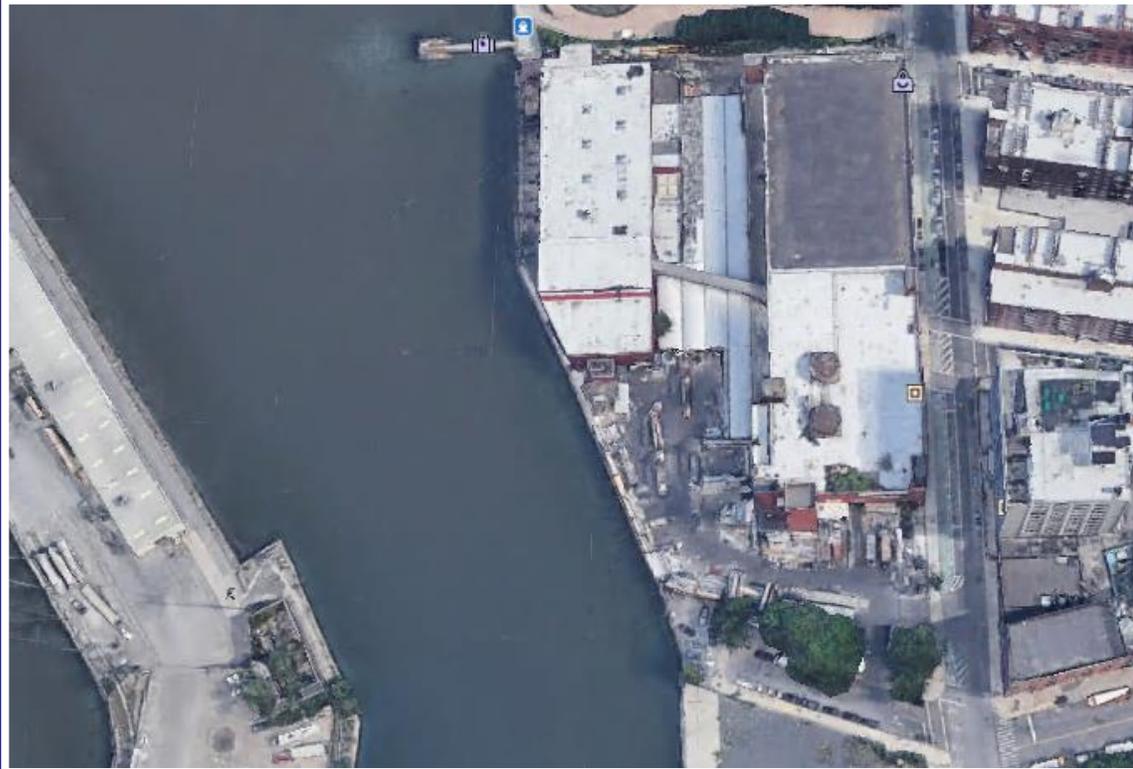


470 Kent Avenue Bulkhead and Platform Replacement

Permit Application



Prepared for:

470 Kent Ave Associates LLC
152 W 57th Street, 45th Floor
New York, NY 10019

McLaren # 190421.12

August 2020

Prepared by:



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Agency Submittal Information



August 2020

Agency Submittal Information

Attention: Regulatory Branch
U.S. Army Corps of Engineers, New York District Office (USACE)
26 Federal Plaza, Room 16-406
New York, NY 10278-0090
(917) 790-8511
(1 Copy)

Attention: Regional Permit Administrator
New York State Department of Environmental Conservation (NYSDEC)
NYS DEC Region 2
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407
(718) 482-4997
(3 Copies)

Attention: Consistency Review Unit Division of Coastal Resources
New York State Department of State (NYSDOS)
One Commerce Plaza
99 Washington Ave, Suite 1010
Albany, NY 12231-00001
(518) 474-6000
(1 Copy)

Attention: Bureau of Land Management
New York State Office of General Services (NYSOGS)
26th Floor, Corning Tower
Empire State Plaza
Albany, NY 12242
(518) 408-1782
(1 Copy)

Attention: Director of Waterfront and Open Space
New York Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271
(212) 720-3626
(1 Copy)

Section I

Project Narrative

470 Kent Avenue Bulkhead and Platform Replacement

PROJECT PURPOSE:

The 470 Kent Avenue site, owned by 470 Kent Ave Associates LLC, is a 94,500 square ft. lot overlooking the East River in Greenpoint, Brooklyn. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. Public access to the waterfront is an amenity currently non-existent at the project site. This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site. The shoreline stabilization structures have been designed to protect the upland site from the erosive forces of waves and currents, as well as stabilizing the site for public use.

EXISTING CONDITIONS & NEED FOR ACTION:

The existing project site has an alternative address of 1 Division Avenue, but the site is undergoing an address change and will eventually be 470 Kent Avenue. Therefore, for the purpose of continuity, the project site address will be listed as 470 Kent Avenue throughout this permit application. The existing waterfront at this location consists of approximately 205 linear ft. of the partially collapsed existing concrete platform and 320 linear ft. of the existing steel sheet pile bulkhead. There is no rip-rap revetment as part of the site's existing condition. McLaren Engineering Group (McLaren) performed a site inspection at the project site in May 2019, where it was determined that the existing concrete platform was constructed as a cast in place concrete structure, as the support beams, columns and deck are all concrete. It is believed that the concrete beams are held up by timber piles that are now buried below the mudline. The existing concrete platform is partially collapsed. The existing steel sheet pile bulkhead supports a severely deteriorated timber fendering system, with significant section loss throughout. The existing steel sheet pile bulkhead is still functional but nearing the end of its useful service life.

PROPOSED PLAN:

The proposed plan to modify the waterfront begins with removing both the existing concrete platform and the existing steel sheet pile bulkhead. This includes complete demolition of the existing concrete platform and existing steel sheet pile bulkhead, including the timber fendering that covers the existing steel sheet pile bulkhead. The existing concrete platform will then be replaced with a new high-level concrete platform with rip-rap below to prevent scour of the steel pipe piles. The purpose of designing a new high-level concrete platform is to raise the new high-level concrete platform farther out of the waterway to create more open water underneath. Raising the elevation of the new high-level concrete platform allows for less structure in the water, while lengthening the platforms design life by making it more resilient to sea level rise. The new high-level concrete platform is to consist of (60) 18 in. diameter concrete filled steel pipe piles, concrete pile caps, concrete planks, a concrete topping slab. All piles will be driven using vibratory hammers, with impact hammers as necessary to reduce the environmental impact as much as possible. The new high-level concrete platform will be

470 Kent Avenue Bulkhead and Platform Replacement

approximately 236 ft. long by 25 ft. wide. This will replace the 200 ft. long existing concrete platform, which varies in width from 18 ft. to 24 ft.

Along the southern 320 linear ft. of shoreline, the new steel sheet pile bulkhead will be driven 9 in. outboard of the existing steel sheet pile bulkhead. This is to avoid soil loss into the river as well as preventing encroaching on the navigable channel. Driving the new steel sheet pile bulkhead outboard of the existing steel sheet pile bulkhead also eliminates the need for a cofferdam, which would have been necessary had the new steel sheet pile bulkhead been placed behind the existing steel sheet pile bulkhead. A new stormwater outfall will also be added to the project site.

The project site is located along the Wallabout Channel and East River, as well as adjacent to an active ferry landing. As such, vessel wake against the project site is a frequent occurrence, making both the new steel sheet pile bulkhead and piles especially susceptible to scouring. Therefore, 393 CY of rip-rap will be placed both in front of the new steel sheet pile bulkhead and under the new high-level concrete platform as means of protection against scour. However, with the cuts provided by the platform, the net results in 37 CY of cut opened back up to the waterway.

ALTERNATIVES ASSESSMENT:

Alternative 1 – No Action:

The No Action alternative would result in the continued deterioration of the existing steel sheet pile bulkhead and existing concrete platform. In addition, the project site would continue to experience erosions. There would likely be further damage to the shoreline structures resulting in more concrete debris in the waterway. This is especially possible as the existing concrete platform's partially collapsed state sits very close to the water line. Taking into consideration the waterfront's deteriorated state and high probability of continued deterioration in the future, it would be unsafe to provide public waterfront access. This alternative is unfeasible for the intended site development and public use, and therefore this alternative was not chosen.

Alternative 2 – New Steel Sheet Pile Bulkhead Inboard of Existing:

Installing a new steel sheet pile bulkhead inboard of the existing steel sheet pile bulkhead would result in a significant loss of soil in the river. This would be due to the high reveal height between the mudline and top of new steel sheet pile bulkhead. In addition, excavating back far enough to create a stable slope is not feasible. This alternative would require the addition of a cofferdam in the channel to create enough space for construction, which would infringe on channel use. Due to the increased environmental impacts and construction obstacles, this alternative was not chosen.

Alternative 3 -Replace Existing Concrete Platform in Place:

Replacing the existing concrete platform in place with an identical new concrete platform would increase the volume of fill in the waterway. This would occur since a portion of the platform would likely drop below Mean High Water elevation. As building code regulations dictate the minimum environmental and structural loading for the pile cap, precast planks and topping slab, these elements would require a significant depth into the waterway. Since replacing the existing concrete platform in place with an identical new concrete platform would result in an increase of fill in the waterway, this alternative was not chosen.

470 Kent Avenue Bulkhead and Platform Replacement

Alternative 4 – No Rip-rap Beneath the New High-Level Concrete Platform:

This alternative would not place any rip-rap around the new steel sheet pile bulkhead and new high-level concrete platform. The lack of rip-rap would result in severe scour around the piles and on the mudline against the new steel sheet pile bulkhead. Due to the project site’s location next to an active ferry landing, vessel wake hitting the project site will be a daily occurrence. With no scour protection, maintenance on both the new high-level concrete platform and new steel sheet pile bulkhead would likely have to be done within a short period of time. In addition, there will be an increase in necessary maintenance continued over time to prevent failure of the new steel sheet pile bulkhead and new high-level concrete platform. The increase in maintenance will cause prolonged and repetitive disturbance to the mudline and neighboring ecological community. Due to the increase in environmental impacts and future maintenance, this alternative was not chosen.

Alternative 5 – New Steel Sheet Pile Bulkhead Installed In-Place and New High-Level Platform – Proposed Plan:

Installing a new steel sheet pile bulkhead and new high-level concrete platform is the preferred alternative as it meets the goals of the project to provide erosion and flooding protection to the property, while minimizing impacts to the environment. A new high-level concrete platform provides a robust, code compliant structure that remains out of the water. Ultimately, choosing a new high-level concrete platform minimizes additional fill in the waterway while still building a structure that can withstand all loading characteristics of a coastal marine environment. The new steel sheet pile bulkhead will be installed in front of the existing to reduce soil loss and prevent infringing on channel use. With all proposed work, the project results in a net cut of 37 CY.

ENVIRONMENTAL CONCERNS:

The proposed project will result in a net cut of 37 CY below Mean High Water (MHW) and 51 CY below Spring High Tide (SHT). Please find details of each source of cut and fill in the table below.

Cut/Fill Summary (CY)		
	Below MHW	Below SHT
Elevation (NAVD88)	1.87	2.38
Cut		
Existing conc + debris	-246	-248
Platform	-288	-308
TOTAL:	-534	-556
Fill		
Bulkhead	64	70
Piles	40	42
Rip-rap	393	393
TOTAL:	497	505
NET TOTAL:	-37	-51

470 Kent Avenue Bulkhead and Platform Replacement

Sources of cut include the removal of existing concrete and debris from the waterway around the shoreline, as well as extending the limits of the new high-level concrete platform. Only concrete and debris that has entered the waterway as a result of property work will be removed. Fill includes the new steel sheet pile bulkhead, steel pipe piles supporting the new high-level concrete platform, as well as rip-rap scour protection on both the new steel sheet pile bulkhead and the new high-level concrete platform. With all proposed work, the project still results in a net cut both below MHW and SHT.

Minor environmental impacts may occur during construction related activities. The main environmental impact is localized turbidity resulting from in water work. Increases in suspended sediment during in water activity are anticipated to be minimal and to dissipate quickly and without significant adverse impacts to water quality or aquatic biota. Turbidity will be controlled through Best Management Practices (BMPs), such as turbidity curtains and performing work at low tide as much as practically possible. Should any noticeable increases in turbidity occur, work will cease until the site is properly contained. All construction vehicles and materials will be staged and stored upland. All debris generated during construction will be collected and disposed of in an approved landfill to prevent any potential water quality impacts. Contractors will be required to ensure that throughout the duration of the work, there is no introduction of construction debris into the waterway.

CONSTRUCTION SEQUENCE:

- Marine based construction equipment will be selected, positioned, and staged to ensure that they do not bottom out on the mudline during low tide;
- The use of turbidity curtains/floating booms to mitigate turbidity and floating debris;
- Construction will cease should a noticeable increase in turbidity occur until adequate BMPs are deployed to contain the work area;
- Construction debris will be collected and disposed of in approved off-site waste disposal areas;
- Barges and equipment will be protected against spills into the waterway;
- A spill kit will be on site should any spill occur;
- Shoreward erosion and sediment controls will be in place before the commencement of work;
- Work will adhere to all required environmental moratoriums;
- Work will be accomplished at low tide as much as practically possible;
- Using tongue and groove sealed timbers to prevent concrete leachate;
- SWPPP controls will be implemented and followed;
- The final BMP selection and location will be determined by the contractor.

The anticipated construction sequence for the proposed scope of work is as follows:

1. Contractor to mobilize equipment to project site,
2. Appropriate BMPs are deployed,
3. The use of heavy-duty floating booms to mitigate turbidity and floating debris,
4. Remove the existing concrete platform in its entirety. Timber piles are to be either cut at mudline or completely removed,

470 Kent Avenue Bulkhead and Platform Replacement

5. Drive new steel sheet pile bulkhead and new steel sheet piles outboard of existing steel sheet pile bulkhead,
6. Place precast concrete elements and all components necessary for cast-in-place elements,
7. Cast-in-place elements shall be poured from a truck upland of the newly proposed platform,
8. Utilizing a land-based excavator backfill the landward area of the new platform with clean, structural fill,
9. Contractor to excavate any material that would prevent the proper execution of the proposed extension of rip-rap revetment,
10. Contractor shall install geotextile filter fabric,
11. Proposed bedding stone layer and armor stone layer shall be installed via land-based excavator,
12. Work completes,
13. BMPs are removed from site,
14. Contractor demobilizes from project site.

Section II

New York District United States Army Corps of Engineers



JOINT APPLICATION FORM

For Permits for activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.

1. Applications To:
>NYS Department of Environmental Conservation
Check all permits that apply:
Stream Disturbance, Excavation and Fill in Navigable Waters, Docks, Moorings or Platforms, Dams and Impoundment Structures, 401 Water Quality Certification, Freshwater Wetlands, Tidal Wetlands, Wild, Scenic and Recreational Rivers, Coastal Erosion Management, Water Withdrawal, Long Island Well, Incidental Take of Endangered / Threatened Species.
>US Army Corps of Engineers
Check all permits that apply: Section 404 Clean Water Act, Section 10 Rivers and Harbors Act.
Is the project Federally funded? Yes, No.
If yes, name of Federal Agency:
General Permit Type(s), if known: NWP 3 & 13
Preconstruction Notification: Yes, No.
>NYS Office of General Services
Check all permits that apply: State Owned Lands Under Water, Utility Easement (pipelines, conduits, cables, etc.), Docks, Moorings or Platforms.
>NYS Department of State
Check if this applies: Coastal Consistency Concurrence.

2. Name of Applicant
470 Kent Ave Associates LLC
Taxpayer ID (if applicant is NOT an individual) 83-2850267
Mailing Address 157 West 57th Street, 45th Floor
Post Office / City New York, State NY, Zip 10019
Telephone (212) 759-9777, Email mwitek@naftaligroup.com
Applicant Must be (check all that apply): Owner, Operator, Lessee.

3. Name of Property Owner (if different than Applicant)
Mailing Address
Post Office / City
State
Zip
Telephone
Email

For Agency Use Only Agency Application Number:

4. Name of Contact / Agent
 Anand Agarwal, P.E.
 Mailing Address: 530 Chestnut Ridge Road
 Post Office / City: Woodcliff Lake
 State: NJ Zip: 07677
 Telephone: (201) 775-6000 Email: permits@mgmclaren.com

5. Project / Facility Name
 470 Kent Avenue Bulkhead and Platform Replacement
 Property Tax Map Section / Block / Lot Number: Brooklyn Block 2134 / Lot 150
 Project Street Address, if applicable: 470 Kent Avenue
 Post Office / City: Brooklyn
 State: NY Zip: 11249
 Provide directions and distances to roads, intersections, bridges and bodies of water:
 Take the Holland Tunnel and take exit 5 toward Canal St. Turn onto the Manhattan Bridge and then onto I-278. Take exit 30 for Flushing Ave. and merge onto Classon Ave. Turn left onto Kent Ave. and the project site is on the left.
 Town Village City County: Brooklyn Stream/Waterbody Name: Wallabout Channel / East River
 Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:
 Latitude: 40° 42' 27.4" Longitude: 73° 58' 07.4"

6. Project Description: Provide the following information about your project. Continue each response and provide any additional information on other pages. **Attach plans on separate pages.**

a. Purpose of the proposed project:
 The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion.

b. Description of current site conditions:
 The existing waterfront at this location consists of approximately 205 linear ft. of the partially collapsed existing concrete platform and 320 linear ft. of the existing steel sheet pile bulkhead. The existing steel sheet pile bulkhead supports a severely deteriorated timber fendering system, with significant section loss throughout.

c. Proposed site changes:
 This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site.

d. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary/mean high water, etc.):
 There will be 497 CY of fill below Mean High Water (MHW) and 505 CY of fill below Spring High Tide (SHT). Fill includes the bulkhead, steel pipe piles supporting the platform, as well as rip-rap scour protection on both the bulkhead and platform. However, this project will have a final net cut of 37 CY below MHW and 51 CY below SHT.

e. Area of excavation or dredging, volume of material to be removed, location of dredged material placement:
 No dredging is proposed. Minor excavations in the form of removing concrete and timber debris around the shoreline will occur. Please refer to Section 1 - Project Narrative for further details.

f. Is tree cutting or clearing proposed? Yes If Yes, explain below. No
 Timing of the proposed cutting or clearing (month/year):
 Number of trees to be cut: Acreage of trees to be cleared:

g. Work methods and type of equipment to be used:

The anticipated methods can be found in the project narrative.

h. Describe the planned sequence of activities:

The anticipated methods can be found in the project narrative.

i. Pollution control methods and other actions proposed to mitigate environmental impacts:

Please refer to the project narrative for a complete list of BMPs to be used.

j. Erosion and silt control methods that will be used to prevent water quality impacts:

Please refer to the project narrative for a complete list of BMPs to be used.

k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:

Alternative analyses show that the proposed plan is the preferred alternative as it meets the goals of the project to provide erosion and flooding protection, while minimizing impacts to the environment as much as possible. The no action alternative would result in the continued deterioration of the bulkhead and platform and the continued erosion of the site. Please refer to the Project Narrative for additional information.

l. Proposed use: Private Public Commercial

m. Proposed Start Date: Estimated Completion Date:

n. Has work begun on project? Yes If Yes, explain below. No

o. Will project occupy Federal, State, or Municipal Land? Yes If Yes, explain below. No

p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:

N/A

q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?

Yes If Yes, list below. No

NYCDOB work permit and NYCDCP WRP concurrence.

7. Signatures.

Applicant and Owner (If different) must sign the application.

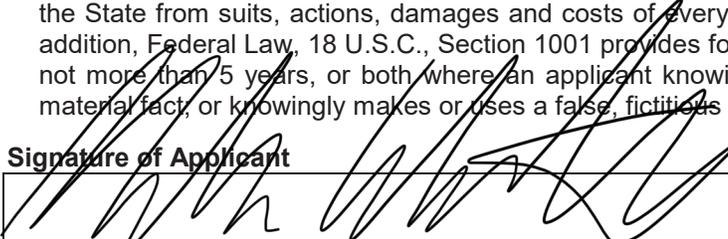
Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact, or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant



Date

8/17/2020

Applicant Must be (check all that apply): Owner Operator Lessee

Printed Name

Michael Witek

Title

EVP Construction

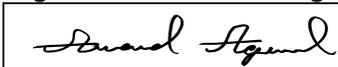
Signature of Owner (if different than Applicant)

Date

Printed Name

Title

Signature of Contact / Agent



Date

08/19/2020

Printed Name

Anand Agarwal, P.E.

Title

Associate

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

Agency Application Number

(Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative:

Printed Name

Title

Signature

Date

ENVIRONMENTAL QUESTIONNAIRE

This is intended to supplement ENG Form 4345, Application for Department of the Army Permit, or the Joint Application for Permit used in the State of New York. Please provide complete answers to all questions below which are relevant to your project. Any answers may be continued on separate sheet(s) of paper to be attached to this form.

PRIVACY ACT STATEMENT

The purpose of this form is to provide the Corps of Engineers with basic information regarding your project. This information will be used to facilitate evaluation of your permit application and for public dissemination as required by regulation. Failure to provide complete information may result in your application being declared incomplete for processing, thereby delaying processing of your application.

GENERAL--APPLICABLE TO ALL PROJECTS

1. Explain the need for, and purpose of, the proposed work.

The existing waterfront at this location consists of approximately 205 linear ft. of the partially collapsed existing concrete platform and 320 linear ft. of the existing steel sheet pile bulkhead. The existing steel sheet pile bulkhead supports a severely deteriorated timber fendering system, with significant section loss throughout. The project site will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The purpose of this project is to introduce new affordable housing into the neighborhood and provide means of public access to enjoy New York City's waterfront.

2. Provide the names and addresses of property owners adjacent to your work site (if not shown on the application form or project drawings).

Please refer to Section 2 – List of Adjacent Property Owners for a list of addresses and property owners.

(Please note that depending upon the nature and extent of your project, you may be requested to provide the names and addresses of additional property owners proximate to your project site to ensure proper coordination.)

3. Photographs of the project site should be submitted. For projects in tidal areas, photographs of the waterway vicinity should be taken at low tide. Using a separate copy of your plan view, indicate the location and direction of each photograph as well as the date and time at which the photograph was taken. Provide a sufficient number of photographs so as to provide a clear understanding of conditions on and proximate to your project site.

Please refer to Section 6 for site photos.

4. Provide a copy of any environmental impact statement, or any other environmental report which was prepared for your project.

No environmental reports have been prepared for this project.

5. Provide a thorough discussion of alternatives to your proposal. This discussion should include, but not necessarily be limited to, the "no action" alternative and alternative(s) resulting in less disturbance to waters of the United States. For filling projects in waters of the United States, including wetlands, your alternatives discussion should demonstrate that there are no practicable alternatives to your proposed filling and that your project meets with current mitigation policy (i.e. avoidance, minimization and compensation).

Please refer to Section 1 – Project Narrative, for an explanation of possible alternatives considered. The result of the alternatives analysis shows that the current proposed plan is the best available option.

DREDGING PROJECTS

Answer the following if your project involves dredging.

1. Indicate the estimated volume of material to be dredged and the depth (below mean low water) to which dredging would occur. Would there be overdepth dredging?

N/A

2. You can apply for a ten-year permit for maintenance dredging. If you wish to apply for a ten-year permit, please provide the number of additional dredging events during the ten-year life of the permit and the amount of material to be removed during future events.

N/A

3. Indicate of your drawings the dewatering area (if applicable) and disposal site for the dredged material (except landfill sites). Submit a sufficient number of photographs of the dewatering and disposal sites as applicable so as to provide a clear indication of existing conditions. For ten-year maintenance dredging permits, indicate the dewatering/disposal sites for future dredging events, if known.

N/A

4. Describe the method of dredging (i.e. clamshell, dragline, etc.) and the expected duration of dredging.

N/A

5. Indicate the physical nature of the material to be dredged (i.e. sand, silt, clay, etc.) and provide estimated percentages of the various constituents if available. For beach nourishment projects, grain size analysis data is required.

N/A

6. Describe the method of dredged material containment (i.e. hay bales, embankment, bulkhead, etc.) and whether return flow from the dewatering/disposal site would reenter any waterway. Also indicate if there would be any barge overflow.

N/A

MOORING FACILITIES

Answer the following if your project includes the construction or rehabilitation of recreational mooring facilities.

