizing the proposed drilling and soil/ groundwater sampling activities should be submitted to DEP for review and approval prior to any fieldwork. The Workplan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations. Soil and groundwater samples should be collected and analyzed by an NYSDOH ELAP-certified laboratory for the presence of VOCs by Method 8260, SVOCs by Method 8270, Pesticides/PCBs by Method 8081/8082 and TAL metals. A HASP should also be submitted to DEP for review and approval.

Titanic Memorial Park & Pearl Street Playground

This subject site (Block 95, Lot 101) is a park and a playground with a lighthouse-like structure located on two adjacent blocks southeast of the intersection of Fulton and Pearl Streets, as well as the adjacent sidewalk running along the eastern side of Fulton Street between Cliff and Pearl Streets. According to the Phase I a dry cleaner is located on the block southwest of the sidewalk across the intersection of Fulton and Cliff Streets. The Metropolitan Transit Authority Cliff Street Substation is located east of the on-site sidewalk across the intersection of Fulton and Cliff Streets. The surrounding area was developed prior to 1894 with commercial and manufacturing properties including a print shop, a building with an “oils basement”, and chemical store and factory, a drug and chemical store. The regulatory database search listed 24 active status spills and 184 closed status spills within ½-mile radius of the subject site including an active-status spill of 2,600 gallons of petroleum from Feeder 38M12 located at the corner of Pearl and Dover Streets, approximately 500 feet north of the site. In addition, historical fill materials such as coal and incinerator ash, demolition debris, and industrial waste may be present on the site.

Based upon our review of the submitted documentation, we have the following comments/recommendations:

- A Phase II is necessary to adequately identify and characterize the surface and subsurface soils of the subject parcel prior to on-site soil disturbance. A Workplan summarizing the proposed drilling and soil/ groundwater sampling activities should be submitted to DEP for review and approval prior to any fieldwork. The Workplan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations. Soil and groundwater samples should be collected and analyzed by an NYSDOH ELAP-

certified laboratory for the presence of VOCs by Method 8260, SVOCs by Method 8270, Pesticides/PCBs by Method 8081/8082 and TAL metals. A HASP should also be submitted to DEP for review and approval.

Please include DEP tracking number 08DEPTECH101M on all future correspondence and submissions for this project. If you have any questions or comments you may contact Mitchell Wimbish at (718)595-4451.

Sincerely,



Terrell Estes
Director, Office of City Project Review

cc: J. Wuthenow
C. Nazaire
M. Wimbish
D. Rice – EDC

APPENDIX E
ENVIRONMENTAL ASSESSMENT FORM

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE — Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment; therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions.

Fulton Corridor Revitalization Program

Name of Action

Lower Manhattan Development Corporation

Name of Lead Agency

David Emil

Print or Type Name of Responsible Officer in Lead Agency

President

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

PART I — PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Fulton Corridor Revitalization Program		
LOCATION OF ACTION (INCLUDE STREET ADDRESS, MUNICIPALITY AND COUNTY) Fulton Street between Broadway and Water Street, Nassau Street between Spruce Street and Maiden Lane, William Street between Maiden Lane and Beekman Street, Gold Street between Platt and Beekman streets, Cliff Street between John and Fulton streets, Pearl Street between Maiden Lane and Fulton Street, Pearl Street Playground, Titanic Memorial Park, DeLury Square, and Burling Slip; New York, New York County		
NAME OF APPLICANT/SPONSOR New York City Economic Development Corporation		BUSINESS TELEPHONE (212) 619-5000
ADDRESS 110 William Street		
CITY/PO New York	STATE NY	ZIP CODE 10038
NAME OF OWNER (IF DIFFERENT)		BUSINESS TELEPHONE ()
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION See Attachment A, "Project Description"		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other

2. Total acreage of project area: 6.86 acres.	PRESENTLY	AFTER COMPLETION
APPROXIMATE ACREAGE		
Meadow or Brushland (Non-agricultural)	<u>0</u> acres	<u>0</u> acres
Forested	<u>0</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>0</u> acres	<u>0</u> acres
Water Surface Area	<u>0</u> acres	<u>0</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>6.5</u> acres	<u>5.9</u> acres
Other (Indicate type) Existing Open Spaces	<u>0.36</u> acres	<u>0.96</u> acres