1. It is generally recommended that any fixed piers and walk ramps be limited to four feet in width, and that floats be limited to eight feet in width and rest at least two feet above the waterway bottom at mean low water. Terminal floats at private, non-commercial facilities should be limited to 20 feet in length. If you do not believe your proposal can meet with these recommendations, please provide the reason(s).

N/A

2. Using your plan view, show to scale the location(s), position(s) and size(s) (including length, beam and draft) of vessel(s) to be moored at the proposed facility, including those of transient vessel(s) if known.

N/A

3. For commercial mooring sites such as marinas, indicate the capacity of the facility and indicate on the plan view the location(s) of any proposed fueling and/or sewage pumpout facilities. If pumpout facilities are not planned, please discuss the rationale below and indicate the distance to the nearest available pumpout station.

N/A

4. Indicate on your plan view the distance to adjacent marine structures, if any are proximate and show the locations and dimensions of such structures.

N/A

5. Discuss the need for wave protection at the proposed facility. Please be advised that if a permit is issued, you would be required to recognize that the mooring facility may be subject to wave action from wakes of passing vessels, whose operations would not be required to be modified. Issuance of a permit would not relieve you of ensuring the integrity of the authorized structure(s) and the United States would not be held responsible for damages to the structure(s) and vessel(s) moored thereto from wakes from passing vessels.

N/A

BULKHEADING/BANK STABILIZATION/FILLING ACTIVITIES

Answer the following if your project includes construction of bulkheading (also retaining walls and seawalls) with backfill, filling of waters/wetlands, or any other bank stabilization fills such as riprap, revetments, gabions, etc.

1. Indicate the total volume of fill (including backfill behind a structure such as a bulkhead) as well as the volume of fill to be placed into waters of the United States. The amount of fill in waters of the United States can be determined by calculating the amount of fill to be placed below the plane of spring high tide in tidal areas and below ordinary high water in non-tidal areas.

There will be 497 CY of fill below Mean High Water (MHW) and 505 CY of fill below Spring High Tide (SHT). However, this project will ultimately have a net cut of 37 CY below MHW and 51 CY below SHT due to the limits of the new high-level concrete platform being placed behind the limits of the existing concrete platform, as well as 246 CY of existing concrete debris behind the existing concrete platform being removed from the waterway below MHW.

2. Indicate the source(s) and type(s) of fill material.

Fill includes the bulkhead, steel pipe piles supporting the platform as well as rip-rap scour protection on both the new steel sheet pile bulkhead and new high-level concrete platform. Fill material will consist of concrete and clean sand, gravel, or stone, and will be sourced from a local plant or quarry within 50 miles of the project site.

3. Indicate the method of fill placement (i.e. by hand, bulldozer, crane, etc.). Would any temporary fills be required in waterways or wetlands to provide access for construction equipment? If so, please indicate the area of such waters and/or wetlands to be filled, and show on the plan and sectional views.

Cast-in-place elements shall be poured from a truck upland of the new steel sheet pile bulkhead. Measures will be taken to ensure concrete does not flow into the waterway. Clean, structural fill will be backfilled into the inshore area of the new high-level concrete platform utilizing a land-based excavator. Stone will be placed along the mudline with a land-based excavator as well.

The foregoing requests basic information on the most common types of projects requiring Department of the Army permits. It is intended to obviate or reduce the need for requesting additional information; however, additional information may be requested above and beyond what is requested in this form.

Please feel free to add any additional information regarding your project which you believe may facilitate our review.

470 Kent Ave Bulkhead and Platform Replacement

List of Adjacent Property Owners

The following properties are located north of project site:

Property 1
Tax Block: 2134 Lot: 36
Address: 460 Kent Ave.
Brooklyn, NY 11249
Owner: City of New York/DSBS

The following properties are located east of project site:

Property 2
Tax Block: 2134 Lot: 1
Address: 478 Kent Ave.
Brooklyn, NY 11249
Owner: Waterfront Realty II

The following properties are located south of project site:

Property 3
Tax Block: 2023 Lot: 10
Address: 492 Kent Ave.
Brooklyn, NY 11249
Owner: 500 Kent LLC

The following properties are located west of project site:

Wallabout Channel

Property 4
Tax Block: 2134 Lot: 126
Address: Kent Ave.
Brooklyn, NY 11249
Owner: NYC DSBS

Section III

New York State Department of Environmental Conservation

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 470 Kent Avenue Bulkhead and Platform Replacement			
Project Location (describe, and attach a location map): 470 Kent Avenue, Brooklyn NY 11249			
Brief Description of Proposed Action: The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion. The existing waterfront at this location consists of approximately 205 linear ft. of the partially collapsed existing concrete platform and 320 linear ft. of the existing steel sheet pile bulkhead. The existing steel sheet pile bulkhead supports a severely deteriorated timber fendering system, with significant section loss throughout. This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site. This project will have a final net cut of 37 CY below MHW and 51 CY below SHT.			
Name of Applicant or Sponsor: 470 Kent Ave Associates LLC		Telephone: (212) 759-9777 E-Mail: mwitek@naftaligroup.com	
Address: 157 West 57th Street, 45th Floor			
City/PO: New York		State: NY	Zip Code: 10019
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Please refer to JPA.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.6 acres	
b. Total acreage to be physically disturbed?		0.48 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.6 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: There are no energy code requirements for the proposed project. _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ There are no requirements for potable water at the site. _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ There are no requirements for wastewater utilities at the site. _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Wallabout Channel, 0.48 acres _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Gamin, USGS, Intermap, INCREMENTP, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: 470 Kent Avenue
Site Code: C224053
Program: Brownfield Cleanup Program
Classification: A
EPA ID Number:

Location

DEC Region: 2
Address: 470 Kent Avenue
City: Brooklyn Zip: 21249
County: Kings
Latitude: 40.70796664
Longitude: -73.96903528
Site Type:
Estimated Size: 2.8 Acres

Site Owner(s) and Operator(s)

Current Owner Name: CL SPE LLC
Current Owner(s) Address: 470 Kent Avenue
Brooklyn, NY, 11211
Current Owner Name: Waterfront Realty II LLC
Current Owner(s) Address: 470 Kent Avenue
Brooklyn, NY, 11211
Current On-Site Operator: Certified Lumber Corporation
Stated Operator(s) Address: 470 Kent Avenue
Brooklyn, NY 11211

Site Document Repository

Name: Brooklyn Public Library
Address: Williamsburgh Branch
240 Division Avenue Brooklyn, NY 11211

Site Description

Location: The BCP site is located in Brooklyn, Kings County and is at the northwest corner of Kent Avenue and Division Street in the South Williamsburg area of Brooklyn. The western boundary of the site is the Wallabout Channel. **Site Features:** The site consists of two buildings with a covered area between them and is approximately 3.8 acres in size. The buildings are two and four stories respectively. **Current Zoning and Land Use:** The site has an approved zoning amendment with Special Permit modifications for residential (R7-3) zoning designation from the current manufacturing designation (M3-1) with a 100 foot commercial (C2-4) overlay. There is currently a lumberyard and retail home center in operation on the site. **Past Use of the Site:** A manufactured gas plant (MGP) operated on the site prior to 1868 and ceased operations between 1893 and 1896. Other past uses include a stave yard, molasses storage, sugar refining, warehouse storage, and a brewing company. **Site Geology and Hydrogeology:** The surface topography slopes down to the west towards the Wallabout Channel. Based on the U.S. geological Survey (Brooklyn Quadrangle) topographic map, the property lies at an elevation of approximately ten to twenty feet above the National Geodetic Vertical Datum of 1929 (an approximation of mean sea level). The approximate depth to bedrock is 100 feet from grade surface. Groundwater has been measured at depths ranging from approximately five to fifteen feet below grade and flows in a westerly direction toward Wallabout Channel. Groundwater is likely tidally influenced.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
dibenz[a,h]anthracene
polychlorinated biphenyls (PCB)
acenaphthylene
benzo(a)pyrene
ethylbenzene
heptachlor epoxide
xylene (mixed)
1,2,4-trimethylbenzene
benzo(a)anthracene
butylbenzene
toluene
1,3,5-trimethylbenzene
benzene
mercury

benzo(b)fluoranthene
benzo(g,h,i)perylene
benzo(k)fluoranthene
chrysene
n-propylbenzene
naphthalene
trichloroethene (TCE)
vinyl chloride
indeno(1,2,3-CD)pyrene
isopropylbenzene
tetrachloroethene (PCE)

Site Environmental Assessment

Nature and Extent of Contamination: Based upon investigations from 2004-2014, the primary contaminants of concern for the site are Volatile Organic Compounds (VOCs), Semi-volatile Organic Compounds (SVOCs), metals in soil and groundwater. Some VOCs were also detected in soil vapor as noted below. Soil ζ VOCs exceeded the Unrestricted Use Soil Cleanup Objectives (UUSCO) for BTEX and naphthalene. Only xylene and naphthalene exceeded restricted residential SCOs (RRSCOs). Several Polycyclic Aromatic Hydrocarbons (PAHs) exceeded UUSCOs and RRSCOs, including acenenaphthalene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b) and benzo(k) fluoranthene, chrysene, debenz(a,h)anthracene, and ideno(1,2,3-cd)pyrene. Several metals exceeded the UUSCOs, including arsenic, barium, copper, chromium, lead, mercury, nickel and selenium. These metals also exceeded restricted residential SCOs with the exception of copper, chromium nickel and selenium. PCBs were noted in soil up to 49 ppm. The pesticides 4,4' DDE and 4,4' DDT exceeded UUSCOs, but did not exceed RRSCOs. Most of the soil impacts have been attributed to historic fill. Groundwater ζ Several petroleum-related VOCs were noted to exceed groundwater standards with benzene at 5,700 ug/L, toluene at 300 ug/L, ethylbenzene at 1,300 ug/L, xylenes at 6,000 ug/L, amongst others. Chlorinated solvents were also noted at low levels in groundwater (tetrachloroethene [PCE] at 28 ug/L, trichloroethene at 26 ug/L and vinyl chloride at 14 ug/L). Several of the above-noted PAHs were also noted in groundwater at less than 1 ug/L, but still exceeding groundwater standards. Some SVOCs (2,4 dimethylphenol, 2-methylphenol, phenol, naphthalene, etc) were also noted in groundwater, in some cases at estimated concentrations, marginally exceeding standards and may be related to historic Manufactured Gas Plant operations on-site (e.g., naphthalene estimated at 47 ug/L vs. a standard of 10 ug/L), phenol up to 15 ug/l vs a standard of 1 ug/L). Most metals exceeded groundwater standards, including mercury at a maximum of 2.9 vs. a standard of 0.7 ug/L. Lead was also found at a concentration of 2,630 ug/L vs. a standard of 25 ug/L.

PCBs exceeded standards at a maximum of 0.39 ug/L vs a standard of 0.09 ug/L. The pesticide heptachlor epoxide marginally exceeded the standard of 0.03 ug/L at a concentration of 0.086 ug/L. Soil Vapor: Methylene chloride (MC) was noted in indoor air over NYSDOH guidance values with concentrations of 114-141 ug/m³ vs. a guidance value of 60 ug/m³. These detections were attributed to products stored in the building. Sub-slab MC values ranged from 14.5 to 102 ug/m³. Other chlorinated solvent soil gas detections were not significant (i.e., TCE max. of 20.3 ug/m³, PCE max of 1.58 ug/m³, 1,1,1-TCA at 1.62 ug/m³. Petroleum compounds were also noted in soil gas, but not at significant concentration (e.g., benzene at 1.58 ug/m³).

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Kent Avenue Station Site
Site Code: V00732
Program: Voluntary Cleanup Program
Classification: C
EPA ID Number:

Location

DEC Region: 2
Address: 500 Kent Avenue
City:Brooklyn Zip: 11211
County:Kings
Latitude: 40.706388889
Longitude: -73.968888889
Site Type:
Estimated Size: 2.64 Acres

Site Owner(s) and Operator(s)

Current Owner Name: 500 Kent LLC
Current Owner(s) Address: 505 flushing ave
brooklyn,NY, 11205

Site Document Repository

Name: Community Board 2
Address: 350 Jay Street, 8th Floor
Brooklyn,NY 11201
Name: Williamsburg Public Library
Address: 240 Division Avenue
Brooklyn,NY 11211

Site Description

Location: The site is located in a mixed-use area along the Brooklyn waterfront. It is bounded

by Kent Avenue to the east, Wallabout Channel to the west, Division Avenue to the north, and the Brooklyn Navy Yard to the south. **Site Features:** The site has been sold to a developer but is still currently vacant and open. In the subsurface, a large concrete-lined pit is present in the northwest corner of the site and along the edge of the Wallabout Channel. A large concrete slab which is part of a former power plant foundation occupies the center of the site. The slab has been covered with clean fill. **Current zoning/use.** The site is zoned for industrial use, but is currently vacant. It is surrounded by commercial buildings and multiple occupancy residences. **Past Use of the Site:** The site was previously an electrical generating station and substation from 1906 until the late 1990s. The site was razed from 2007 to 2009. The main sources of contamination were the concrete-lined ash pit storage area and by-products of the electrical generating process which are scattered across the site. **Site Geology and Hydrogeology:** The site is underlain by a 5 to 10 foot layer of fill material. Under the fill are intermingled layers of silt and sand down to roughly 100 feet below grade. Beneath the silt and sand is a clay confining unit. The water table lies roughly 8 feet below the ground surface. Based on the site's proximity to the Wallabout channel, groundwater levels are probably tidally influenced. The far western edge of the site is built out on piles over the bank of the Wallabout Channel.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
benzene, toluene, ethylbenzene and xylenes (BTEX)
polycyclic aromatic hydrocarbons (PAHS), total
asbestos
polychlorinated biphenyls (PCB)

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were semi-volatile organic compounds (SVOCs) in soil, volatile organic compounds (VOCs) in groundwater and polychlorinated biphenyls (PCBs) in the ash pit sediments. Remedial actions have successfully achieved soil cleanup objectives for restricted residential use. Residual contamination in the soil, groundwater, and sediment is being managed under a Site Management Plan.

Site Health Assessment

The site is completely fenced, which restricts public access. Persons who dig below the ground surface may come into contact with contaminants in the subsurface soil. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the

groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. The potential exists for people to inhale site contaminants in indoor air due to soil vapor intrusion in any future on-site building development and occupancy.

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: K - Peoples Works
Site Code: 224053
Program: State Superfund Program
Classification: A
EPA ID Number:

Location

DEC Region: 2
Address: Kent Ave. S. 10th St., S. 11th St.
City:Brooklyn Zip: 11211
County:Kings
Latitude: 40.707966212
Longitude: -73.969042621
Site Type:
Estimated Size: 0.9 Acres

Site Owner(s) and Operator(s)

Site Document Repository

Name: Brooklyn Community Board 1
Address: 435 Graham Ave.
Brooklyn,NY 11211
Name: Brooklyn Public Library
Address: Williamsburg Branch
240 Division at Marcy Ave. Brooklyn,NY 11211

Site Description

Location: The Peoples Works Manufactured Gas Plant (MGP) site is located on three parcels and is comprised of 2 acres of land located between South 10th and South 11th Streets on the west side of Kent Avenue in Brooklyn, NY, Kings County. **Site Features:** The site is

located along the Wallabout Channel, near the East River. The site slopes gently towards the river. The site is entirely covered by paved areas and buildings with concrete slab floors. The site is enclosed by lockable chain-link fencing and is monitored by security personnel. Multi-unit residential housing (condominiums) are present north of the Site; Kent Avenue, multi-unit residential housing, and commercial properties are located east; commercial properties are located south; and the East River and Wallabout Channel are located west of the Site. Current Zoning/Uses: The site is zoned for commercial and industrial use. The current land use onsite is commercial. It is located in a mixed industrial, commercial, and residential area. Past Use of the Site: An 1887 Sanborn map shows a manufactured gas plant (MGP) known as the Peoples Gas Light Company operating on the site. By 1904 the MGP was no longer operating at the site. MGPs such as this converted coal and/or petroleum products to a flammable gas which was used in the surrounding community in much the same way that natural gas is used today. In 1999, LILCO and Brooklyn Union Gas merged to form KeySpan. National Grid acquired KeySpan in 2008 and currently maintains ownership of the site. Site Geology and Hydrogeology: Site is covered with up to 5 feet of fill. This material is typical urban fill, characterized by bricks and gravel. Below the fill materials are sands and silts. Near the river, a wedge of silts and clays was noted, underlain by a peat layer. This lithology reflects palustrine deposits along the East River channel, likely overlain by glacial sands and fill during development of the East River waterfront. Bedrock beneath the Site is the Ravenswood Formation gneiss, and is estimated to be approximately 100 feet bgs.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
coal tar

Site Environmental Assessment

The primary contaminant of concern for the site is coal tar. Materials such as coal tar are commonly encountered as Non-Aqueous Phase Liquids (NAPL). Coal tar contains both volatile and semi-volatile organic compounds. Specific volatile organic compounds (VOCs) of concern are benzene, toluene, ethylbenzene and xylenes (BTEX). Specific semi-volatile organic compounds of concern are the polycyclic aromatic hydrocarbons (PAHs).

Site Health Assessment

Since the site is fenced and covered by asphalt or concrete, people will not come into contact with site-related soil and groundwater contamination unless they dig below the surface. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the

groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. The potential exists for people to inhale site contaminants in indoor air due to soil vapor intrusion in the current building and any future on-site building development and occupancy.

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Kent Avenue Generating Station

Site Code: 224137

Program: State Superfund Program

Classification: N *

EPA ID Number:

Location

DEC Region: 2

Address: 500 Kent Avenue

City:Brooklyn **Zip:** 11211

County:Kings

Latitude: 40.706388889

Longitude: -73.968888889

Site Type:

Estimated Size: 2.64 Acres

Site Owner(s) and Operator(s)

Current Owner Name: CONSOLIDATED EDISON COMPANY OF NEW YORK

Current Owner(s) Address: 4 IRVING PLACE
NEW YORK,NY, 10003

Site Description

The Kent Avenue Generating Station Site is located in Brooklyn, NY. It is along the waterfront (Wallabout Channel, trib to East River) on the west side of Kent Avenue, south of the intersection with Division Avenue. The site is the location of the former Kent Avenue Generating Station, which has since been demolished. Excepting activities related to building demolition and property rehabilitation, with respect to current use the site is considered inactive. The uses of the surrounding parcels are varied: across Kent Avenue is a NYC Park (Roberto Clemente Ballfield); immediately to the south is the Brooklyn Navy Yard 13 Acre

Parcel Site (NYSDEC Site No. 224019A); immediately to the north across Division Avenue are commercial uses; properties to the northeast and to the southeast appear to have residential uses. Prior uses that appear to have led to site contamination include discharges during the period of operation of the power plant and on-site re-use of prior demolished structures as fill material. A number of environmental investigations of the property have occurred including a Phase II (2000) and other investigations focused on particular issues or areas of the site from 2006 to present. Reclassified to N. See V00732 - Kent Avenue Station Site. Work to be done under VCA Amendment.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
chrysene
asbestos
polychlorinated biphenyls (PCB)
arsenic
zinc

Site Environmental Assessment

The primary contaminants of concern at the site known at the time include PCBs, asbestos, various metals, petroleum constituents and PAHs. Investigations indicate SCG exceedances of PCB and petroleum compounds in sediments/ sludge contained in a large concrete structure (known as "the ash pit"); asbestos, metals and PAHs in subsurface soils/fill; and an area of groundwater petroleum contamination in the southwest corner of the property. The significance of the contamination needs to be determined.

*** Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Peoples Works
Site Code: V00702
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 2
Address: Kent Ave. S. 10th St., S. 11th St.
City:Brooklyn Zip: 11211
County:Kings
Latitude: 40.707963612
Longitude: -73.969040926
Site Type:
Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Site Description

See Site 224053

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

* **Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Peoples Works
Site Code: V00632
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 2
Address: Kent Ave. S., 10th St., S. 11th St.
City:Brooklyn **Zip:** 11211
County:Kings
Latitude: 40.70796134
Longitude: -73.96904597
Site Type:
Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: CERTIFIED LUMBER CORPORATION
Current Owner(s) Address: 470 KENT AVENUE
BROOKLYN,NY, 11211

Site Description

See Site 224053

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

* **Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Former Domsey Fiber Corp Site

Site Code: C224158

Program: Brownfield Cleanup Program

Classification: C

EPA ID Number:

Location

DEC Region: 2

Address: 431 Kent Avenue

City:Brooklyn **Zip:** 11249

County:Kings

Latitude: 40.708433333

Longitude: -73.967775

Site Type:

Estimated Size: 2.56 Acres

Institutional And Engineering Controls

Control Type:

[Environmental Easement](#)

Control Elements:

Ground Water Use Restriction

Vapor Mitigation

Soil Management Plan

Monitoring Plan

Site Management Plan

O&M Plan

IC/EC Plan

Site Owner(s) and Operator(s)

Current Owner Name: Wythe and Kent Realty LLC

Current Owner(s) Address: 144 Spencer Street
Brooklyn, NY, 11205

Site Document Repository

Name: Brooklyn Public Library

Address: 81 Devoe Street
Brooklyn, NY 11211

Site Description

Location: The site is known as the Former Domsey Fiber Corp. Site, and was comprised of a single tax parcel identified as Block 2135, Lot 1. It has since been subdivided into lots 1-9 with the construction of the initial redevelopment which consists of eight buildings in the northern section (lots 2-9). The site was previously occupied by Domsey Fiber Corp., is located in the Williamsburg section of Brooklyn (Kings County) and is currently comprised of two sections, north and south, which are divided by a public road, South 10th Street, totaling 111,465 square feet (2.56 acres). The site has 237 feet of frontage on South 11th Street, 490 feet on Wythe Avenue, and 498 feet on Kent Avenue. The north sector designated "A" totals 60,448.96 sf (1.38 acres) and is bounded by S. 9th Street to the north, Wythe Avenue to the east, Kent Avenue to the west and a planned road, identified as S. 10th Street, to the south. The south sector designated "B" totals 51,015.63 sf (1.17 acres) and is bounded by a planned road, S. 10th Street, to the north, Wythe Avenue to the east, Kent Avenue to the west and S. 11th Street to the south. **Site Features:** The subject site was previously developed with three buildings which were demolished prior to remediation. As the initial part of the redevelopment, eight seven-story buildings for residential occupancy have been constructed in the north section of the site. Similar redevelopment is planned for the southern section. Properties located north and northwest of the subject property have recently been developed as residential and mixed residential/commercial properties. Properties to the east and west along Wythe Avenue and Kent Avenue are mixed with commercial and residential properties. Properties to the south consist of older commercial/industrial buildings. **Current Zoning:** In 2002 the subject Site and two additional parcels were rezoned from M3-1 heavy industrial to R7A Residential as part of the Domsey Rezoning Conditional Negative Declaration (CEQR No. 00DCP008K). **Historic Uses:** The subject site was utilized primarily for a variety of commercial and industrial uses from the late 1800s to the 1940s. Former on-site commercial/industrial operations included the following; machine shops, a pump works, leather goods manufacturing, pen manufacturing, coffin manufacturing, confectioners, paint and varnish manufacturing companies, a gas appliance manufacturing company, truck and auto repair shops, laboratories, and construction companies. All of the buildings within the footprint were demolished sometime before 1959 (except the two-story and four-story buildings mentioned in the Site Features section, above) and then redeveloped with the warehouse building that currently occupies the site for use by the F and M Schaefer Brewing Co. for warehousing and shipping of beer. The last tenant was Domsey International Trading Co. (used clothing factory), which was reported to have moved in sometime between 1975

and 1986 and left by 2002. Site Geology and Hydrogeology: Subsurface soils at the Site consisted of a silty, non-native fill with bricks, wood and other rubble which ranges in thickness from 2 feet in the eastern part to 12 feet in the western section of the building. Most of this fill was excavated and removed as part of the remedial action. Native fine brown silty-sand is present immediately below the fill material to a depth of approximately 14 feet below grade. The fine silty-sand layer is underlain by a fine to coarse sand and gravel layer to the water table approximately 22 feet below grade. The elevation of the property is approximately 16-25 feet above the National Geodetic Vertical Datum (NGVD). The topography in the immediate area of the property generally slopes downward from east to the west. The depth to groundwater beneath the site is approximately 17 to 23 feet below grade within the native silty-sand. Groundwater flow is generally from the northeast to the southwest with some mounding exhibited in the northwest portion of the Site. The nearest body of water to the subject site is Wallabout Channel (a portion of the East River) located approximately 400 feet to the west.

Summary of Project Completion Dates

Projects associated with this site are listed in the [Project Completion Dates](#) table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
benzo(b)fluoranthene
benzo(k)fluoranthene
trichloroethene (TCE)
1,3,5-trimethylbenzene
petroleum products
1,2,4-trimethylbenzene
benzo(a)anthracene
tetrachloroethene (PCE)

Site Environmental Assessment

Nature and Extent of Contamination: Prior to remediation: Soil - Soil and groundwater at the site were impacted by a release(s) of petroleum, PCE and possibly TCE particularly in the northwest corner of the Site. These contaminants were found to be limited to the top 13 to 15

feet of soil within an approximate radius of 35 feet. The release scenario is unknown but likely caused by a spill from waste fuel stored in a drum or above ground tank. Waste PCE was likely discharged to the same container resulting in PCE contaminated waste oil being spilled. The released fluid was of insufficient quantity to migrate through the 20 foot soil column to the water table, terminating at a depth of 13 to 15 feet below ground surface. Groundwater - Groundwater in the location mentioned above also exhibited high SVOC concentrations. This would indicate that this area is not the source of site wide CVOC contamination in groundwater; this was further evaluated as stated in the Elements of the Proposed Remedy section, below. The wide distribution of CVOCs in groundwater may be a function of the limited slope in the water table. Based on the groundwater flow direction and distribution of CVOCs across the Site, a low level CVOC plume appears to be migrating onto the Site from the northeast (upgradient) direction. The results of the subsequent off-site groundwater sampling confirmed that the aforementioned contaminant plume is from an upgradient source. Soil Vapor - CVOCs are present in soil vapor at elevated concentrations in many areas of the Site. CVOCs are either off-gassing from impacted groundwater and soil on-site or are migrating onto the Site from off-site sources. The highest concentration of PCE and TCE in soil vapor occurred in locations along the western and eastern property line in the southern section of the Site. However, this does not correspond with the highest concentrations of these contaminants in groundwater or soil which were encountered in the northeast and northwest corner of the Site respectively. In general, CVOC concentrations in soil vapor were higher in perimeter locations than those within the footprint of the former building. Post-Remediation: Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were petroleum related VOCs, CVOCs and metals such as chromium in soil. Remedial action has successfully achieved soil cleanup objectives for a contingent Track 1 cleanup to not include unrestricted use. On-site soil vapor contamination will be mitigated by the sub-slab depressurization system (SSDS), and this is being managed under a Site Management Plan. Based on the results of supplemental soil vapor intrusion testing at the site, the Remedial Engineer (P.E.) certified in the report that the site remains protective of human health and the environment without reliance on the SSDS. The NYSDOH then reviewed and concurred with the request to terminate the SSDS operation. A letter was then issued by NYSDEC in July 2019 approving termination of the SSDS. Pursuant to 6 NYCRR Part 375-3.8(e)(1)(iv)(a) the remedial program has now achieved a Track 1 unrestricted use cleanup as the SSDS is no longer required as an engineering control after 5 years of mitigation.

Site Health Assessment

Remedial actions are complete and have eliminated the potential for contact with site-related contaminants.

Section IV

New York State Department of State Coastal Management Program

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: 470 Kent Ave Associates LLC
2. Address: 157 West 57th Street, 45th Floor, New York NY10019
3. Telephone: Area Code () (212) 759-9777

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site.

2. Purpose of activity:

The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion.

3. Location of activity:

<u>Kings</u>	<u>Brooklyn</u>	<u>470 Kent Ave.</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: Please refer to JPA

5. Federal application number, if known: N/A

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

Please refer to JPA.

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following: YES/NO
- a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)
 - b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44)
 - c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)
 - d. Reduction of existing or potential public access to or along coastal waters? (19, 20)
 - e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10)
 - f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)
 - g. Siting of a facility essential to the generation or transmission of energy? (27)
 - h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)
 - i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35)
 - j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)
 - k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)
 - l. Adverse effect upon land or water uses within the State's small harbors? (4)

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: YES/NO
- a. State designated freshwater or tidal wetland? (44)
 - b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)
 - c. State designated significant fish and/or wildlife habitat? (7)
 - d. State designated significant scenic resource or area? (24)
 - e. State designated important agricultural lands? (26)
 - f. Beach, dune or Barrier Island? (12)
 - g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3)
 - h. State, county, or local park? (19, 20)
 - i. Historic resource listed on the National or State Register of Historic Places? (23)

3. Will the proposed activity require any of the following: YES/NO
- a. Waterfront site? (2, 21, 22)
 - b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)
 - c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)
 - d. State water quality permit or certification? (30, 38, 40)
 - e. State air quality permit or certification? (41, 43)

4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program? (see policies in program document*)

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Anand Agarwal, P.E.
Address: 530 Chestnut Ridge Road, Woodcliff Lake, NJ 07677
Telephone: Area Code () (201) 775-6000
Applicant/Agent's Signature:  Date: 08/19/2020

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
 - a. Copy of original signed form.
 - b. Copy of the completed federal agency application.
 - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

470 Kent Avenue Bulkhead and Platform Replacement

Addendum to
New York State Department of State
Coastal Management Program
Federal Consistency Assessment Form

Applicant: 470 Kent Ave Associates LLC
157 West 57th Street, 45th Floor
New York, NY 10019

Agent: Anand Agarwal, P.E.
M.G. McLaren Engineering
and Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Coastal Assessment C.1.c.:

Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion.

Coastal Assessment C.1.h.:

Policy 15: Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

No mining or dredging is proposed by this project. Minor excavations in the form of removing concrete and timber debris around the shoreline will occur. In addition, there is the possibility of excavating a small amount of soil to install the proposed rip-rap. Best Management Practices (BMPs) will be used to ensure that the site is protected from construction related impacts. The new steel sheet pile bulkhead will serve as an improved erosion control feature.

Policy 35: Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.



470 Kent Avenue Bulkhead and Platform Replacement

Dredging is not proposed by this project. Fill in the form of the new steel sheet pile bulkhead, new high-level concrete platform and riprap will be installed. BMPs will be used to ensure that the site is protected from construction related impacts

Coastal Assessment C.2.a.:

Policy 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

Tidal wetlands will be protected through the use of Best Management Practices. A turbidity curtain will surround the in-water work area to ensure that sediment suspended by in water work does not move beyond the immediate work area. Please refer to Section 1 – Project Narrative for a complete list of BMPs.

Coastal Assessment C.2.b.:

Policy 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The work involves the installation of a new steel sheet pile bulkhead which is a shoreline stabilization structure. The new steel sheet pile bulkhead will protect upland property from damage caused by flooding and erosion. Please refer to Section 2.3 for a complete list of adjacent properties.

Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

There are no beaches, dunes, barrier islands or bluffs at the project site. The work involves installation of shoreline stabilization structures, which will protect upland properties from damage caused by flooding and erosion.

Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

The site is comprised of a deteriorating steel sheet pile bulkhead and partially collapsed concrete platform. The project site is currently experiencing erosion due to the lack of structural stabilization. The existing deteriorated steel sheet pile bulkhead has not sufficiently stabilized the area. As such, a new, steel sheet pile bulkhead is necessary.

Coastal Assessment C.3.a.:

Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

470 Kent Avenue Bulkhead and Platform Replacement

Water-related recreation is not a compatible use for this site; therefore, water-dependent recreation will not be encouraged or facilitated at the site. However, visual access to the waterfront by the public will be encouraged with the installation of a new high-level concrete platform and waterfront promenade.

Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast.

Refer to Policy 2 above.

Policy 22: Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

There is new affordable housing planned in the upland neighborhood, however, the waterfront is not compatible with in-water recreation. While in-water recreation is not suitable for the waterfront, the project proposes to install a new high-level concrete platform which will provide an opportunity for visual access to the waterfront by the public.

Coastal Assessment C.3.c.:

Policy 13: The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

The proposed new steel sheet pile bulkhead has been designed for a lifespan of 40 years with proper maintenance.

Policy 14: Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

The project involves the construction of a new steel sheet pile bulkhead, which is an erosion protection measure. The project will reduce erosion at the site and will not result in increased erosion or flooding of neighboring properties.

Policy 16: Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

470 Kent Avenue Bulkhead and Platform Replacement

Public funds are being utilized for this project in the form of Housing Preservation & Development (HPD) funds. The project involves the construction of a new steel sheet pile bulkhead, which is an erosion protection measure and will therefore reduce erosion at the site. The project will also install a new platform which will give the public visual access to enjoy the scenic waterfront.

Coastal Assessment C.3.d.:

Policy 30: Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.

No municipal, industrial or commercial discharge of pollutants will be involved in this shoreline stabilization project.

Policy 38: The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

The quality and quantity of surface water and groundwater will be protected through the implementation of Best Management Practices, including a turbidity curtain. For a complete list of BMPs, please refer to Section 1 – Project Narrative.

Policy 40: Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Effluent discharge from major steam electric generating and industrial facilities is not involved in this project.

Section V

New York City Waterfront Revitalization Program Consistency

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

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, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: 470 Kent Ave Associates LLC

Name of Applicant Representative: Michael Witek

Address: 157 West 57th Street, 45th Floor, New York NY 10019

Telephone: (212) 759-9777 Email: mwitek@naftaligroup.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site.

2. Purpose of activity

The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 2134 / Lot 150

Street Address: 470 Kent Avenue, Brooklyn, NY

Name of water body (if located on the waterfront): Wallabout Channel and East River

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission Yes No

<input type="checkbox"/> City Map Amendment	<input type="checkbox"/> Zoning Certification	<input type="checkbox"/> Concession
<input type="checkbox"/> Zoning Map Amendment	<input type="checkbox"/> Zoning Authorizations	<input type="checkbox"/> UDAAP
<input type="checkbox"/> Zoning Text Amendment	<input type="checkbox"/> Acquisition – Real Property	<input type="checkbox"/> Revocable Consent
<input type="checkbox"/> Site Selection – Public Facility	<input type="checkbox"/> Disposition – Real Property	<input type="checkbox"/> Franchise
<input type="checkbox"/> Housing Plan & Project	<input type="checkbox"/> Other, explain: _____	
<input type="checkbox"/> Special Permit		

(if appropriate, specify type: Modification Renewal other) Expiration Date: _____

Board of Standards and Appeals Yes No

<input type="checkbox"/> Variance (use)	
<input type="checkbox"/> Variance (bulk)	
<input type="checkbox"/> Special Permit	

(if appropriate, specify type: Modification Renewal other) Expiration Date: _____

Other City Approvals

<input type="checkbox"/> Legislation	<input type="checkbox"/> Funding for Construction, specify: _____
<input type="checkbox"/> Rulemaking	<input type="checkbox"/> Policy or Plan, specify: _____
<input type="checkbox"/> Construction of Public Facilities	<input type="checkbox"/> Funding of Program, specify: _____
<input type="checkbox"/> 384 (b) (4) Approval	<input checked="" type="checkbox"/> Permits, specify: <u>NYGDCP WRP Consistency Determination</u>
<input type="checkbox"/> Other, explain: _____	

State Actions/Approvals/Funding

State permit or license, specify Agency: Refer to JPA Permit type and number: Refer to JPA

Funding for Construction, specify: _____

Funding of a Program, specify: _____

Other, explain: _____

Federal Actions/Approvals/Funding

Federal permit or license, specify Agency: Refer to JPA Permit type and number: Refer to JPA

Funding for Construction, specify: _____

Funding of a Program, specify: _____

Other, explain: _____

Is this being reviewed in conjunction with a [Joint Application for Permits?](#) Yes No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? Yes No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? Yes No
3. Is the project located on publicly owned land or receiving public assistance? Yes No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) Yes No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) Yes No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
 - Significant Maritime and Industrial Area (SMIA) (2.1)
 - Special Natural Waterfront Area (SNWA) (4.1)
 - Priority Maritime Activity Zone (PMAZ) (3.5)
 - Recognized Ecological Complex (REC) (4.4)
 - West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
I	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
5	Protect and improve water quality in the New York City coastal area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i>) into the planning and design of projects in the city's Coastal Zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	Provide public access to, from, and along New York City's coastal waters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	Protect scenic resources that contribute to the visual quality of the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

G. CERTIFICATION

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

"The proposed activity complies with New York State's approved 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's Name: Anand Agarwal, P.E.

Address: 530 Chestnut Ridge Road, Woodcliff Lake, NJ 07677

Telephone: (201) 775-6000 Email: permits@mgmclaren.com

Applicant/Agent's Signature: 

Date: 08/19/2020

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the [NYS Department of State Office of Planning and Development](#) and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning

Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State

Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- Copy of original signed NYC Consistency Assessment Form
- Attachment with consistency assessment statements for all relevant policies
- For Joint Applications for Permits, one (1) copy of the complete application package
- Environmental Review documents
- Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

470 Kent Avenue Bulkhead and Platform Replacement

Addendum to
New York City Waterfront Revitalization Program
Consistency Assessment Form

Applicant: 470 Kent Ave Associates LLC
157 West 57th Street, 45th Floor
New York, NY 10019

Agent: Anand Agarwal, P.E.
M.G. McLaren Engineering
and Land Surveying, P.C.
530 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. The proposed project will also help stabilize the shoreline and increase protection against future flooding and erosion. This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The project site will be rehabilitated to introduce new affordable housing and provide public access to enjoy the scenic view of New York City's waterfront.

Policy 1.2: Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.

There is currently no public access to the waterfront at the project site. This project will create the opportunity for the public to come and enjoy the scenic waterfront through the installment of a new high-level concrete platform.

470 Kent Avenue Bulkhead and Platform Replacement

Policy 1.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.

Please refer to Policy 6.2 for an in-depth description of how climate change and sea level rise was taken into consideration during the planning and designing of the proposed project.

Policy 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.

The project site is located in a Priority Marine Activity Zone, however, there is currently no public access to the water, and no public access is proposed for water-dependent transportation.

Policy 3.5: In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.

The project site is located in a Priority Marine Activity Zone. However, the site is not a working waterfront site. The project proposes to support maintenance of shoreline stabilization features by replacing a deteriorated existing steel sheet pile bulkhead. There is currently no public access to the water, and no public access is proposed for water-dependent uses. However, with the installation of a new high-level concrete platform, visual access to the waterfront by the public will be encouraged.

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

Best Management practices will be used throughout construction to protect the coastal area from construction related impacts. A turbidity curtain will surround the work area and prevent loss of upland sediment into the waterway. In addition, work will be completed during low tide as much as practically possible. Please refer to Section 1 – Project Narrative for a complete list of BMPs.

Policy 4.5: Protect and restore tidal and freshwater wetlands.

BMPs such as a turbidity curtain will be used throughout construction to protect the tidal wetlands from construction related impacts. Please refer to Section 1 – Project Narrative for a complete list of BMPs.

Policy 4.8: Maintain and protect living aquatic resources.

BMPs will be used throughout construction to protect the living aquatic resources from construction related impacts. A turbidity curtain will be utilized. In addition, work will be completed during low tide as much as practically possible. Please refer to Section 1 – Project Narrative for a complete list of BMPs.

470 Kent Avenue Bulkhead and Platform Replacement

Policy 5: Protect and improve water quality in the New York City coastal area.

Water quality will be protected throughout construction with the use of appropriate BMPs as outlined in Section 1 – Project Narrative.

Policy 5.3: Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.

Best Management practices will be used throughout construction to protect water quality from construction related impacts. A turbidity curtain will surround the work area and prevent loss of upland sediment into the waterway. Work will be completed during low tide as much as practically possible. Please refer to Section 1 – Project Narrative for a complete list of BMPs.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resiliency to future conditions created by climate change.

The project proposes to install an erosion protective feature in the form of a new steel sheet pile bulkhead. This bulkhead will minimize loss of property and natural resources, thus allowing for the continued use of the upland property. It will also increase resiliency to future conditions created by climate change.

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

Refer to Policy 6 above.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone.

- 1a. Please see attached Flood Elevation Worksheet.
- 1b. The project proposes to install a new steel sheet pile bulkhead and new high-level concrete platform along the waterfront of the residential property. The bulkhead and platform are below the 1% floodplain over the lifespan of the structure under all sea level rise scenarios. However, they are both located above the MHHW over the lifespan of the structures under all sea rise level scenarios.
- 1c. The new steel sheet pile bulkhead and new high-level concrete platform are above the elevation of the Mean Higher High Water over the lifespan of the structures under all sea level rise scenarios.
- 1d. The project is located in an AE zone. The project does not contain any materials or substances that is made insecure from wind, water or debris that would result in a threat to public health or the environment. No site changes other than the installation of the new steel sheet pile bulkhead, new high-level concrete platform, riprap and outfall are proposed.

470 Kent Avenue Bulkhead and Platform Replacement

- 2a. The project proposes the installation of a new steel sheet pile bulkhead, new high-level concrete platform, riprap and outfall. No other site changes are proposed.
 - 2b. No structures were identified in the response to 1c.
 - 2c. No additional measures are being taken to protect the site from additional hazards. The new steel sheet pile bulkhead is an erosion control structure. Therefore, no other features are necessary.
 - 2d. The project would not affect flood protection of adjacent sites. The project involves installing a new steel sheet pile bulkhead and new high-level concrete platform.
3. This project would advance the policy because it involves the installation of a new steel sheet pile bulkhead that will prevent further deterioration of the existing steel sheet pile bulkhead. Despite falling below the 1% floodplain over the lifespan of the structure under all sea level rise scenarios, the new high-level concrete platform and new steel sheet pile bulkhead are above the elevation of the Mean Higher High Water. Therefore, the proposed structures will provide flooding protection and erosion control to the shoreline.

Policy 6.3: Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.

Public funds are being utilized for this project in the form of Housing Preservation & Development (HPD) funds. The project involves the construction of a new steel sheet pile bulkhead, which is an erosion protection measure and will therefore reduce erosion at the site. The project will also install a new platform which will give the public visual access to enjoy the scenic waterfront. In addition, the project will allow the opportunity to introduce new affordable housing into the neighborhood.

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

The project site does not currently allow public access to the waterfront. However, this project proposes to replace the partially collapsed existing concrete platform with a new high-level concrete platform. This new high-level concrete platform will allow the public to come and enjoy the scenic waterfront visually.

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

This project proposes to create the opportunity to enhance visual access to the waterfront with the installation of a new high-level concrete platform.

Policy 8.3: Provide visual access to the waterfront where physically practical.

470 Kent Avenue Bulkhead and Platform Replacement

The project site will provide the public visual access to enjoy the scenic view of New York City's waterfront. This will be possible through the installation of a new high-level concrete platform and new steel sheet pile bulkhead.

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Worksheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	470 Kent Avenue Bulkhead and Platform Replacement
Location	470 Kent Avenue, Brooklyn, NY 11249
Type(s)	<input checked="" type="checkbox"/> Residential, Commercial, Community Facility <input type="checkbox"/> Parkland, Open Space, and Natural Areas <input type="checkbox"/> Tidal Wetland Restoration <input type="checkbox"/> Critical Infrastructure or Facility <input type="checkbox"/> Industrial Uses <input checked="" type="checkbox"/> Over-water Structures <input checked="" type="checkbox"/> Shoreline Structures <input type="checkbox"/> Transportation <input type="checkbox"/> Wastewater Treatment/Drainage <input type="checkbox"/> Coastal Protection
Description	This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site.
Planned Completion Date	Dec-22
Expected Project Lifespan	2062

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

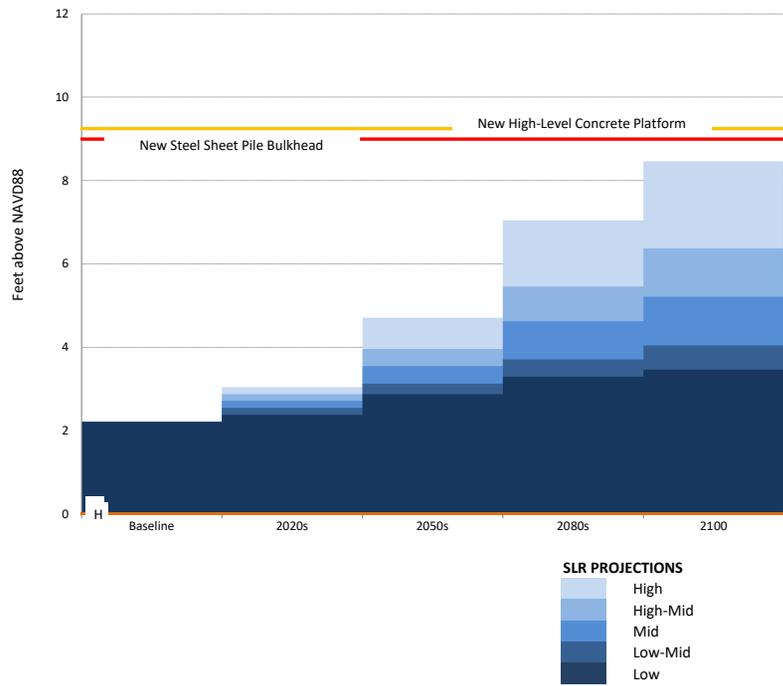
	FT (NAVD88)	Feet	Datum	Source
MHHW	2.21	2.21	NAVD88	
1% flood height	11.00	11.00	NAVD88	
Design flood elevation	11.00	11.00	NAVD88	
<i>As relevant:</i>				
0.2% flood height	-->			

Data will be converted based on the following datums:

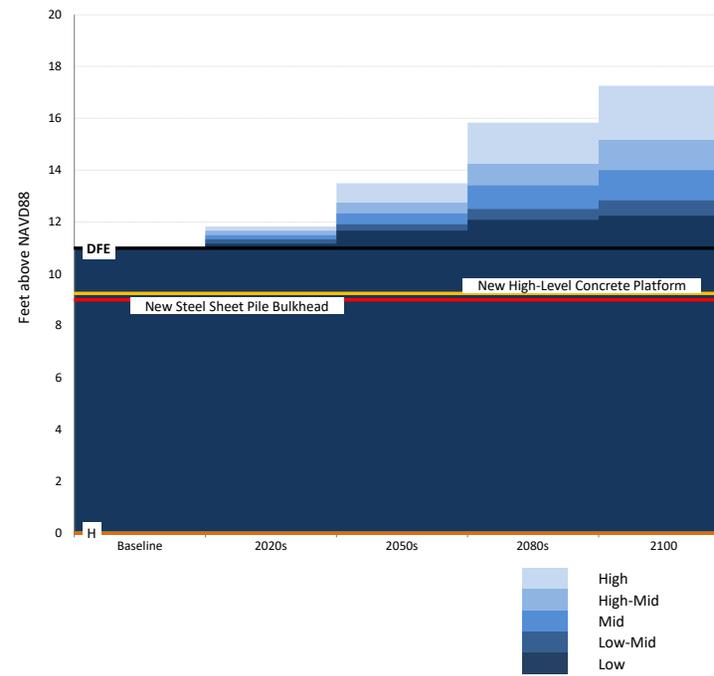
Datum	FT (NAVD88)
NAVD88	0.00
NGVD29	-1.10
Manhattan Datum	1.65
Bronx Datum	1.51
Brooklyn Datum (Sewer)	0.61
Brooklyn Datum (Highway)	1.45
Queens Datum	1.63
Richmond Datum	2.09

Assess project vulnerability over a range of sea level rise projections.