3. What is predominant soil type(s) on the project site? Urban

- a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site.
 Poorly drained _____ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A Acres (see 1NYCRR 370)

4. Are there bedrock outcroppings on project site? Yes No

What is the depth to bedrock? (in feet) _____

5. Approximate percentage of proposed project site with slopes: 0-10% 100 % 10-15% _____ %
 15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? Approx. 22 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No
 According to: _____
 Identify each species: _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes or other geological formations?) Yes No
 Describe: _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area? Yes No
 If yes, explain:
The project area includes DeLury Square, Titanic Memorial Park, the Pearl Street Playground, and Burling Slip Playground, all of which would be enhanced and improved as public open spaces under the Proposed Project.
14. Does the present site include scenic views known to be important to the community? Yes No
15. Streams within or contiguous to project area? No
 a. Name of Stream and name of River to which it is tributary: N/A
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name: East River
 b. Size (in acres): N/A
17. Is the site served by existing public utilities? Yes No
 a. If YES, does sufficient capacity exist to allow connection? Yes No
 b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous waste? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

A storefront and façade incentives program would be applied to buildings along Fulton Street between Broadway and Pearl Street and along Nassau Street between Spruce Street and Maiden Lane. An existing plaza at Fulton and Gold Streets would be expanded and improved, an existing playground at Fulton and Pearl Streets would be expanded and improved, an existing park space at Fulton and Water Streets will be improved, and a playground will be created at Burling Slip between Front and South Streets. A streetscape improvement project will affect the following areas: Nassau Street between Fulton Street and Maiden Lane, William Street between Maiden Lane and Beekman Street, Gold Street between Platt and Beekman Streets, Cliff Street between John and Fulton Streets, Pearl Street between Maiden Lane and John Street. A summary of the project elements is shown on Figure 1.

- a. Total contiguous acreage owned or controlled by project sponsor Approx. 6.5 acres.
- b. Project acreage to be developed: .35 acres initially; .97 acres ultimately.
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: .42 (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed N/A %
- f. Number of off-street parking spaces existing 27; proposed 0
- g. Maximum vehicular trips generated per hour 0

h. If residential: Number and type of housing units?

	One Family	Two Family	Multiple Family	Condominium
Initially	N/A	N/A	N/A	N/A
Ultimately	N/A	N/A	N/A	N/A

i. Dimensions (in feet) of largest proposed structure N/A height; N/A width; N/A length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? **Approx. 2,000 along Fulton St., 1,250 along Nassau St., 1,100 along William St., 1,400 along John St., 900 along Gold St., 325 along Cliff St., and 400 along Pearl St.**

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? **Minor excavation for utilities at DeLury Square and Burling Slip** tons/cubic yards.

3. Will disturbed areas be reclaimed? N/A Yes No

a. If yes, for what intended purpose is the site being reclaimed? _____

b. Will topsoil be stockpiled for reclamation? Yes No

c. Will upper subsoil be stockpiled for reclamation? Yes No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No

6. If single phase project: Anticipated period of construction 17 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1 _____ month _____ year, including (demolition)

c. Approximate completion date of final phase _____ month _____ year.

d. Is phase 1 functionally dependent of subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction **Avg. of 51 over construction period**; after project is complete **2 playground workers at Burling Slip**

10. Number of jobs eliminated by this project 0

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain: _____

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Type _____ Yes No

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain: _____

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? **Negligible amount from park users** Yes No

a. If yes, what is the amount per month? Negligible tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name DSNY-licensed haulers; location Permitted sanitary landfill

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain: _____

17. Will the project involve the disposal of solid waste? Yes No
 a. If yes, what is the anticipated rate of disposal? _____ tons/month
 b. If yes, what is the anticipated site life? _____ years
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
 If yes, indicate type(s): Electricity for lighting
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute
23. Total anticipated water usage per day N/A gallons/day
24. Does project involve Local, State, or Federal funding? Yes No
 If yes, explain: USHUD funding would be used for streetscape improvements, grants to building owners for façade improvements, and for development and improvements of open spaces. FHWA would fund changes to the geometry of DeLury Square and Little Pearl Street.

25. Approvals Required:

	Yes	No	Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
City, Town, Village Planning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
City, Town, Village Zoning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
City, County Health Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
Other Local Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NYCDOT, DCP, LPC</u>	_____
Other Regional Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
State Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>LMDC, SHPO</u>	_____
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>HUD, FHWA</u>	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 Zoning amendment Zoning variance New/revision of master plan Subdivision
 Site plan Special use permit Resource management plan Other Change to City Map
2. What is the zoning classification(s) of the site? The project area contains the following zoning districts: Special Lower Manhattan District, C5-3, C5-5, C6-2A, C6-4, R8
3. What is the maximum potential development of the site if developed as permitted by the present zoning? N/A – The site comprises parks, open spaces, sidewalks, and existing building facades.
4. What is the proposed zoning of the site? No change to zoning is proposed
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning? No development would be created by new zoning
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
7. What are the predominant land use(s) and zoning classifications within a ¼-mile radius of proposed action? Land uses within ¼-mile of the project area include a diverse mix of office, retail, residential, community facility, and open space. Zoning districts within ¼-mile are predominantly commercial and include the Special Lower Manhattan District, C5-3, C5-5, C6-2A, C6-4, C6-9, C2-8, C4-6, and R8.
8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No
9. If the proposed action is the subdivision of land, how many lots are proposed? N/A
 a. What is the minimum lot size proposed? N/A
10. Will the proposed action require authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
- a. If yes, is existing capacity sufficient to handle projected demand? Yes No
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
- a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be an adverse impacts associated with your proposal, please discuss such impacts and the measures which you proposed to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.

The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

The number of examples per question does not indicate the importance of each question.