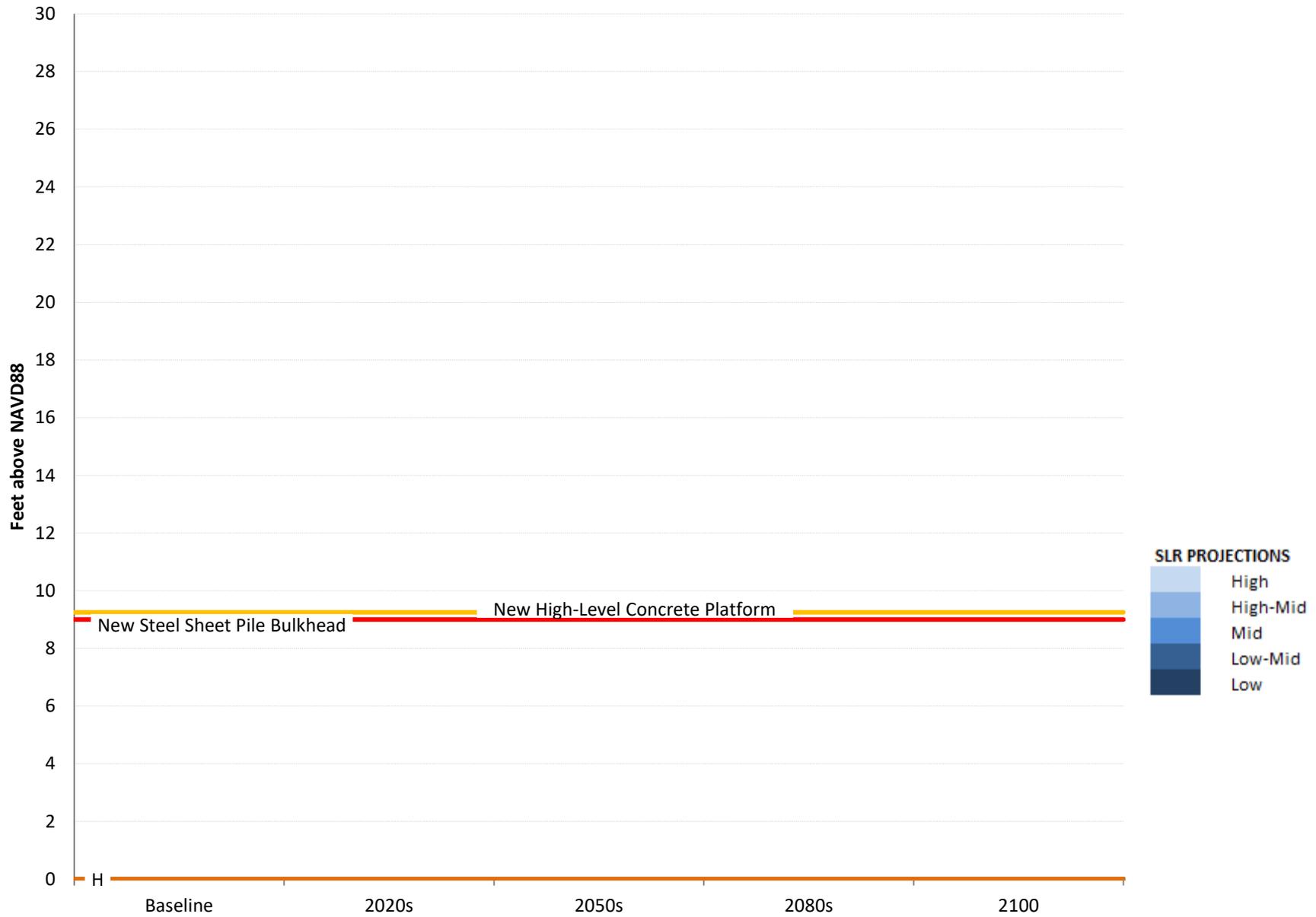
Mean Higher High Water + Sea Level Rise



1% Flood Elevation + Sea Level Rise



0.2% Flood Elevation + Sea Level Rise



	SLR (ft)					
	Low	Low-Mid	Mid	High-Mid	High	
Baseline	0.00	0.00	0.00	0.00	0.00	2014
2020s	0.17	0.33	0.50	0.67	0.83	2020s
2050s	0.67	0.92	1.33	1.75	2.50	2050s
2080s	1.08	1.50	2.42	3.25	4.83	2080s
2100	1.25	1.83	3.00	4.17	6.25	2100

MHHW+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	2.21	2.21	2.21	2.21	2.21
2020s	2.38	2.54	2.71	2.88	3.04
2050s	2.88	3.13	3.54	3.96	4.71
2080s	3.29	3.71	4.63	5.46	7.04
2100	3.46	4.04	5.21	6.38	8.46

1%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	11.00	11.00	11.00	11.00	11.00
2020s	11.17	11.33	11.50	11.67	11.83
2050s	11.67	11.92	12.33	12.75	13.50
2080s	12.08	12.50	13.42	14.25	15.83
2100	12.25	12.83	14.00	15.17	17.25

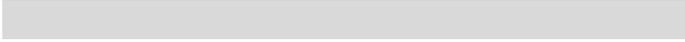
0.2%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2020s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2050s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2080s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2100	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

	0	1
New Steel Sheet Pile Bulkhead	9	9
New High-Level Concrete Platform	9	9.25
C	0	0
D	0	0
E	0	0
F	0	0
G	0	0
H	0	0
DFE	11.00	11.00

SLR (in)

Low	Low-Mid	Mid	High-Mid	High
0	0	0	0	0
2	4	6	8	10
8	11	16	21	30
13	18	29	39	58
15	22	36	50	75



Section VI

Site Photos

470 Kent Avenue Bulkhead and Platform Replacement



Photograph 1 - General view of the collapsed existing concrete platform, looking east.



Photograph 2 – General view of the collapsed existing concrete platform and existing steel sheet pile bulkhead, looking east.

470 Kent Avenue Bulkhead and Platform Replacement



Photograph 3 - General view of the collapsed existing concrete platform, looking east.



Photograph 4 - General cross-sectional view of the existing concrete platform substructure.

470 Kent Avenue Bulkhead and Platform Replacement



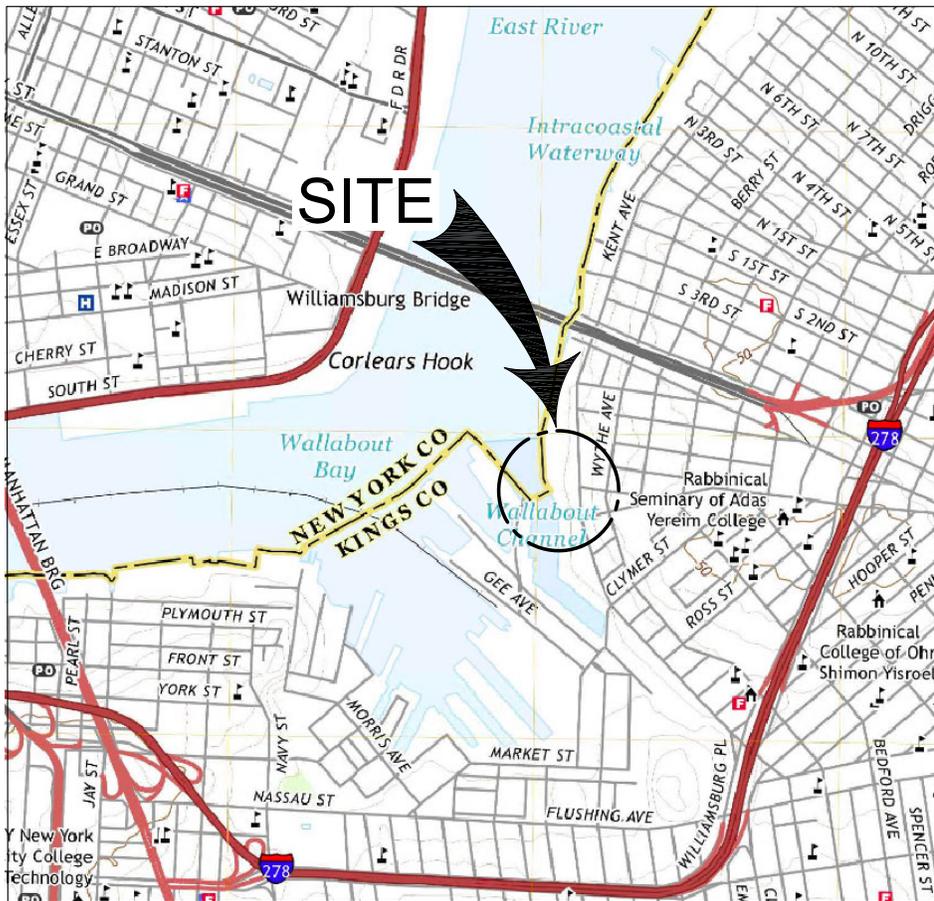
Photograph 5 – General view of the existing steel sheet pile bulkhead, looking east.



Photograph 6 - General view of southern end of collapsed existing concrete platform, looking east.

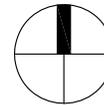
Section VII

Drawings



LOCATION MAP

N.T.S.



PURPOSE: SHORELINE DEVELOPMENT

DATUM: NAVD88

ADJACENT OWNERS:

1. CITY OF NEW YORK/DSBS
2. 475 KENT OWNER LLC
3. W&K PHASE 2 LLC

**470 KENT AVE
WATERFRONT**

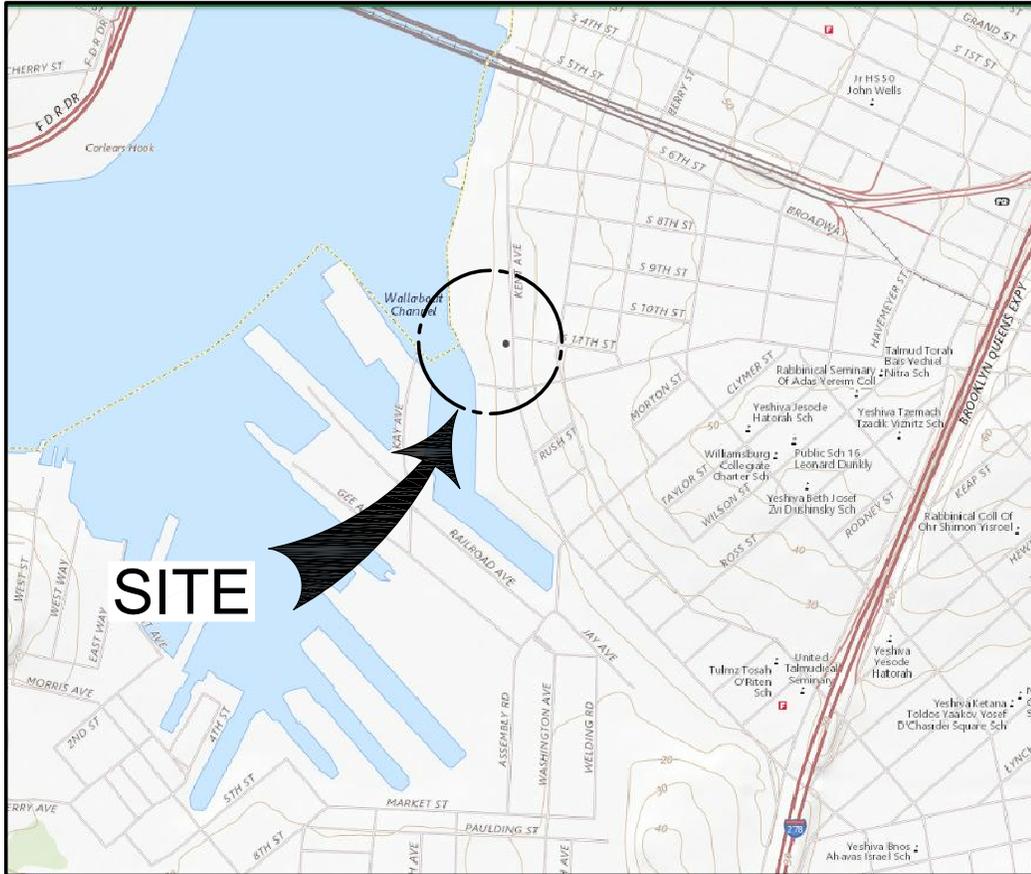
APPLICANT: 470 KENT AVE ASSOCIATES LLC
152 W 57TH STREET, 45TH FL.
NEW YORK, NY 10019

AGENT: M.G. McLAREN, P.C.
131 W 35TH STREET, 4TH FLR
NEW YORK, NY 10001

LOCATION MAP

IN: BROOKLYN
AT: 470 KENT AVENUE
COUNTY OF: KINGS STATE: NY

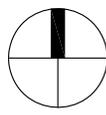
SHT 1 OF 23 08/15/2020



SITE

VICINITY MAP

N.T.S.



<p>PURPOSE: SHORELINE DEVELOPMENT</p> <p>DATUM: NAVD88</p> <p>ADJACENT OWNERS:</p> <ol style="list-style-type: none"> 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC 	<p>470 KENT AVE WATERFRONT</p> <p>APPLICANT: 470 KENT AVE ASSOCIATES LLC 152 W 57TH STREET, 45TH FL. NEW YORK, NY 10019</p> <p>AGENT: M.G. McLAREN, P.C. 131 W 35TH STREET, 4TH FLR NEW YORK, NY 10001</p>	<p>VICINITY MAP</p> <p>IN: BROOKLYN AT: 470 KENT AVENUE COUNTY OF: KINGS STATE: NY</p> <p>SHT 2 OF 23 08/15/2020</p>
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DATUM CHART

DESCRIPTION	NOAA MHHW	NAVD '88	NGVD '29	NOAA MLLW
**FEMA VE 14	11.79'	14.00'	15.10'	16.62'
**FEMA AE 13	10.79'	13.00'	14.10'	15.62'
**FEMA AE 12	9.79'	12.00'	13.10'	14.62'
*HOWL (10/30/2012)	9.06'	11.27'	12.37'	13.89'
**FEMA AE 11	8.79'	11.00'	12.10'	13.62'
*HAT (10/16/1993 13:12)	1.37'	3.58'	4.68'	6.20'
SHT	0.17'	2.38'	3.48'	5.00'
MHHW	0.00'	2.21'	3.31'	4.83'
MHW	-0.34'	1.87'	2.97'	4.49'
NAVD '88	-2.21'	0.00'	1.10'	2.62'
MSL	-2.42'	-0.21'	0.89'	2.41'
NGVD '29	-3.31'	-1.10'	0.00'	1.52'
MLW	-4.60'	-2.39'	-1.29'	0.23'
MLLW	-4.83'	-2.62'	-1.52'	0.00'
*LAT (1/21/1996 20:06)	-6.37'	-4.16'	-3.06'	-1.54'
*LOWL (2/2/1976)	-9.27'	-7.06'	-5.96'	-4.44'

TIDAL DATUM CHART

N.T.S.

PURPOSE: SHORELINE DEVELOPMENT

DATUM: NAVD88

ADJACENT OWNERS:

1. CITY OF NEW YORK/DSBS
2. 475 KENT OWNER LLC
3. W&K PHASE 2 LLC

470 KENT AVE
WATERFRONT

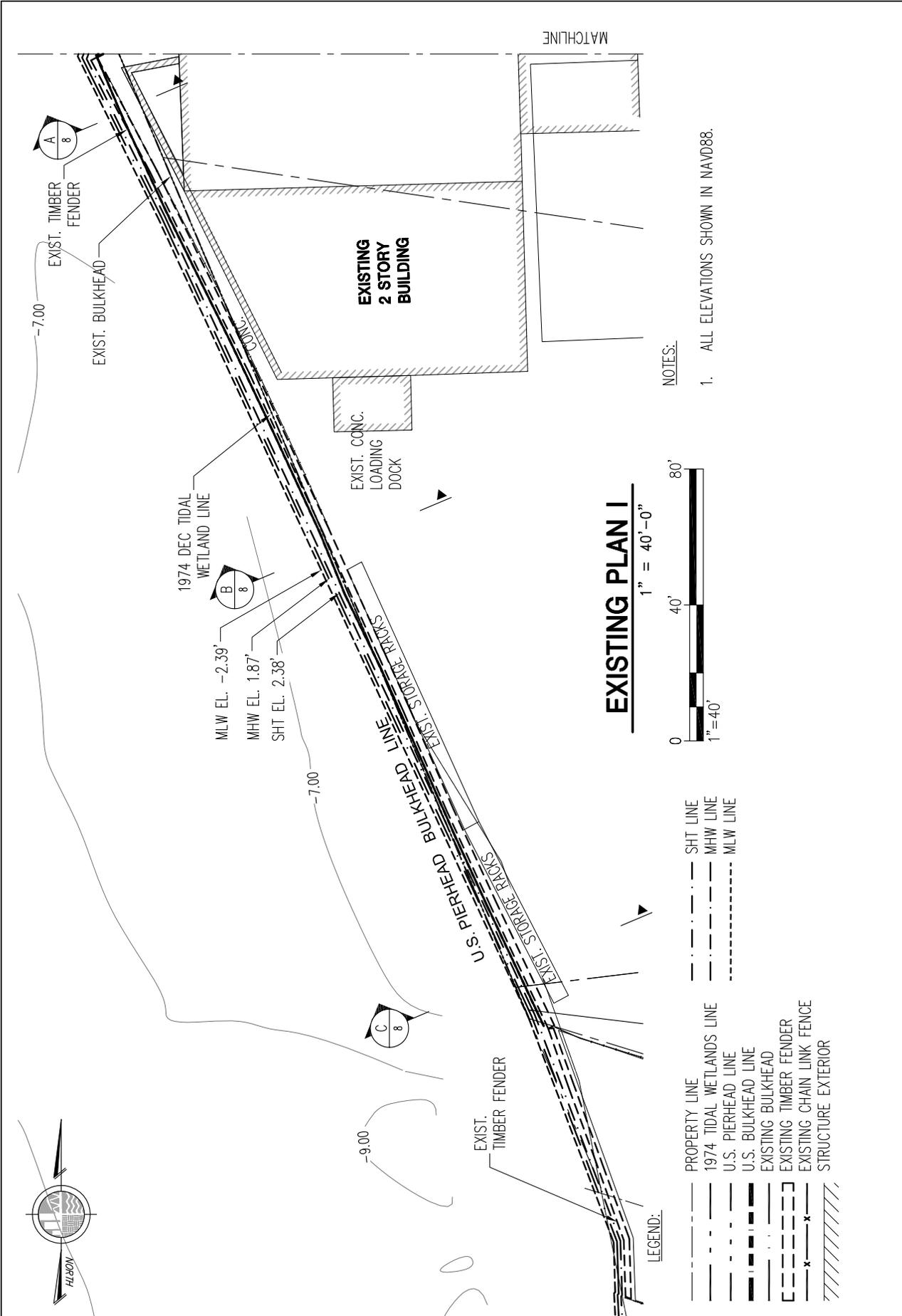
APPLICANT: 470 KENT AVE ASSOCIATES LLC
152 W 57TH STREET, 45TH FL.
NEW YORK, NY 10019

AGENT: M.G. McLAREN, P.C.
131 W 35TH STREET, 4TH FLR
NEW YORK, NY 10001

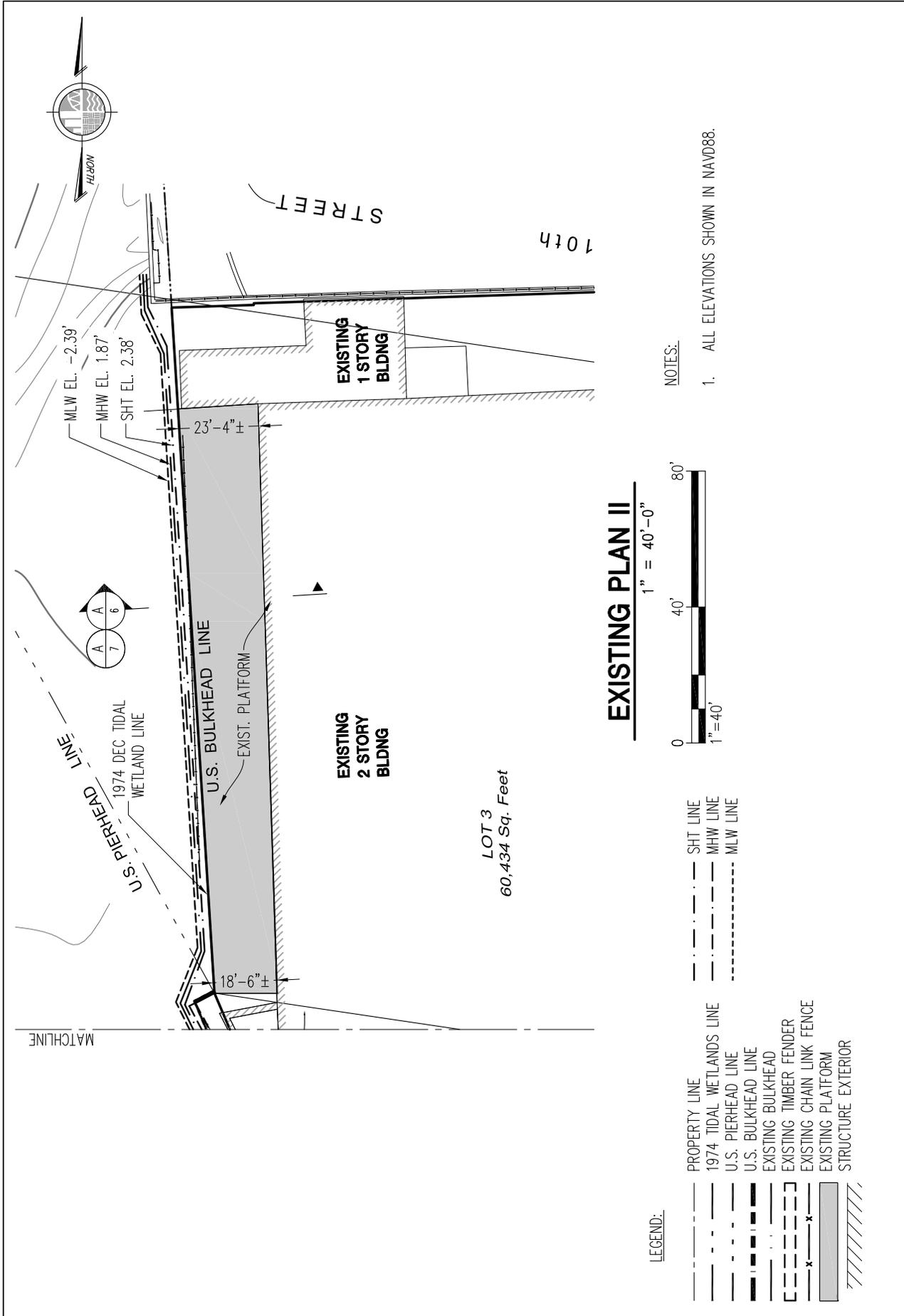
TIDAL DATUM CHART

IN: BROOKLYN
AT: 470 KENT AVENUE
COUNTY OF: KINGS STATE: NY

SHT 3 OF 23 08/15/2020



PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT		EXISTING PLAN I
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS	STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019

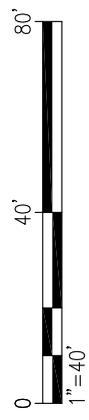


LEGEND:

- PROPERTY LINE
- - - 1974 TIDAL WETLANDS LINE
- - - U.S. PIERHEAD LINE
- - - U.S. BULKHEAD LINE
- - - EXISTING BULKHEAD
- - - EXISTING TIMBER FENDER
- - - EXISTING CHAIN LINK FENCE
- - - EXISTING PLATFORM
- /// STRUCTURE EXTERIOR
- SHT LINE
- - - MHW LINE
- - - MLW LINE

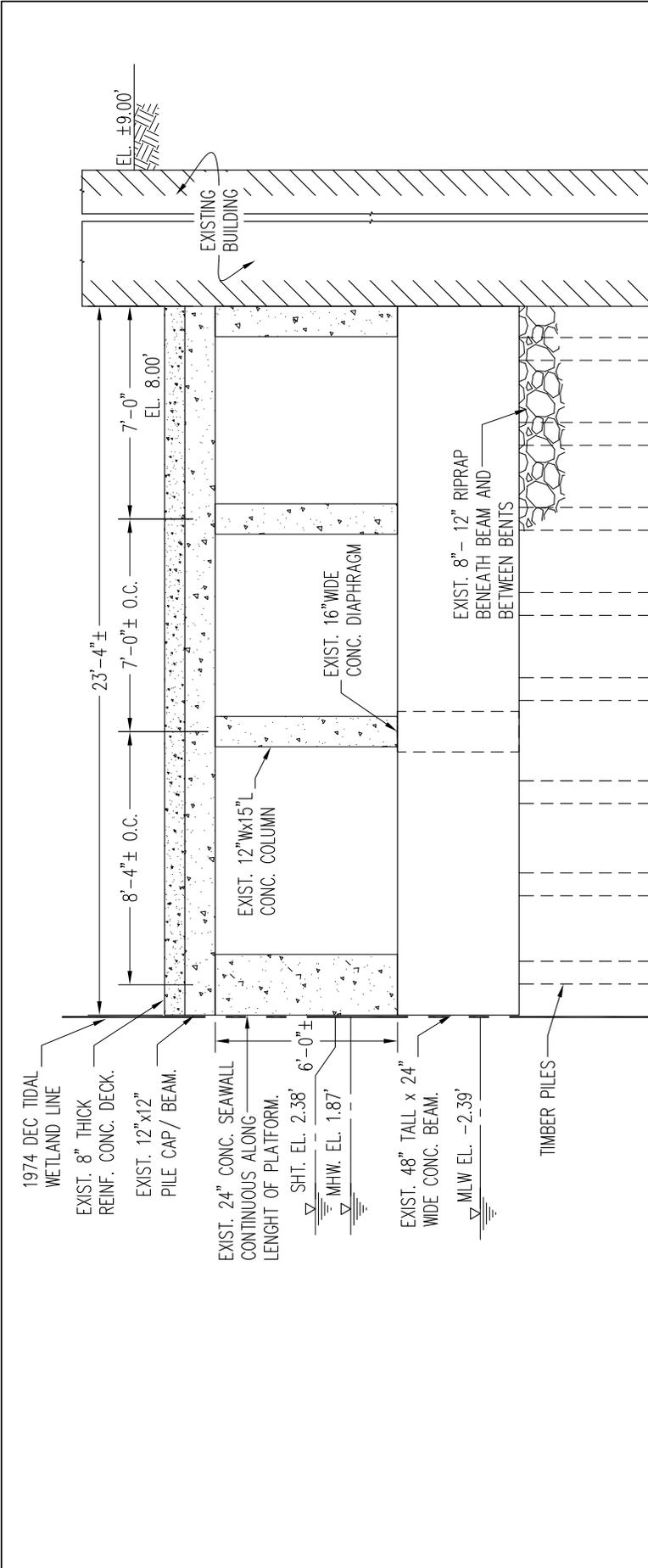
EXISTING PLAN II

1" = 40'-0"



NOTES:
1. ALL ELEVATIONS SHOWN IN NAVD88.

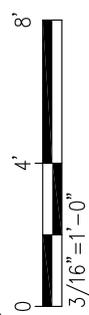
PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	EXISTING PLAN II
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS	STATE: NY APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019



**ORIGINAL EXISTING
PLATFORM SECTION**

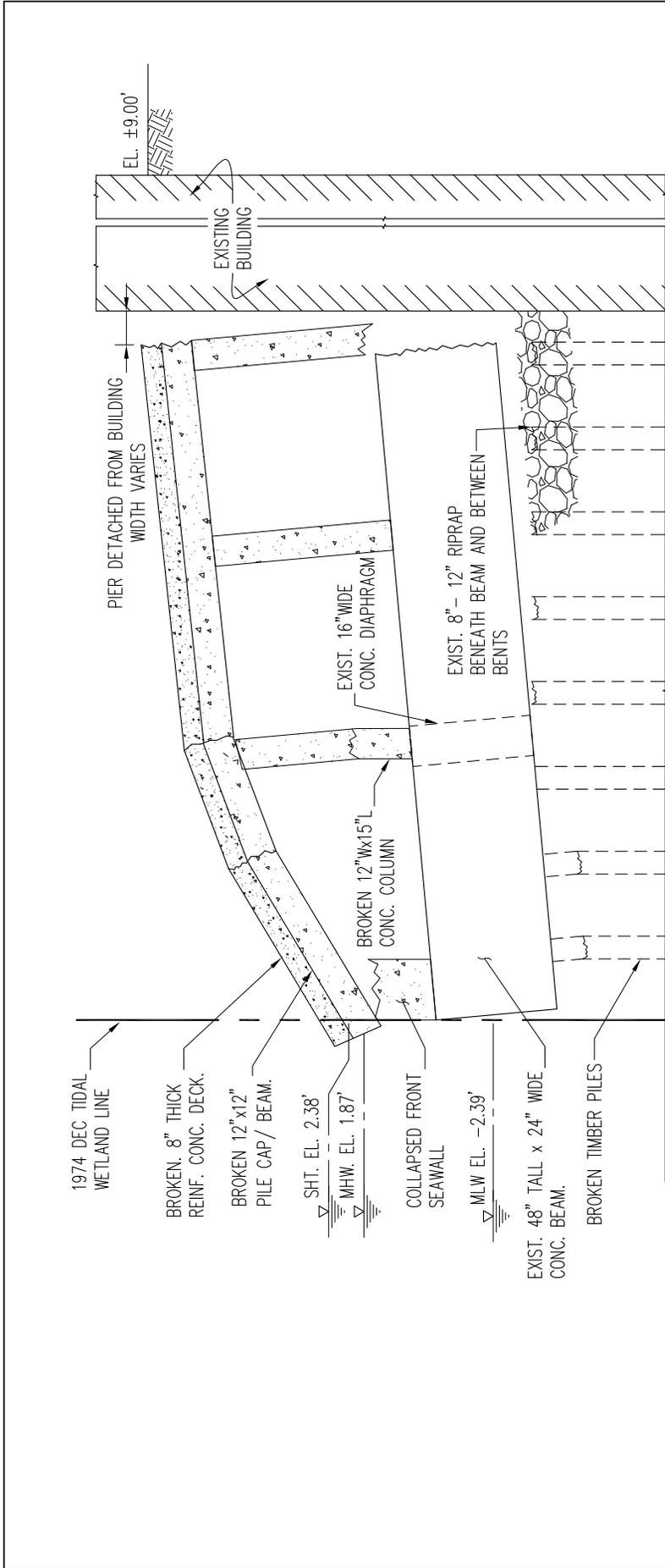
A
6

3/16" = 1'-0"



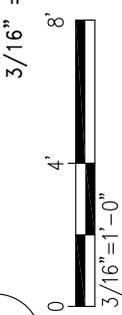
- LEGEND:**
- 1974 TIDAL WETLANDS LINE
 - EXISTING RIPRAP
 - EXISTING CONCRETE
 - EXISTING BUILDING LIMITS

PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	EXISTING SECTIONS I
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019



CURRENT EXISTING PLATFORM SECTION

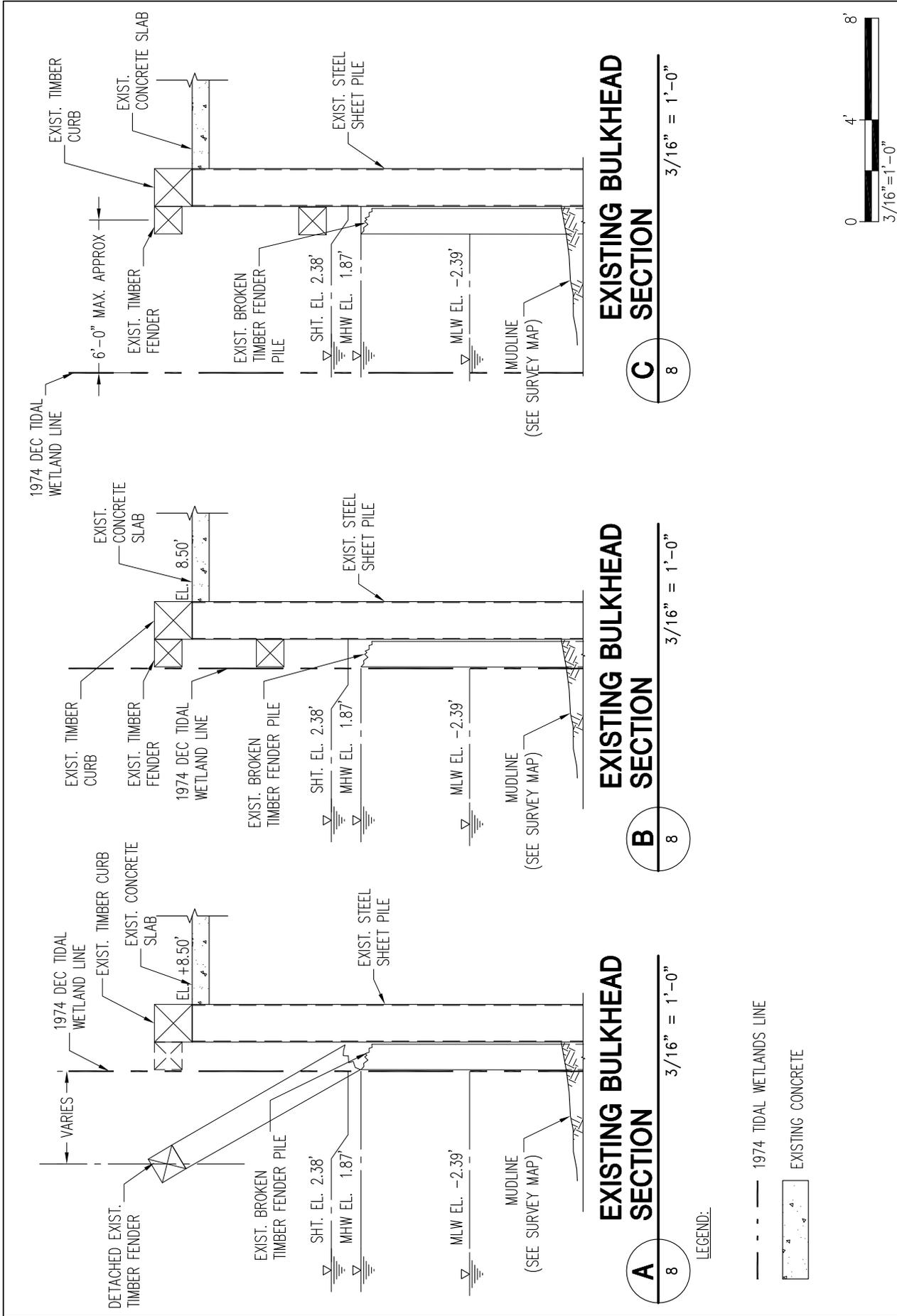
A
7



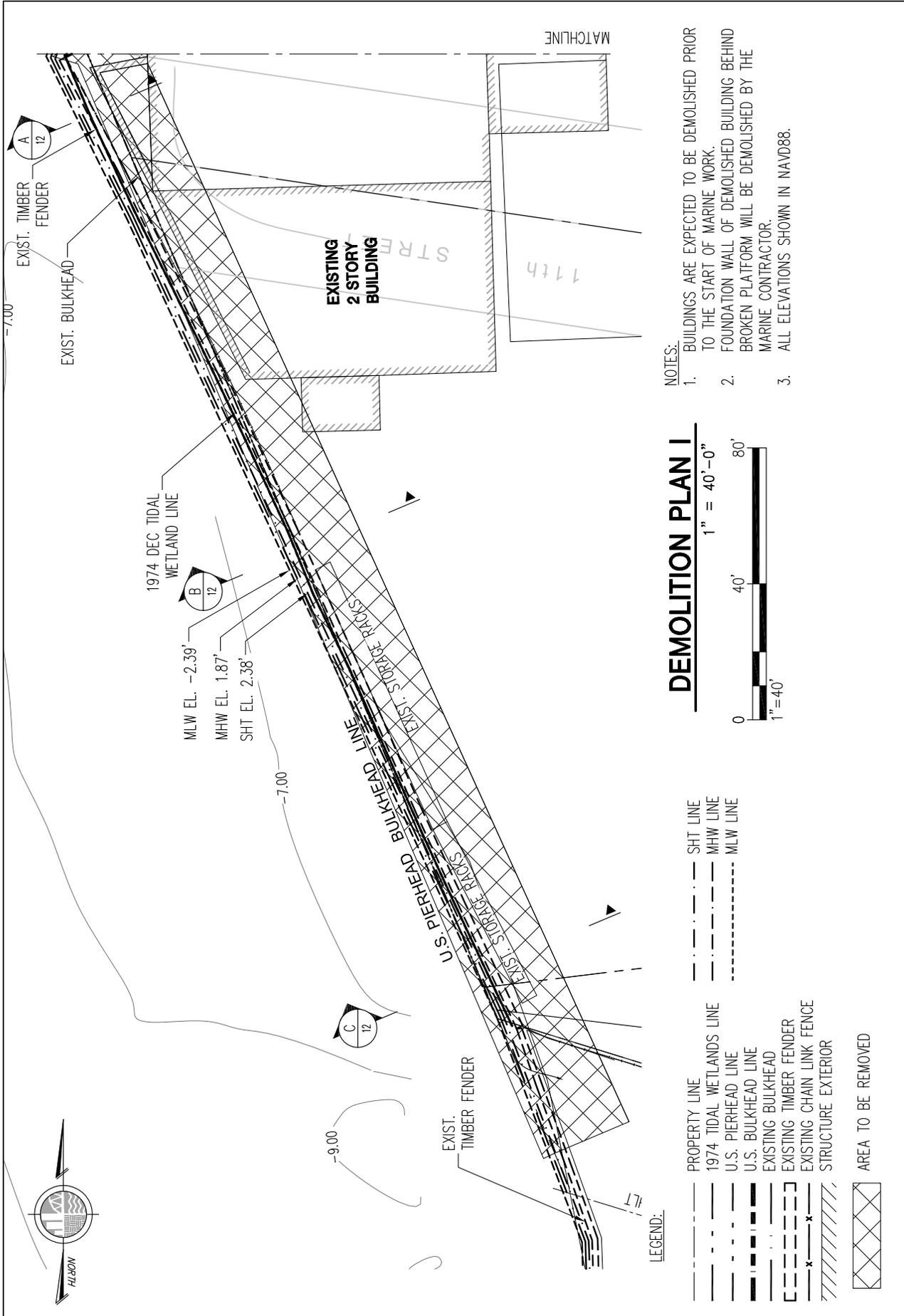
- NOTES:**
- EXISTING SLOPING OF CONCRETE BEAMS IS 1V : 4H SLOPPING DOWN FROM BUILDING TO WATER .
 - BENT SPACING IS APPROX. 10'-0" THROUGHOUT LENGTH OF PLATFORM

- LEGEND:**
- 1974 TIDAL WETLANDS LINE
 - EXISTING RIPRAP
 - EXISTING CONCRETE
 - EXISTING BUILDING LIMITS

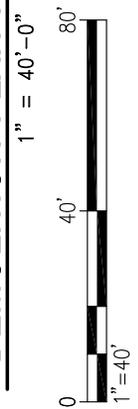
PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	EXISTING SECTIONS II
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019



PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	EXISTING SECTIONS III
AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	08/15/2020 SHT 8 OF 23



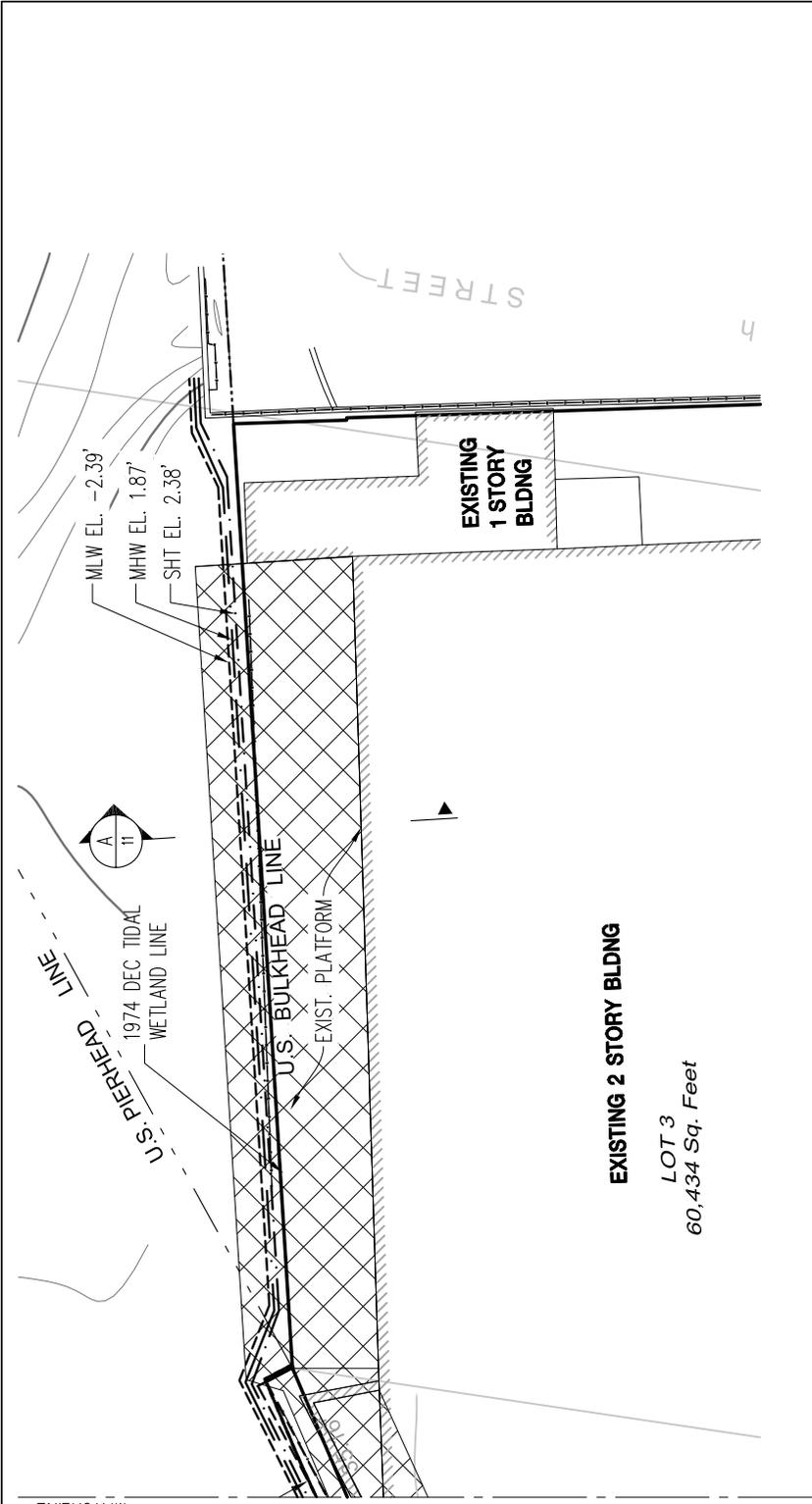
DEMOLITION PLAN I



- NOTES:**
- BUILDINGS ARE EXPECTED TO BE DEMOLISHED PRIOR TO THE START OF MARINE WORK.
 - FOUNDATION WALL OF DEMOLISHED BUILDING BEHIND BROKEN PLATFORM WILL BE DEMOLISHED BY THE MARINE CONTRACTOR.
 - ALL ELEVATIONS SHOWN IN NAVD88.

- LEGEND:**
- PROPERTY LINE
 - 1974 TIDAL WETLANDS LINE
 - U.S. PIERHEAD LINE
 - U.S. BULKHEAD LINE
 - EXISTING BULKHEAD
 - EXISTING TIMBER FENDER
 - EXISTING CHAIN LINK FENCE
 - STRUCTURE EXTERIOR
 - SHT LINE
 - MHW LINE
 - MLW LINE
 - AREA TO BE REMOVED

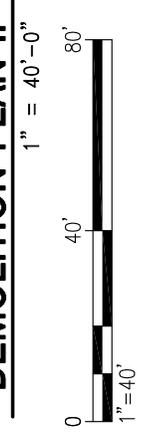
PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT AVENUE LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001		470 KENT AVENUE WATERFRONT		DEMOLITION PLAN I
AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS		APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019		08/15/2020
				SHT 9 OF 23



LEGEND:

- PROPERTY LINE
- - - 1974 TIDAL WETLANDS LINE
- · - · U.S. PIERHEAD LINE
- - - U.S. BULKHEAD LINE
- ▨ EXISTING BULKHEAD
- ▨ EXISTING TIMBER FENDER
- ▨ EXISTING CHAIN LINK FENCE
- ▨ EXISTING PLATFORM
- ▨ STRUCTURE EXTERIOR
- ▨ AREA TO BE REMOVED

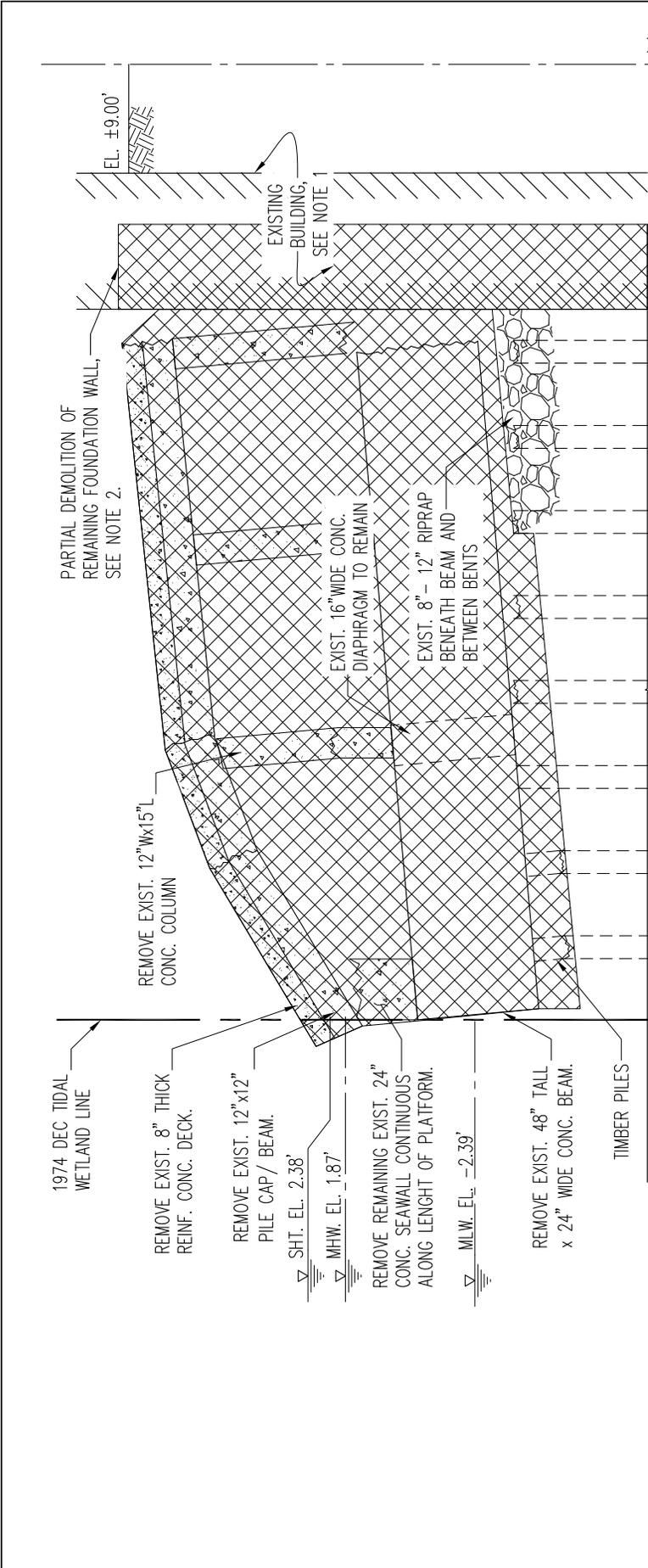
DEMOLITION PLAN II



NOTES:

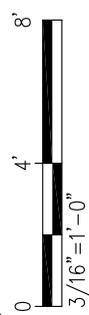
1. BUILDINGS ARE EXPECTED TO BE DEMOLISHED PRIOR TO THE START OF MARINE WORK.
2. FOUNDATION WALL OF DEMOLISHED BUILDING BEHIND BROKEN PLATFORM WILL BE DEMOLISHED BY THE MARINE CONTRACTOR.
3. ALL ELEVATIONS SHOWN IN NAVD88.