In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read Carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question, then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If a reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in PART 3.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
IMPACT ON LAND			
<p>1. Will the Proposed Action result in a physical change to the project site? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>See attached Environmental Assessment</p> <p>Examples that would apply to column 2</p> <p>Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. <input type="checkbox"/></p> <p>Construction on land where the depth to the water table is less than 3 feet. <input type="checkbox"/></p> <p>Construction of paved parking area for 1,000 or more vehicles. <input type="checkbox"/></p> <p>Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. <input type="checkbox"/></p> <p>Construction that will continue for more than 1 year or involve more than one phase or stage. <input type="checkbox"/></p> <p>Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. <input type="checkbox"/></p> <p>Construction or expansion of a sanitary landfill. <input type="checkbox"/></p> <p>Construction in a designated floodway. <input type="checkbox"/></p> <p>Other impacts <input type="checkbox"/></p>			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Other impacts <input type="checkbox"/></p>			<input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON WATER	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>3. Will Proposed Action affect any water body designated? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Developable area of site contains a protected water body.</p> <p>Dredging more than 100 cubic yards of material from channel of a protected stream.</p> <p>Extension of utility distribution facilities through a protected water body.</p> <p>Construction in a designated freshwater or tidal wetland.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>4. Will Proposed Action affect any non-protected existing or new body of water? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>A 10% increase or decrease in the surface area of any body of water or more than a 10-acre increase or decrease.</p> <p>Construction of a body of water that exceeds 10 acres of surface area.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>5. Will Proposed Action affect surface or ground water quality or quantity? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Proposed Action will require a discharge permit.</p> <p>Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.</p> <p>Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.</p> <p>Construction or operation causing any contamination of a water supply system.</p> <p>Proposed Action will adversely affect groundwater.</p> <p>Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.</p> <p>Proposed Action would use water in excess of 20,000 gallons per day.</p> <p>Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.</p> <p>Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.</p> <p>Proposed Action will allow residential uses in areas without water and/or sewer services.</p> <p>Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>6. Will Proposed Action alter drainage flow or patterns, or surface water runoff? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Proposed Action would change flood water flows.</p> <p>Proposed Action may cause substantial erosion.</p> <p>Proposed Action is incompatible with existing drainage patterns.</p> <p>Proposed Action will allow development in a designated floodway.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON AIR	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>7. Will Proposed Action affect air quality? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Proposed Action will induce 1,000 or more vehicle trips in any given hour.</p> <p>Proposed Action will result in the incineration of more than 1 ton of refuse per hour.</p> <p>Emission rate of total contaminants will exceed 5 lbs. Per hour or a heat source producing more than 10 million BTU's per hour.</p> <p>Proposed Action will allow an increase in the amount of land committed to industrial use.</p> <p>Proposed Action will allow an increase in the density of industrial development within existing industrial areas.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON PLANTS AND ANIMALS	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>8. Will Proposed Action affect threatened or endangered species? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.</p> <p>Removal or any portion of a critical or significant wildlife habitat.</p> <p>Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>9. Will Proposed Action substantially affect non-threatened or non-endangered species? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Proposed Action would substantially interfere with any resident or migratory fish, shellfish, or wildlife species.</p> <p>Proposed Action requires the removal or more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON AGRICULTURAL LAND RESOURCES	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>10. Will Proposed Action affect agricultural land resources? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)</p> <p>Construction activity would excavate or compact the soil profile of agricultural land.</p> <p>The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.</p> <p>The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g. subsurface drain lines, outlet ditches, strip cropping) or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON AESTHETIC RESOURCES	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAR Addendum Section 617.20, Appendix B.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>See attached Environmental Assessment</p> <p>Examples that would apply to column 2 Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. <input type="checkbox"/></p> <p>Proposed land uses, project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. <input type="checkbox"/></p> <p>Project components that will result in the elimination or significant screening of scenic views known to be important to the area. <input type="checkbox"/></p> <p>Other impacts _____ <input type="checkbox"/></p>			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>See attached Environmental Assessment</p> <p>Examples that would apply to column 2 Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of Historic places. <input type="checkbox"/></p> <p>Any impact to an archeological site or fossil bed located within the project site. <input type="checkbox"/></p> <p>Proposed Action will occur in an area designated as sensitive for archeological sites on the NYS Site Inventory. <input type="checkbox"/></p> <p>Other impacts _____ <input type="checkbox"/></p>			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON OPEN SPACE AND RECREATION	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>See attached Environmental Assessment</p> <p>Examples that would apply to column 2 The permanent foreclosure of a future recreational opportunity. <input type="checkbox"/></p> <p>A major reduction of an open space important to the community. <input type="checkbox"/></p> <p>Other impacts _____ <input type="checkbox"/></p>			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON CRITICAL ENVIRONMENTAL AREAS	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>List the environmental characteristics that caused the designation of the CEA Examples that would apply to column 2 Proposed Action to locate within the CEA? Proposed Action will result in a reduction in the quantity of the resource? Proposed Action will result in a reduction in the quality of the resource? Proposed Action will impact the use, function or enjoyment of the resource? Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON TRANSPORTATION	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>15. Will there be an effect to existing transportation systems? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>See attached Environmental Assessment</p> <p>Examples that would apply to column 2 Alteration of present patterns of movement of people and/or goods. Proposed Action would result in major traffic problems. Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON ENERGY	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>16. Will Proposed Action affect the community's sources of fuel or energy supply? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2 Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

NOISE AND ODOR IMPACT	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2 Blasting within 1,500 feet of a hospital, school or other sensitive facility. Odors will occur routinely (more than one hour per day). Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. Proposed Action will remove natural barriers that would act as a noise screen. Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON PUBLIC HEALTH	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>18. Will Proposed Action affect public health and safety? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.</p> <p>Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)</p> <p>Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.</p> <p>Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<p>19. Will Proposed Action affect the character of the existing community? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p>Examples that would apply to column 2</p> <p>The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.</p> <p>The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.</p> <p>Proposed Action will conflict with officially adopted plans or goals.</p> <p>Proposed Action will cause a change in the density of land use.</p> <p>Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.</p> <p>Development will create a demand for additional community services (e.g. schools, police and fire, etc.)</p> <p>Proposed Action will set an important precedent for future projects.</p> <p>Proposed Action will create or eliminate employment.</p> <p>Other impacts</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

<p>20 Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p>

If Any Action in Part 2 is identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3