<p>PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001</p>	<p>470 KENT AVENUE WATERFRONT</p>	<p>DEMOLITION PLAN II</p>
<p>AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS</p>	<p>APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019</p>	<p>08/15/2020</p> <p>SHT 10 OF 23</p>



DEMOLITION A PLATFORM SECTION

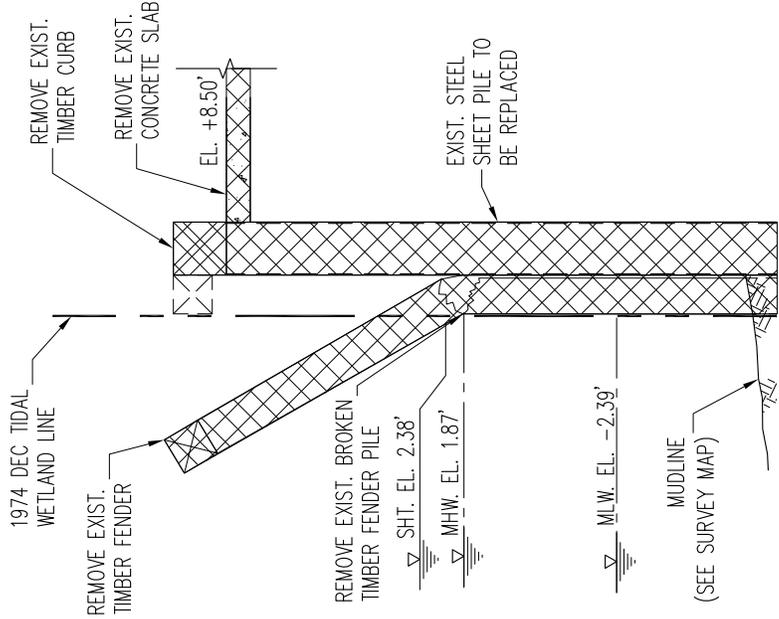
11
3/16" = 1'-0"



- LEGEND:**
- 1974 TIDAL WETLANDS LINE
 - EXISTING RIPRAP
 - AREA TO BE REMOVED
 - EXISTING BUILDING LIMITS

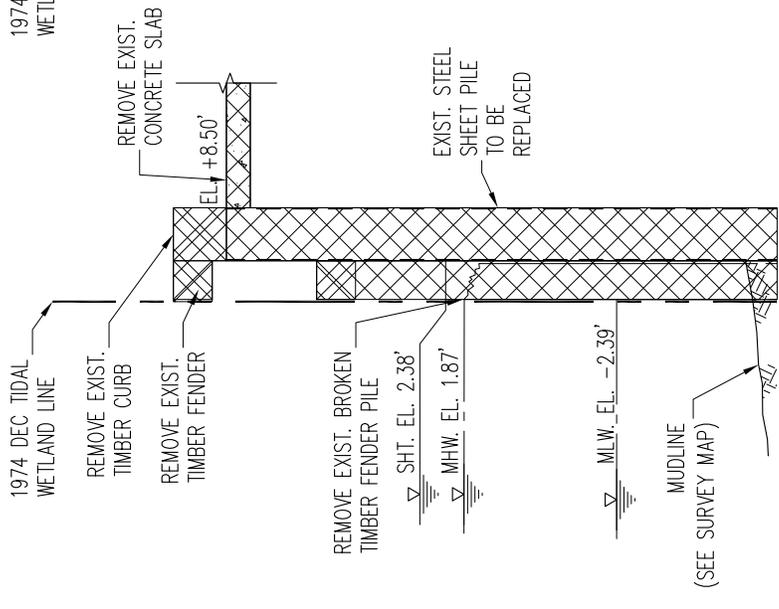
- NOTES:**
1. BUILDINGS ARE EXPECTED TO BE DEMOLISHED PRIOR TO THE START OF MARINE WORK.
 2. FOUNDATION WALL OF DEMOLISHED BUILDING BEHIND BROKEN PLATFORM WILL BE DEMOLISHED BY THE MARINE CONTRACTOR, AS THE WALL CURRENTLY ACTS AS THE BULKHEAD.
 3. ALL ELEVATIONS SHOWN IN NAVD88.

PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	DEMOLITION SECTION 1
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS	STATE: NY
		08/15/2020
		SHT 11 OF 23



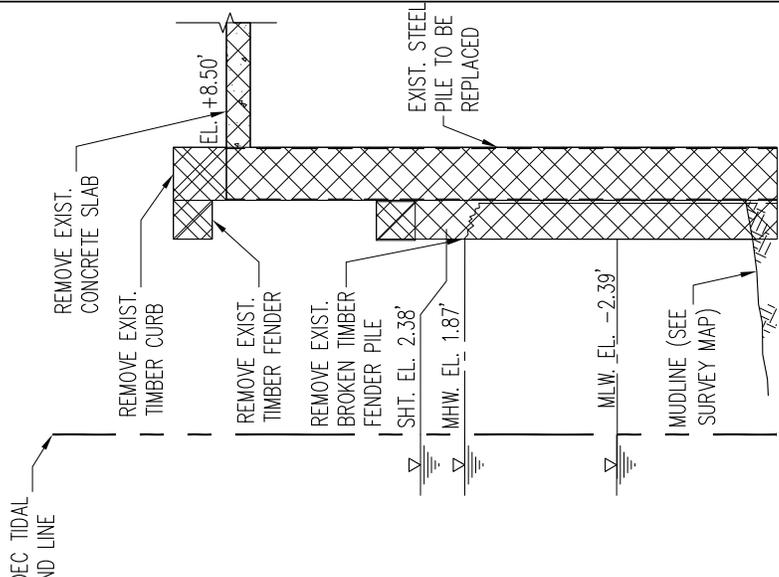
EXISTING BULKHEAD SECTION A

12 $3/16" = 1'-0"$



EXISTING BULKHEAD SECTION B

12 $3/16" = 1'-0"$

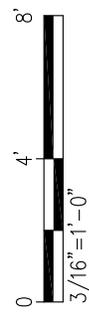


EXISTING BULKHEAD SECTION C

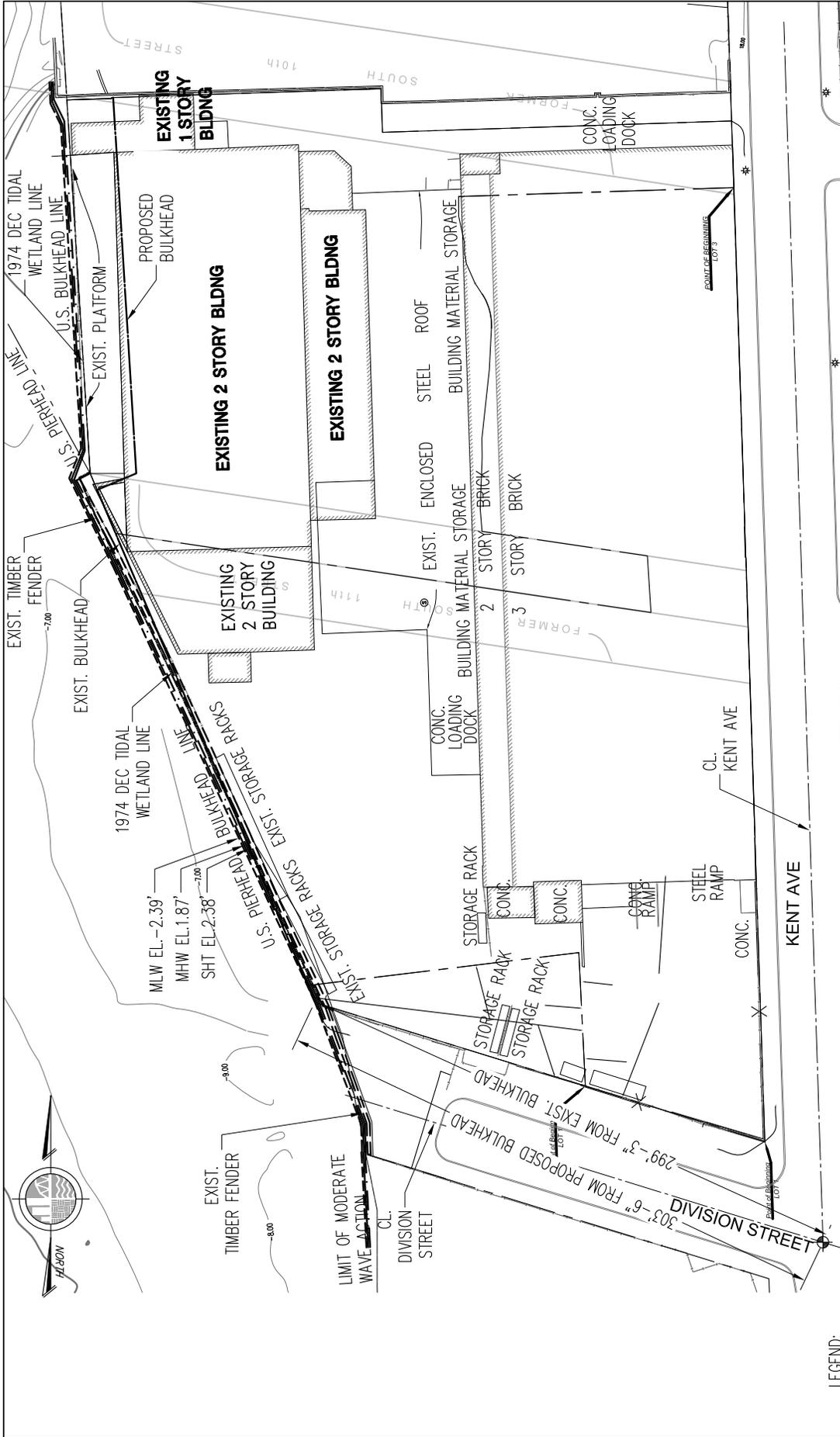
12 $3/16" = 1'-0"$

LEGEND:

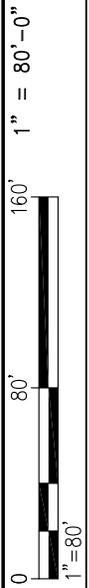
- - - 1974 TIDAL WETLANDS LINE
- [Cross-hatched box] AREA TO BE REMOVED



<p>PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001</p>	<p>470 KENT AVENUE WATERFRONT</p> <p>AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY</p> <p>APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019</p>	<p>DEMOLITION SECTIONS II</p> <p>08/15/2020</p> <p>SHT.12 OF 23</p>
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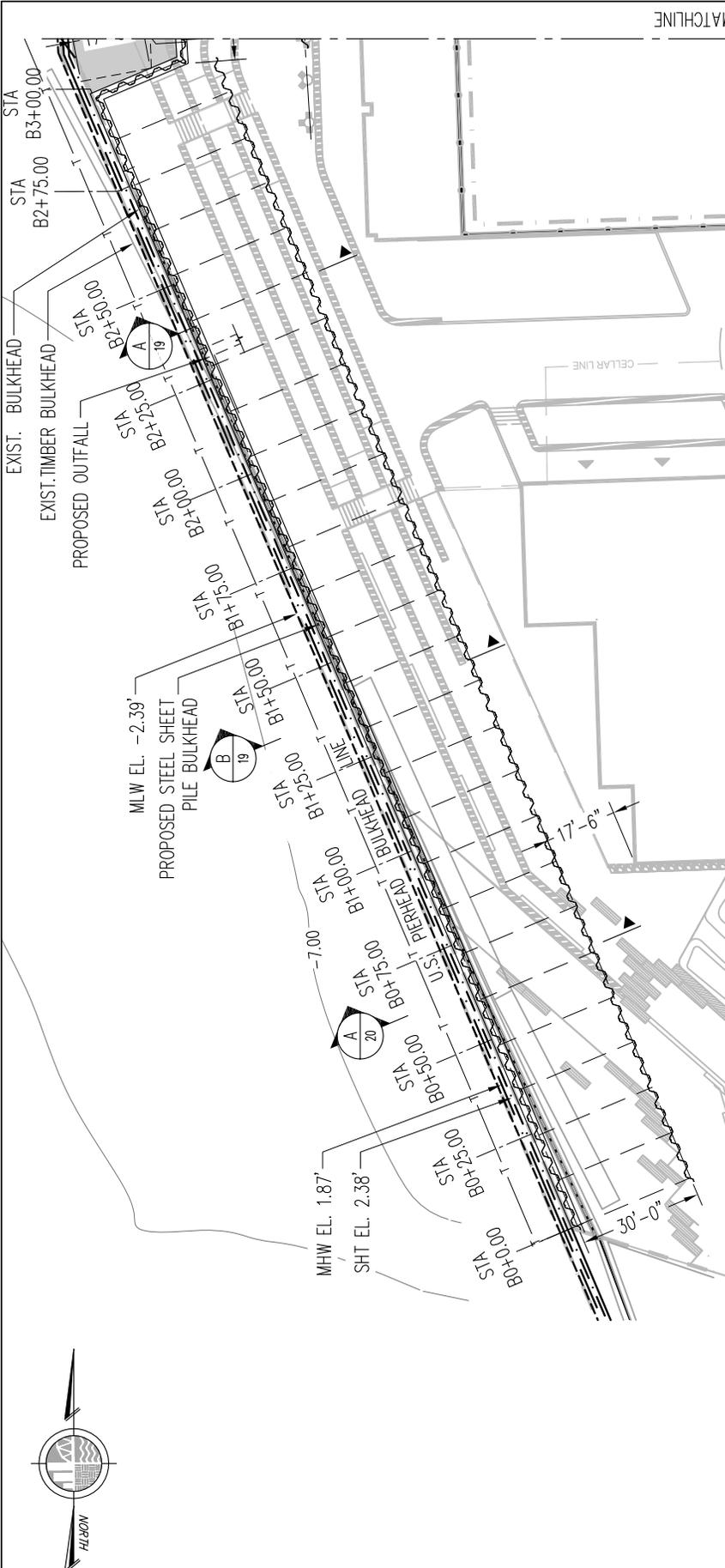
EXISTING BULKHEAD AND PROPOSED BULKHEAD COMPARISON



LEGEND:

- PROPERTY LINE
- - - SHT LINE
- . - . 1974 TIDAL WETLANDS LINE
- - - MHW LINE
- . - . U.S. PIERHEAD LINE
- - - MLW LINE
- . - . U.S. BULKHEAD LINE
- - - REFERENCE POINT
- . - . EXISTING BULKHEAD
- - - PROPOSED BULKHEAD

PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	EXIST. BULKHEAD AND PROPOSED BULKHEAD COMPARISON 08/15/2020	EXIST. BULKHEAD AND PROPOSED BULKHEAD COMPARISON	08/15/2020	SHT 13 OF 23
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PROPOSED PLAN I

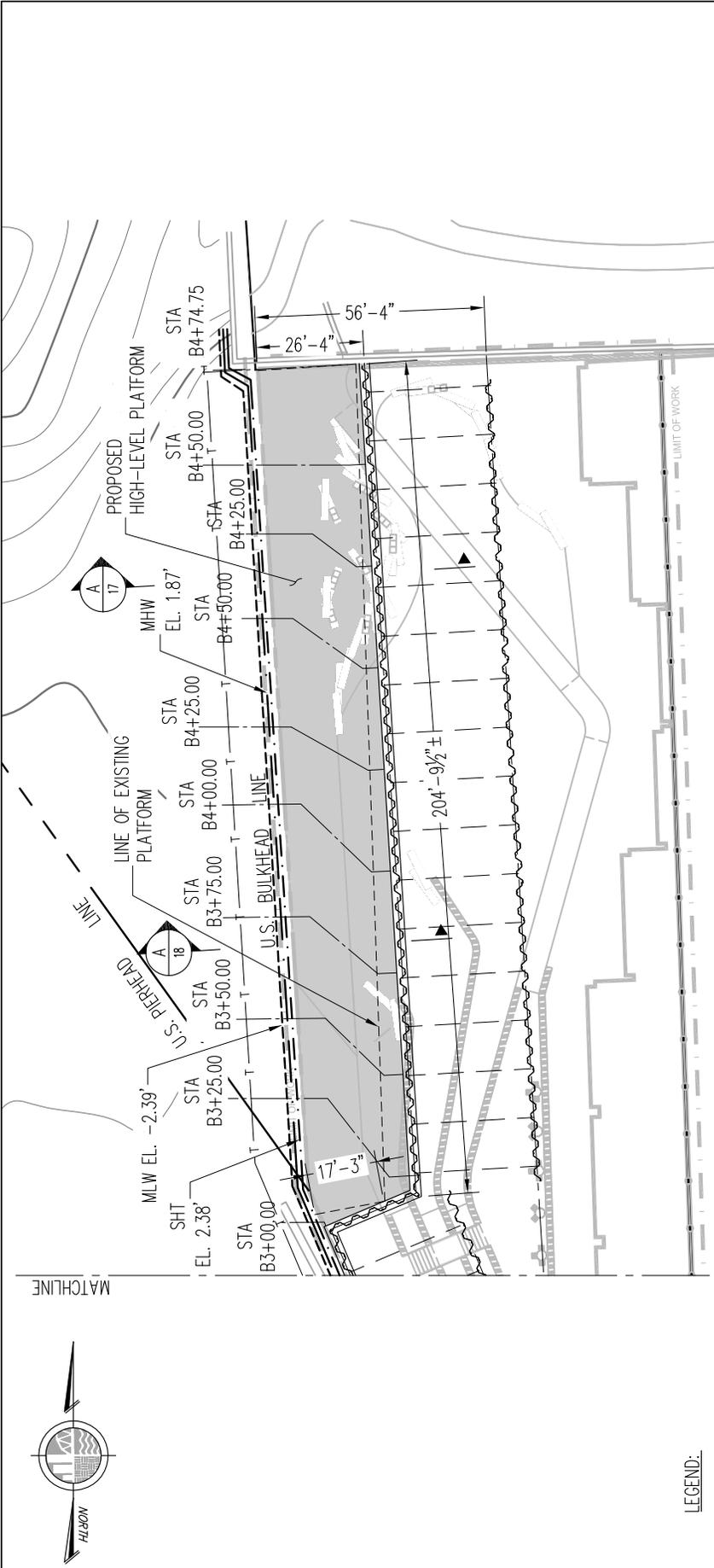
1" = 40'-0"



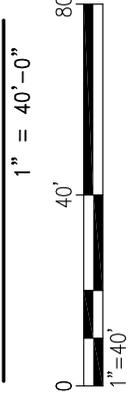
- LEGEND:**
- PROPERTY LINE
 - - - 1974 TIDAL WETLANDS LINE
 - U.S. PIERHEAD LINE
 - · - · U.S. BULKHEAD LINE
 - - - X-XX CONTOUR LINE
 - PROPOSED STEEL SHEET PILE
 - PROPOSED TIEBACKS
 - PROPOSED STEEL SHEET PILE DEADMAN
 - SHT LINE
 - · - · MHW LINE
 - - - MLW LINE
 - · - · TURBIDITY CURTAIN

- NOTES:**
1. THE NEW STEEL SHEET PILE BULKHEAD WILL BE APPROXIMATELY 320 LINEAR FT.
 2. THE NEW STEEL SHEET PILE BULKHEAD WILL BE DRIVEN 9 IN. OUTBOARD OF THE EXISTING STEEL SHEET PILE BULKHEAD.
 3. THE TOTAL AREA OF FILL FOR THE PROPOSED PROJECT IS 6,844 SQUARE FT., BUT WILL ULTIMATELY RESULT IN A NET CUT.
 4. ALL ELEVATIONS SHOWN IN NAVD88.

<p>PURPOSE: SHORELINE DEVELOPMENT</p> <p>DATUM: NAVD 88</p> <p>ADJACENT OWNERS:</p> <p>1. CITY OF NEW YORK/DSBS</p> <p>2. 475 KENT OWNER LLC</p> <p>3. W&K PHASE 2 LLC</p> <p>AGENT: M.G. McLAREN, P.C.</p> <p>131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001</p>	<p>470 KENT AVENUE WATERFRONT</p>	<p>PROPOSED PLAN I</p>
<p>AT: 470 KENT AVENUE</p> <p>IN: BROOKLYN</p> <p>COUNTY OF: KINGS</p> <p>STATE: NY</p>	<p>APPLICANT:</p> <p>470 KENT AVE ASSOCIATES LLC</p> <p>152W 57TH STREET, 45TH FLOOR</p> <p>NEW YORK, NY 10019</p>	<p>08/15/2020</p> <p>SHT 14 OF 23</p>



PROPOSED PLAN II



NOTES:

1. THE NEW HIGH-LEVEL CONCRETE PLATFORM WILL BE APPROXIMATELY 236 FT. LONG BY 25 FT. WIDE.
2. THE TOTAL AREA OF FILL FOR THE PROPOSED PROJECT IS 6,844 SQUARE FT., BUT WILL ULTIMATELY RESULT IN A NET CUT.
3. ALL ELEVATIONS SHOWN IN NAVD88.

LEGEND:

- PROPERTY LINE
- - - 1974 TIDAL WETLANDS LINE
- - - U.S. PIERHEAD LINE
- - - U.S. BULKHEAD LINE
- - - CONTOUR LINE
- - - X-XX EXISTING PLATFORM
- ▭ PROPOSED STEEL SHEET PILE
- PROPOSED TIEBACKS
- ~ PROPOSED STEEL SHEET PILE DEADMAN
- ▭ PROPOSED PLATFORM
- SHT LINE
- - - MHW LINE
- - - MLW LINE
- - - TURBIDITY CURTAIN

PURPOSE: SHORELINE DEVELOPMENT
DATUM: NAVD 88
ADJACENT OWNERS:
 1. CITY OF NEW YORK/DSBS
 2. 475 KENT OWNER LLC
 3. W&K PHASE 2 LLC
AGENT: M.G. McLAREN, P.C.
 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001

470 KENT AVENUE WATERFRONT

AT: 470 KENT AVENUE
IN: BROOKLYN
COUNTY OF: KINGS
STATE: NY

APPLICANT:
 470 KENT AVE ASSOCIATES LLC
 152W 57TH STREET, 45TH FLOOR
 NEW YORK, NY 10019

PROPOSED PLAN II

08/15/2020
 SHT 15 OF 23

CUT/ FILL SUMMARY (CY)		
	BELOW MHW	BELOW SHT
ELEVATION (NAVD88)	1.87	2.38
CUT		
EXIST. CONC.+ DEBRIS	-246	-248
PLATFORM	-288	-308
TOTAL	-534	-556
FILL		
BULKHEAD	64	70
PILES	40	42
RIP-RAP	393	393
TOTAL	497	505
NET TOTAL	-37	-51

PROPOSED CUT AND FILL ANALYSIS

N.T.S.

PURPOSE: SHORELINE DEVELOPMENT

DATUM: NAVD88

ADJACENT OWNERS:

1. CITY OF NEW YORK/DSBS
2. 475 KENT OWNER LLC
3. W&K PHASE 2 LLC

470 KENT AVE
WATERFRONT

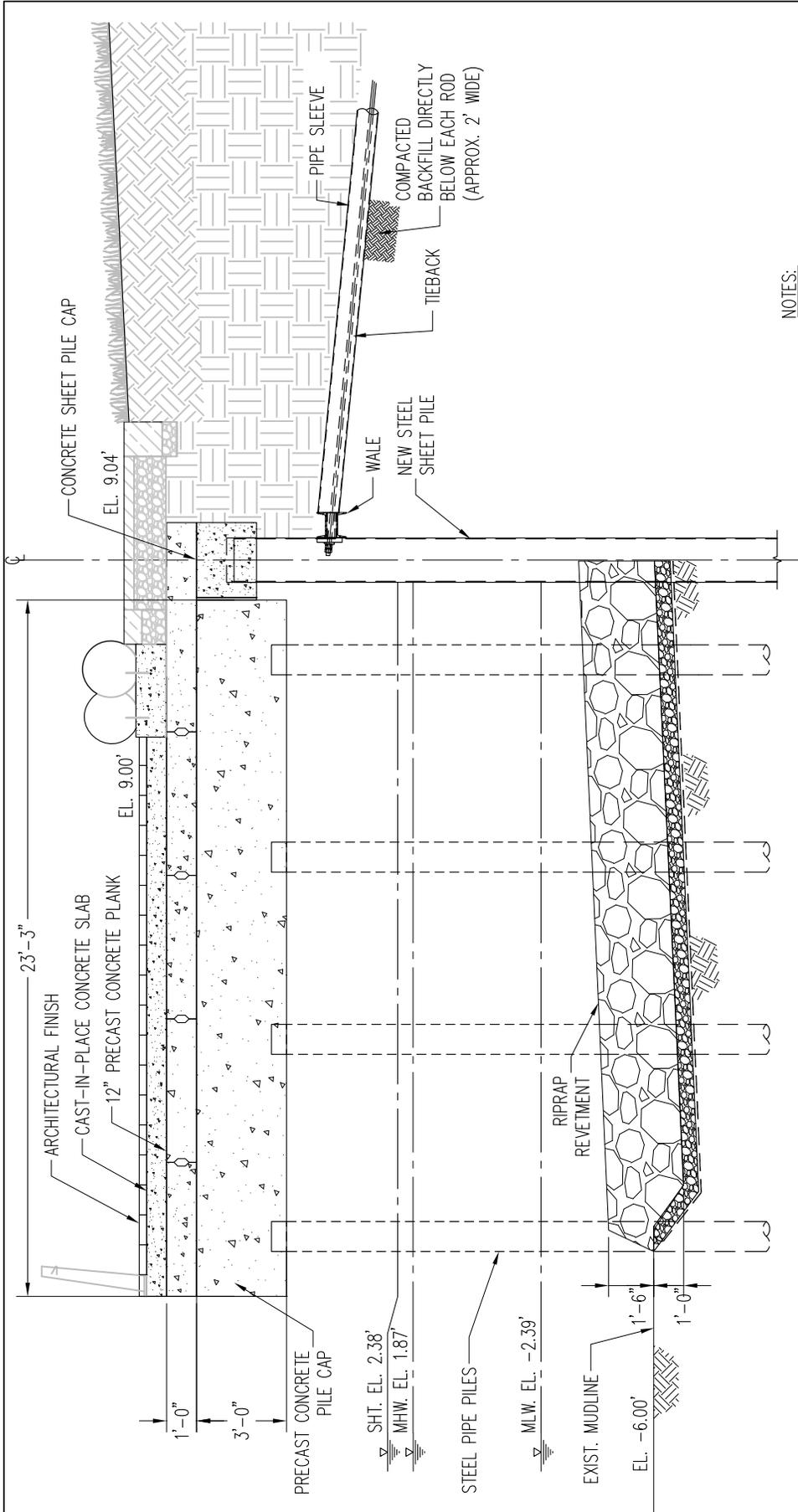
APPLICANT: 470 KENT AVE ASSOCIATES LLC
152 W 57TH STREET, 45TH FL.
NEW YORK, NY 10019

AGENT: M.G. McLAREN, P.C.
131 W 35TH STREET, 4TH FLR
NEW YORK, NY 10001

PROPOSED CUT AND FILL
ANALYSIS

IN: BROOKLYN
AT: 470 KENT AVENUE
COUNTY OF: KINGS STATE: NY

SHT 16 OF 23 08/15/2020



**TYPICAL PROPOSED
PLATFORM SECTION**

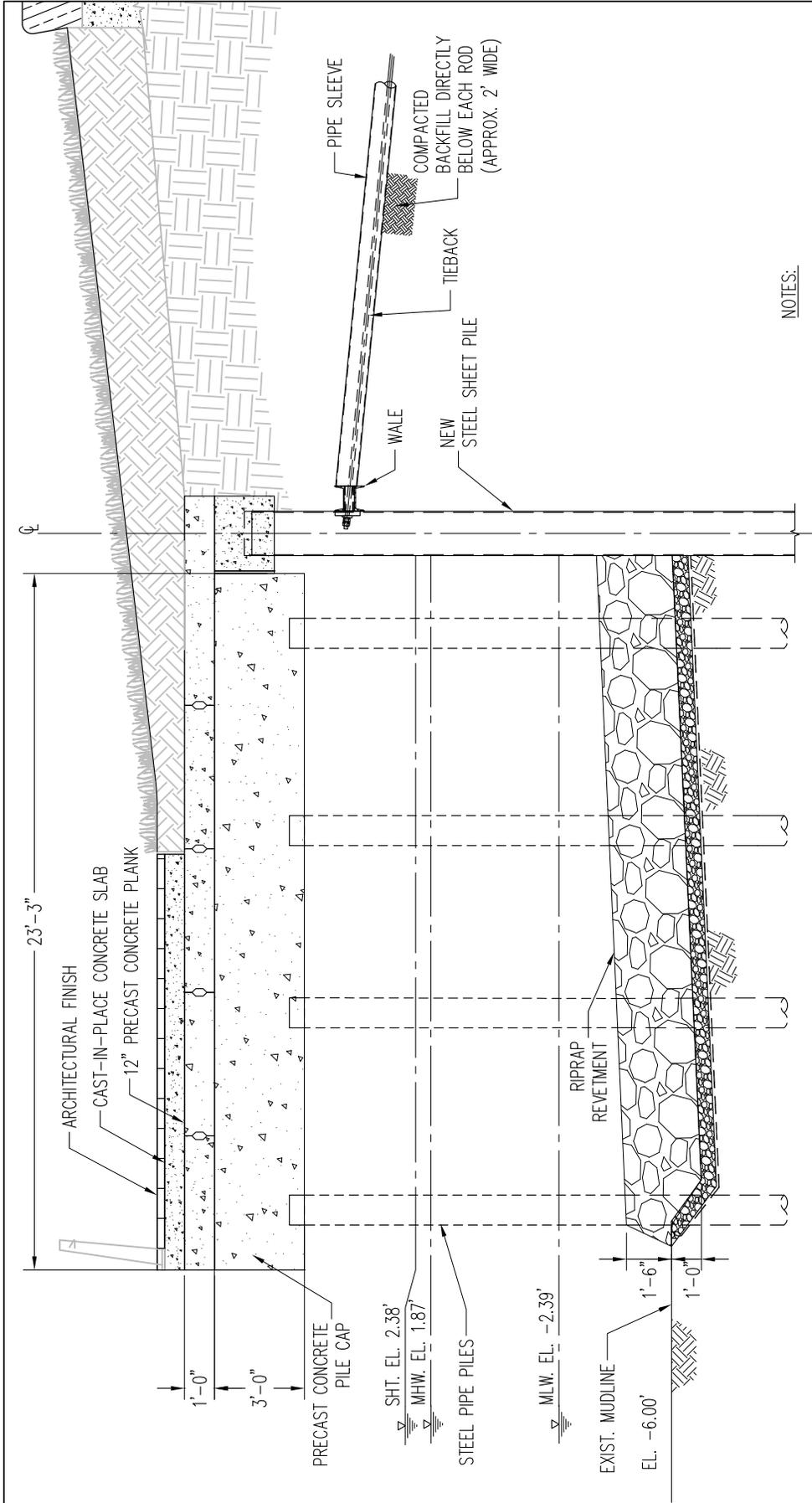
A
17

3/16" = 1'-0"
0 4' 8'
3/16" = 1'-0"

NOTES:

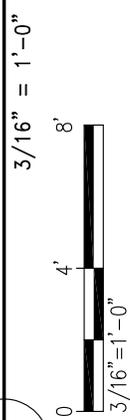
1. SIXTY 18-IN. DIAMETER STEEL PIPE PILES WILL BE DRIVEN AND FILLED WITH CONCRETE.
2. ALL PILES WILL BE DRIVEN USING VIBRATORY HAMMERS, WITH IMPACT HAMMERS AS NECESSARY TO REDUCE THE ENVIRONMENTAL IMPACT AS MUCH AS POSSIBLE.
3. ALL ELEVATIONS SHOWN IN NAVD88.

PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	PROPOSED SECTIONS I
	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	08/15/2020	SHT 17 OF 23



TYPICAL PROPOSED SECTION

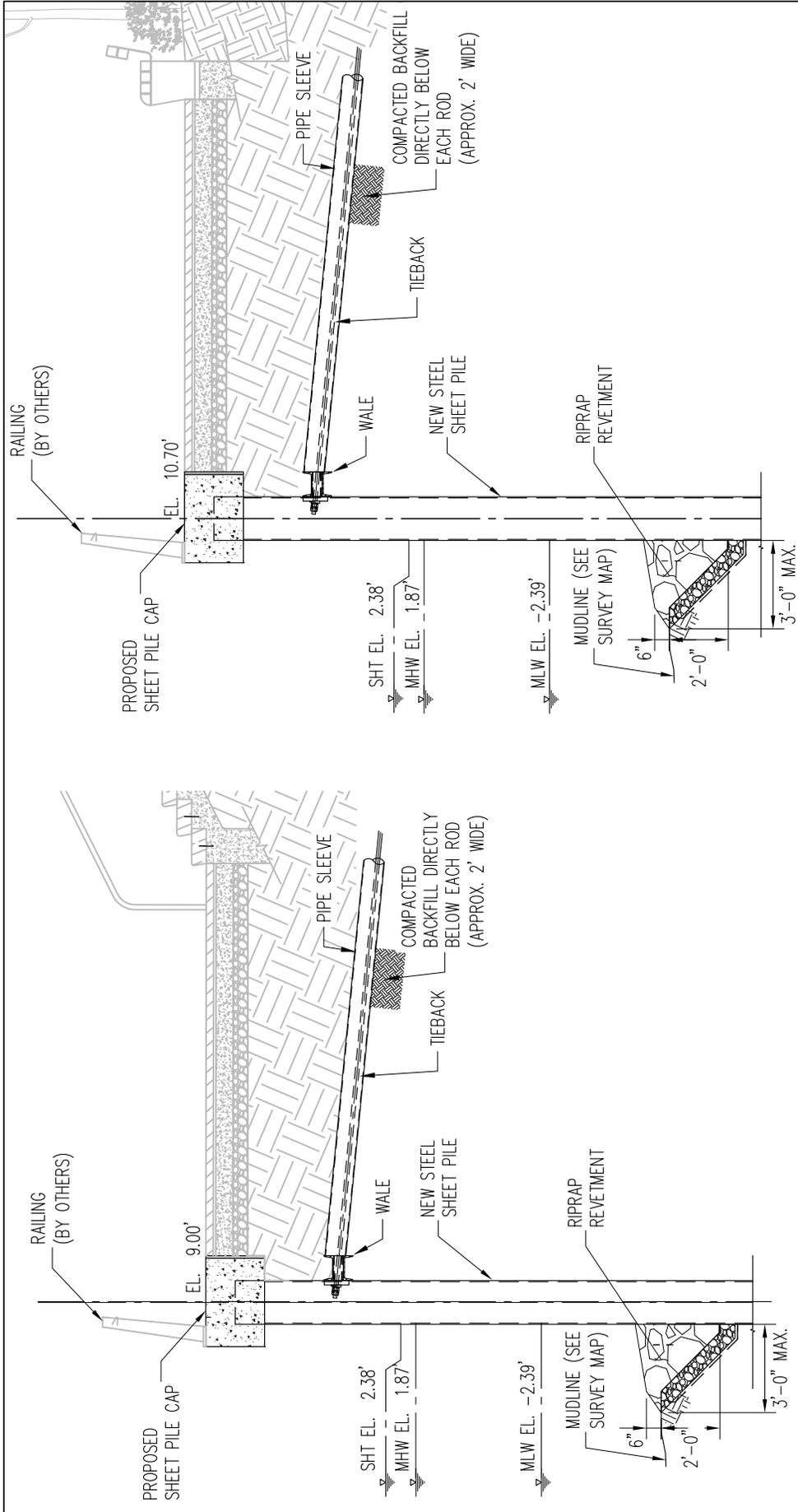
A
18



NOTES:

1. SIXTY 18-IN. DIAMETER STEEL PIPE PILES WILL BE DRIVEN AND FILLED WITH CONCRETE.
2. ALL PILES WILL BE DRIVEN USING VIBRATORY HAMMERS, WITH IMPACT HAMMERS AS NECESSARY TO REDUCE THE ENVIRONMENTAL IMPACT AS MUCH AS POSSIBLE.
3. ALL ELEVATIONS SHOWN IN NAVD88.

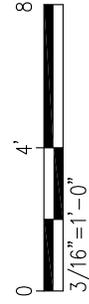
PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	PROPOSED SECTIONS II
		08/15/2020	SHT 18 OF 23



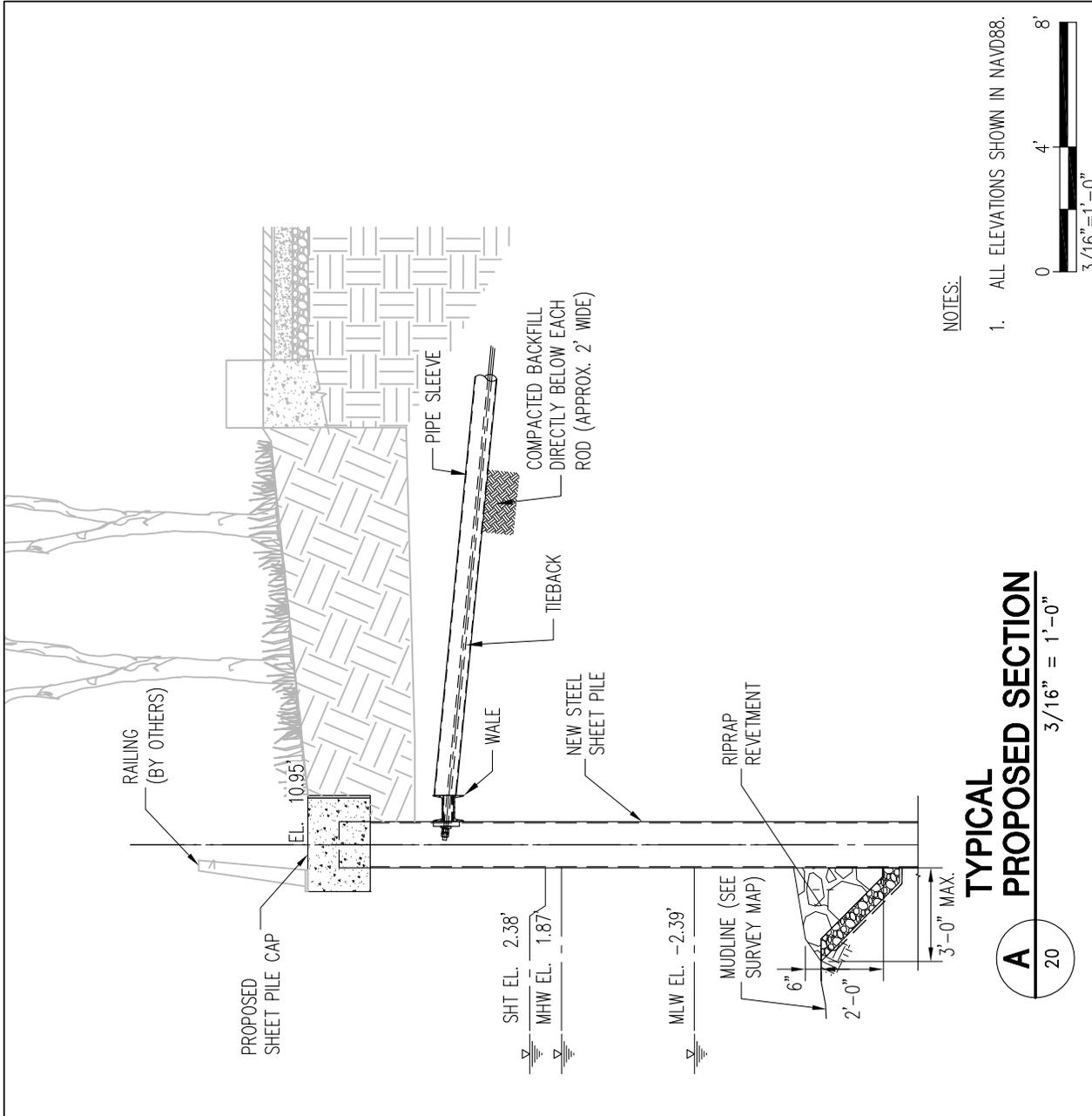
TYPICAL PROPOSED SECTION A
 $\frac{3}{16}'' = 1'-0''$
 19

TYPICAL PROPOSED SECTION B
 $\frac{3}{16}'' = 1'-0''$
 19

NOTES:
 1. ALL ELEVATIONS SHOWN IN NAVD88.



PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	PROPOSED SECTIONS III 08/15/2020 SHT 19 OF 23
470 KENT AVENUE WATERFRONT			



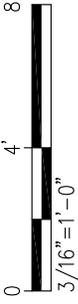
NOTES:

1. ALL ELEVATIONS SHOWN IN NAVD88.

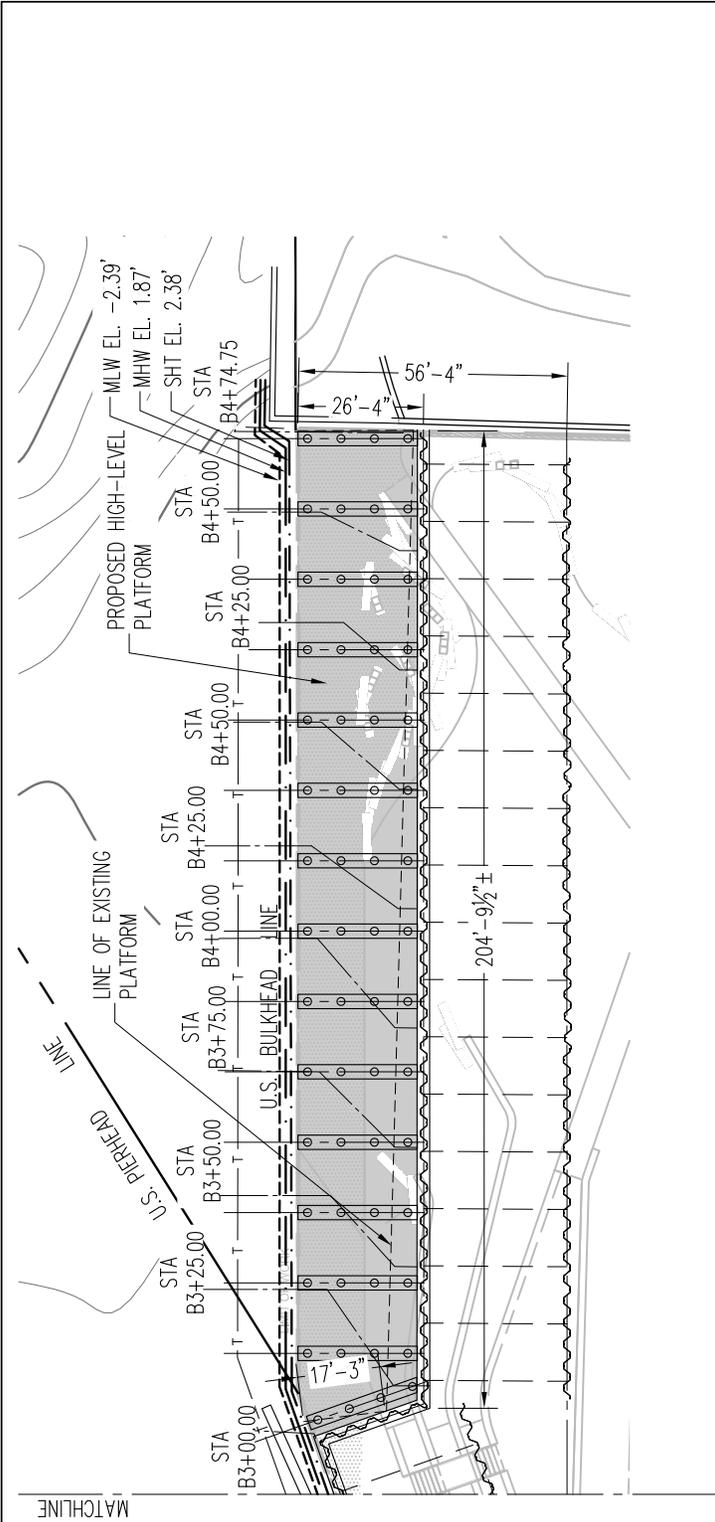
TYPICAL PROPOSED SECTION

A
20

3/16" = 1'-0"



PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS STATE: NY	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019
PROPOSED SECTIONS IV	08/15/2020	SHT 20 OF 23	



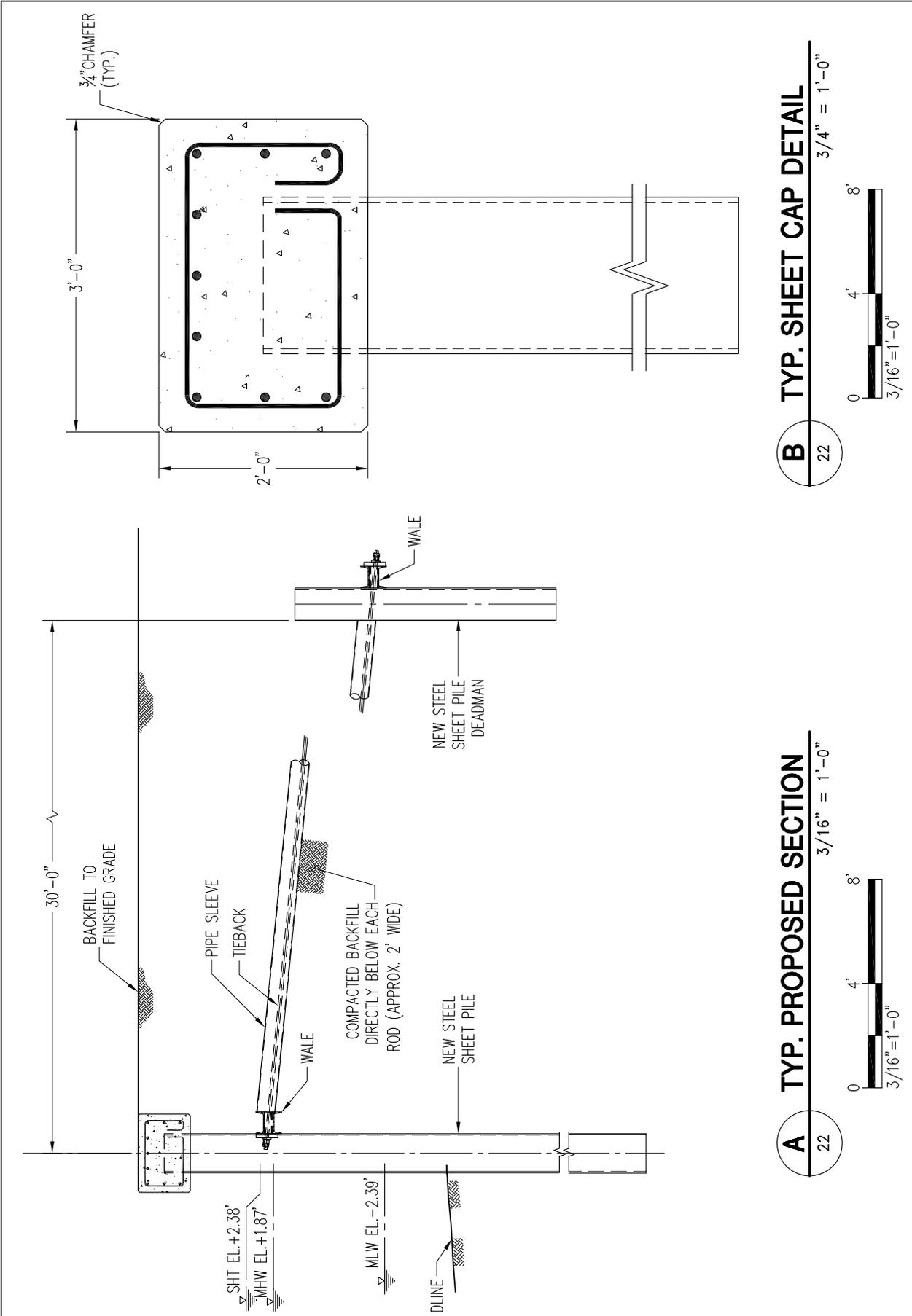
PROPOSED PILE CAP PLAN VIEW

1" = 40'-0"

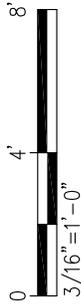


- LEGEND:**
- PROPERTY LINE
 - - - 1974 TIDAL WETLANDS LINE
 - - - U.S. PIERHEAD LINE
 - - - U.S. BULKHEAD LINE
 - - - CONTOUR LINE
 - - - X.XX EXISTING PLATFORM
 - ▭ PROPOSED STEEL SHEET PILE
 - PROPOSED TIEBACKS
 - ~ PROPOSED STEEL SHEET PILE DEADMAN
 - ▭ PROPOSED PLATFORM
 - - - TURBIDITY CURTAIN

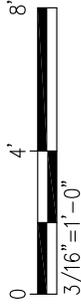
<p>PURPOSE: SHORELINE DEVELOPMENT</p> <p>DATUM: NAVD 88</p> <p>ADJACENT OWNERS:</p> <ol style="list-style-type: none"> 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC <p>AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001</p>	<h3>470 KENT AVENUE WATERFRONT</h3>	<p>PROPOSED PILE CAP PLAN VIEW</p> <p>08/15/2020</p> <p>SHT 21 OF 23</p>
<p>AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS</p>	<p>APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019</p>	



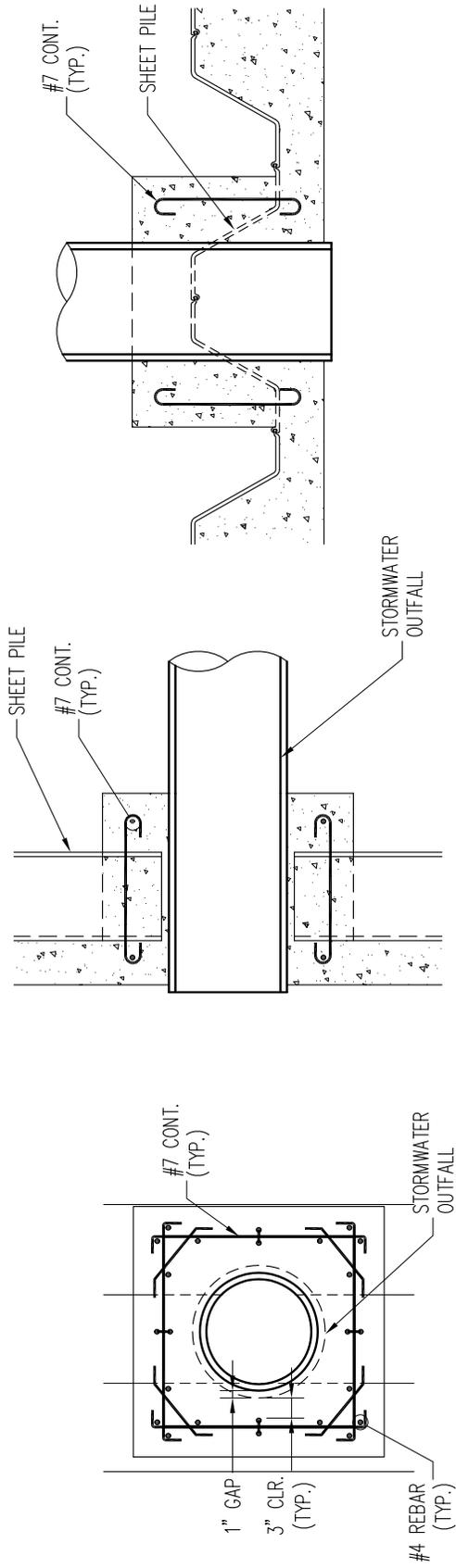
A TYP. PROPOSED SECTION
 22 $\frac{3}{16}'' = 1'-0''$



B TYP. SHEET CAP DETAIL
 22 $\frac{3}{4}'' = 1'-0''$



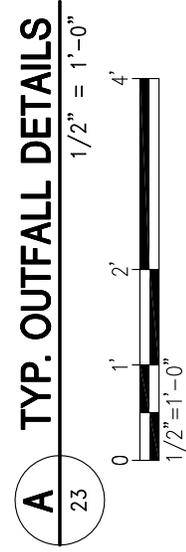
PURPOSE: SHORELINE DEVELOPMENT DATUM: NAVD 88 ADJACENT OWNERS: 1. CITY OF NEW YORK/DSBS 2. 475 KENT OWNER LLC 3. W&K PHASE 2 LLC AGENT: M.G. McLAREN, P.C. 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	470 KENT AVENUE WATERFRONT	BULKHEAD DETAILS I
AT: 470 KENT AVENUE IN: BROOKLYN COUNTY OF: KINGS	APPLICANT: 470 KENT AVE ASSOCIATES LLC 152W 57TH STREET, 45TH FLOOR NEW YORK, NY 10019	08/15/2020
STATE: NY	131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001	SHT 22 OF 23



PLAN VIEW

SECTION

SECTION



A TYP. OUTFALL DETAILS

PURPOSE: SHORELINE DEVELOPMENT
 DATUM: NAVD 88
 ADJACENT OWNERS:
 1. CITY OF NEW YORK/DSBS
 2. 475 KENT OWNER LLC
 3. W&K PHASE 2 LLC
 AGENT: M.G. McLAREN, P.C.
 131 W 35TH ST, 4TH FLR, NEW YORK, NY 10001

470 KENT AVENUE
 WATERFRONT

AT: 470 KENT AVENUE
 IN: BROOKLYN
 COUNTY OF: KINGS
 STATE: NY

APPLICANT:
 470 KENT AVE ASSOCIATES LLC
 152W 57TH STREET, 45TH FLOOR
 NEW YORK, NY 10019

BULKHEAD DETAILS
 II

08/15/2020

SHT 23 OF 23

Section VIII

Appendix A

NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Worksheet

This worksheet is your essential fish habitat (EFH) assessment. It provides us with the information necessary to assess the effects of your action on EFH under the Magnuson Stevens Fishery Conservation and Management Act and on NOAA trust resources under the Fish and Wildlife Coordination Act (FWCA). Consultation is not required if:

1. there is no adverse effect on EFH or NOAA trust resources (see page 10 for more info).
2. no EFH is designated and no trust resources may be present at the project site.

Instructions

Federal agencies or their non-federal designated lead agency should email the completed worksheet and necessary attachments to nmfs.gar.efh.consultation@noaa.gov. Include the public notice (if applicable) or project application and project plans showing:

- location map of the project site with area of impact.
- existing and proposed conditions.
- all waters of the U.S. on the project site with mean low water (MLW), mean high water (MHW), high tide line (HTL), and water depths clearly marked.
- sensitive habitats mapped, including special aquatic sites (submerged aquatic vegetation, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), hard bottom or natural rocky habitat areas, and shellfish beds.
- site photographs, if available.

We will provide our EFH conservation recommendations and recommendations under the FWCA, as appropriate, within 30 days of receipt of a complete EFH assessment (60 days if an expanded consultation is necessary). Please submit complete information to minimize delays in completing the consultation.

This worksheet provides us with the information required¹ in an EFH assessment:

1. A description of the proposed action.
2. An analysis of the potential adverse effects on EFH and the federally managed species.
3. The federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

Your analysis **should focus on impacts that reduce the quality and/or quantity of the habitat or result in conversion to a different habitat type** for all life stages of species with designated EFH within the action area.

Use the information on the [HCD website](#) and [NOAA's EFH Mapper](#) to complete this worksheet. If you have questions, please contact the appropriate [HCD staff member](#) to assist you.

¹ The EFH consultation process is guided by the requirements of our EFH regulation at 50 CFR 600.905.

EFH ASSESSMENT WORKSHEET

General Project Information

Date Submitted: 08/20/2020

Project/Application Number: TBD following Permit Application Submission

Project Name: 470 Kent Avenue Bulkhead and Platform Replacement

Project Sponsor/Applicant: 470 Kent Ave Associates LLC

Federal Action Agency (if state agency acting as delegated): USACE

Fast-41 or One Federal Decision Project: Yes No

Action Agency Contact Name: McLaren Engineering Group

Contact Phone: (201) 775-6000 Contact Email: permits@mgmclaren.com

Latitude: 40°, 42' 27.4"N Longitude: 73°, 58' 07.4"W

Address, City/Town, State:

470 Kent Avenue, Brooklyn, NY 11249

Body of Water: Wallabout Channel

Project Purpose:

This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform.

Project Description:

The purpose of this project is to introduce new affordable housing into the neighborhood, as well as provide means of public access to enjoy New York City's waterfront. The current lumber yard will be replaced by a new development consisting of residential towers and a public waterfront esplanade. This project proposes to replace approximately 525 linear ft. of underutilized shoreline with a new steel sheet pile bulkhead and a new high-level concrete platform. In addition, rip-rap will be placed under the new high level concrete platform and in front of the new steel sheet pile bulkhead to serve as scour protection. There will also be a new stormwater outfall added to the project site. This project will have a final net cut of 37 CY below MHW and 51 CY below SHT.

Anticipated Duration of In-Water Work or Start/End Dates:

Start: September 2021 End: January 2022

Habitat Description

EFH includes the biological, chemical, and physical components of the habitat. This includes the substrate and associated biological resources (e.g., benthic organisms, submerged aquatic vegetation, shellfish beds, salt marsh wetlands), the water column, and prey species.

- Is the project in designated EFH²? Yes No
- Is the project in designated HAPC²? Yes No
- Is this coordination under FWCA only? Yes No

Total area of impact to EFH (indicate sq ft or acres): 20,908 SF

Total area of impact to HAPC (indicate sq ft or acres): 20,908 SF

Current water depths: -7 to -10 ft. Salinity: 18-27psu Water temperature range: 40-74°F

Sediment characteristics³: silt, sand with gravel, organic silt and clay

What habitat types are in or adjacent to the project area and will they be permanently impacted?
Select all that apply. Indicate if impacts will be temporary, if site will be restored, or if permanent conversion of habitat will occur. A project may occur in overlapping habitat types.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
<input checked="" type="checkbox"/>	Marine	6,970 SF	No	No	Yes, 6,970 SF
<input checked="" type="checkbox"/>	Estuarine	6,969 SF	No	No	Yes, 6,969 SF
<input type="checkbox"/>	Riverine (tidal)				
<input type="checkbox"/>	Riverine (non-tidal)				
<input type="checkbox"/>	Intertidal				
<input checked="" type="checkbox"/>	Subtidal	6,969 SF	No	No	Yes, 6,969 SF
<input type="checkbox"/>	Water column				
<input type="checkbox"/>	Salt marsh/ Wetland (tidal)				
<input type="checkbox"/>	Wetland (non-tidal)				

² Use the tables on pages 7-9 to list species with designated EFH or the type of designated HAPC present.

³ The level of detail is dependent on your project – e.g., a grain size analysis may be necessary for dredging.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
<input type="checkbox"/>	Rocky/hard bottom ⁴ :				
<input type="checkbox"/>	Sand				
<input type="checkbox"/>	Shellfish beds or oyster reefs				
<input type="checkbox"/>	Mudflats				
<input type="checkbox"/>	Submerged aquatic vegetation (SAV) ⁵ , macroalgae, epifauna				
<input type="checkbox"/>	Diadromous fish (migratory or spawning habitat)				

Indicate type(s) of rocky/hard bottom habitat (pebble, cobble, boulder, bedrock outcrop/ledge) and species of SAV:

N/A

Project Effects

Select all that apply	Project Type/Category
<input type="checkbox"/>	Hatchery or Aquaculture
<input type="checkbox"/>	Agriculture
<input type="checkbox"/>	Forestry
<input type="checkbox"/>	Military (e.g., acoustic testing, training exercises)
<input type="checkbox"/>	Mining (e.g., sand, gravel)
<input type="checkbox"/>	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, beach renourishment, mitigation bank/ILF creation)

⁴ Indicate type(s). The type(s) of rocky habitat will help you determine if the area is cod HAPC.

⁵ Indicate species. Provide a copy of the SAV report and survey conducted at the site, if applicable.

Select all that apply	Project Type/Category
<input type="checkbox"/>	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port)
<input type="checkbox"/>	Energy development/use
<input type="checkbox"/>	Water quality (e.g., TMDL, wastewater, sediment remediation)
<input type="checkbox"/>	Dredging/excavation and disposal
<input checked="" type="checkbox"/>	Piers, ramps, floats, and other structures
<input checked="" type="checkbox"/>	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
<input type="checkbox"/>	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
<input type="checkbox"/>	Other

Select all that apply	Potential Stressors Caused by the Activity	Select all that apply and if temporary or permanent		Habitat alterations caused by the activity
		Temp	Perm	
<input checked="" type="checkbox"/>	Underwater noise			
<input type="checkbox"/>	Water quality/turbidity/contaminant release	<input type="checkbox"/>	<input type="checkbox"/>	Water depth change
<input type="checkbox"/>	Vessel traffic/barge grounding	<input type="checkbox"/>	<input type="checkbox"/>	Tidal flow change
<input type="checkbox"/>	Impingement/entrainment ⁶	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fill
<input type="checkbox"/>	Prevent fish passage/spawning	<input type="checkbox"/>	<input type="checkbox"/>	Habitat type conversion
<input checked="" type="checkbox"/>	Benthic community disturbance	<input type="checkbox"/>	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Impacts to prey species	<input type="checkbox"/>	<input type="checkbox"/>	Other:

⁶ Entrainment is the voluntary or involuntary movement of aquatic organisms from a water body into a surface diversion or through, under, or around screens and results in the loss of the organisms from the population. Impingement is the involuntary contact and entrapment of aquatic organisms on the surface of intake screens caused when the approach velocity exceeds the swimming capability of the organism.

Details: project impacts and mitigation

The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. Attach supplemental information if necessary.

Describe how the project would impact each of the habitat types selected above. Include temporary and permanent impact descriptions and direct and indirect impacts.

The proposed repairs would result in 20,908 SF of permanent impact and 497 CY of fill below Mean High Water and 505 CY of fill below Spring High Tide (SHT). However, this project will have a final net cut of 37 CY below MHW and 51 CY below SHT because of the new high level concrete platform's location behind the limits of the existing concrete platform. In addition, minor and temporary environmental impacts may occur during construction related activities. The main environmental impact is localized turbidity resulting from in water work. Increases in suspended sediment during in water activity are anticipated to be minimal and to dissipate quickly and without significant adverse impacts to water quality or aquatic biota.

What specific measures will be used to avoid impacts, including project design, turbidity controls, acoustic controls, and time of year restrictions? If impacts cannot be avoided, why not? Shoreward erosion and sediment controls will be in place before the commencement of work. Work will adhere to all environmental moratoriums and be accomplished at low tide as much as practically possible. Barges and equipment will be protected against spills into the waterway, and there will be a spill kit on site should any spill occur.

What specific measures will be used to minimize impacts?

Contractors will be required to ensure that throughout the duration of the work, there is no introduction of construction debris into the waterway. The use of turbidity curtains/ floating booms will be used to mitigate turbidity and floating debris. Construction will cease should a noticeable increase in turbidity occur until adequate BMPs are deployed to contain the work area

Is compensatory mitigation proposed? Yes No

If no, why not? If yes, describe plans for mitigation and how this will offset impacts to EFH. Include a conceptual compensatory mitigation and monitoring plan, if applicable.

The proposed project will result in a net cut and the impacts will be minimal. Therefore, no compensatory mitigation is proposed.

Federal Action Agency's EFH determination (select one)	
<input type="checkbox"/>	There is no adverse effect ⁷ on EFH or EFH is not designated at the project site. EFH Consultation is not required. This is a FWCA-only request.
<input checked="" type="checkbox"/>	The adverse effect ⁷ on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
<input type="checkbox"/>	The adverse effect ⁷ on EFH is substantial. This is a request for an expanded EFH consultation. We will provide more detailed information, including an alternatives analysis and NEPA document, if applicable.

EFH and HAPC designations⁸

Use the [EFH mapper](#) to determine if EFH may be present in the project area and enter all species and lifestages that have designated EFH. Optionally, you may review the EFH text descriptions linked to each species in the EFH mapper and use them to determine if the described habitat is present. We recommend this for larger projects to help you determine what your impacts are.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/spawning adults	
Winter Flounder	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Little Skate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Atlantic Herring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Red Hake	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁷ An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

⁸ Within the Greater Atlantic Region, EFH has been designated by the New England, Mid-Atlantic, and South Atlantic Fisheries Management Councils and NOAA Fisheries.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/spawning adults	
Windowpane Flounder	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Winter Skate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clearnose Skate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Longfin Inshore Squid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bluefish	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Atlantic Butterfish	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Summer Flounder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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HAPCs

Select all that are in your action area.

<input checked="" type="checkbox"/>	Summer flounder: SAV ⁹	<input type="checkbox"/>	Alvin & Atlantis Canyons
<input type="checkbox"/>	Sandbar shark	<input type="checkbox"/>	Baltimore Canyon
<input type="checkbox"/>	Sand Tiger Shark (Delaware Bay)	<input type="checkbox"/>	Bear Seamount
<input type="checkbox"/>	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)	<input type="checkbox"/>	Heezen Canyon
<input type="checkbox"/>	Inshore 20m Juvenile Cod	<input type="checkbox"/>	Hudson Canyon
<input type="checkbox"/>	Great South Channel Juvenile Cod	<input type="checkbox"/>	Hydrographer Canyon
<input type="checkbox"/>	Northern Edge Juvenile Cod	<input type="checkbox"/>	Jeffreys & Stellwagen
<input type="checkbox"/>	Lydonia Canyon	<input type="checkbox"/>	Lydonia, Gilbert & Oceanographer Canyons
<input type="checkbox"/>	Norfolk Canyon (Mid-Atlantic)	<input type="checkbox"/>	Norfolk Canyon (New England)
<input type="checkbox"/>	Oceanographer Canyon	<input type="checkbox"/>	Retriever Seamount
<input type="checkbox"/>	Veatch Canyon (Mid-Atlantic)	<input type="checkbox"/>	Toms, Middle Toms & Hendrickson Canyons
<input type="checkbox"/>	Veatch Canyon (New England)	<input type="checkbox"/>	Washington Canyon
<input type="checkbox"/>	Cashes Ledge	<input type="checkbox"/>	Wilmington Canyon

⁹ Summer flounder HAPC is defined as all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH. In locations where native species have been eliminated from an area, then exotic species are included. Use local information to determine the locations of HAPC.

More information

The [Magnuson-Stevens Fishery Conservation and Management Act \(MSA\)](#) mandates that federal agencies conduct an [essential fish habitat \(EFH\) consultation](#) with NOAA Fisheries on any actions they authorize, fund, or undertake that may adversely affect EFH. An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

We designed this worksheet to help you to prepare EFH assessments. It is important to remember that an adverse effect determination is a trigger to consult with us. It does not mean that a project cannot proceed as proposed, or that project modifications are necessary. It means that the effects of the proposed action on EFH must be evaluated to determine if there are ways to avoid, minimize, or offset adverse effects.

This worksheet should be used as your EFH assessment or as a guide to develop your EFH assessment. At a minimum, you should include all the information required to complete this worksheet in your EFH assessment. The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. If your answers in the worksheet and supplemental information you attach do not fully evaluate the adverse effects to EFH, we may request additional information to complete the consultation.

You may need to prepare an expanded EFH assessment for more complex projects to fully characterize the effects of the project and the avoidance and minimization of impacts to EFH. While the EFH assessment worksheet may be used for larger projects, the format may not be sufficient to incorporate the extent of detail required, and a separate EFH assessment may be developed. However, regardless of format, you should include an analysis as outlined in this worksheet for an expanded EFH assessment, along with any additional necessary information. This additional information includes:

- the results of on-site inspections to evaluate the habitat and site-specific effects.
- the views of recognized experts on the habitat or the species that may be affected.
- a review of pertinent literature and related information.
- an analysis of alternatives that could avoid or minimize the adverse effects on EFH.

Please contact our Greater Atlantic Regional Fisheries Office, [Protected Resources Division](#) regarding potential impacts to marine mammals or threatened and endangered species.

Useful Links

[National Wetland Inventory Maps](https://www.fws.gov/wetlands/)

<https://www.fws.gov/wetlands/>

[EPA's National Estuary Program \(NEP\)](https://www.epa.gov/nep/local-estuary-programs)

<https://www.epa.gov/nep/local-estuary-programs>

[Northeast Regional Ocean Council \(NROC\) Data Portal](https://www.northeastoceandata.org/)

<https://www.northeastoceandata.org/>

Mid-Atlantic Regional Council on the Ocean (MARCO) Data Portal

<http://portal.midatlanticocean.org/>

Resources by State

Maine

[Maine Office of GIS Data Catalog](https://geolibrary-maine.opendata.arcgis.com/datasets#data)

<https://geolibrary-maine.opendata.arcgis.com/datasets#data>

[Town shellfish information including shellfish conservation area maps](https://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html)

<https://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html>

[State of Maine Shellfish Sanitation and Management](https://www.maine.gov/dmr/shellfish-sanitation-management/index.html)

<https://www.maine.gov/dmr/shellfish-sanitation-management/index.html>

[Eelgrass maps](https://www.maine.gov/dmr/science-research/species/eelgrass/index.html)

<https://www.maine.gov/dmr/science-research/species/eelgrass/index.html>

[Casco Bay Estuary Partnership](https://www.cascobayestuary.org/)

<https://www.cascobayestuary.org/>

[Maine GIS Stream Habitat Viewer](https://www.arcgis.com/home/item.html?id=5869c2d20f0b4c3a9742bdd8abef42cb)

<https://www.arcgis.com/home/item.html?id=5869c2d20f0b4c3a9742bdd8abef42cb>

New Hampshire

[NH's Statewide GIS Clearinghouse, NH GRANIT](http://www.granit.unh.edu/)

<http://www.granit.unh.edu/>

[NH Coastal Viewer](http://www.granit.unh.edu/nhcoastalviewer/)

<http://www.granit.unh.edu/nhcoastalviewer/>

[State of NH Shellfish Program](https://www.des.nh.gov/organization/divisions/water/wmb/shellfish/)

<https://www.des.nh.gov/organization/divisions/water/wmb/shellfish/>

Massachusetts

[MA Shellfish Sanitation and Management Program](https://www.mass.gov/shellfish-sanitation-and-management)

<https://www.mass.gov/shellfish-sanitation-and-management>

[MassGIS Data, Including Eelgrass Maps](http://maps.massgis.state.ma.us/map_ol/oliver.php)

http://maps.massgis.state.ma.us/map_ol/oliver.php

[MA DMF Recommended TOY Restrictions Document](https://www.mass.gov/files/documents/2016/08/ry/tr-47.pdf)

<https://www.mass.gov/files/documents/2016/08/ry/tr-47.pdf>

[Massachusetts Bays National Estuary Program](https://www.mass.gov/orgs/massachusetts-bays-national-estuary-program)

<https://www.mass.gov/orgs/massachusetts-bays-national-estuary-program>

[Buzzards Bay National Estuary Program](http://buzzardsbay.org/)

<http://buzzardsbay.org/>

[Massachusetts Division of Marine Fisheries](https://www.mass.gov/orgs/massachusetts-division-of-marine-fisheries)

<https://www.mass.gov/orgs/division-of-marine-fisheries>

[Massachusetts Office of Coastal Zone Management](#)

<https://www.mass.gov/orgs/massachusetts-office-of-coastal-zone-management>

Rhode Island

[RI Shellfish and Aquaculture](#)

<http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/shellfish-aquaculture.php>

[RI Shellfish Management Plan](#)

<http://www.shellfishri.com/>

Eelgrass Maps

<http://edc.maps.arcgis.com/apps/View/index.html?appid=db52bb689c1e44259c06e11fd24895f8>

[RI GIS Data](#)

<http://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=87e104c8adb449eb9f905e5f18020de5>

[Narragansett Bay Estuary Program](#)

<http://nbep.org/>

[Rhode Island Division of Marine Fisheries](#)

<http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/index.php>

[Rhode Island Coastal Resources Management Council](#)

<http://www.crmc.ri.gov/>

Connecticut

[CT Bureau of Aquaculture](#)

<https://www.ct.gov/doag/cwp/view.asp?a=3768&q=451508&doagNav=>

[CT GIS Resources](#)

https://www.ct.gov/deep/cwp/view.asp?a=2698&q=323342&deepNav_GID=1707

[Natural Shellfish Beds in CT](#)

<https://cteco.uconn.edu/viewer/index.html?viewer=aquaculture>

[Eelgrass Maps](#)

https://www.fws.gov/northeast/ecologicalservices/pdf/wetlands/2012_CT_Eelgrass_Final_Report_11_26_2013.pdf

[Long Island Sound Study](#)

<http://longislandsoundstudy.net/>

[CT GIS Resources](#)

<http://cteco.maps.arcgis.com/home/index.html>

[CT DEEP Office of Long Island Sound Programs and Fisheries](#)

<https://www.ct.gov/deep/site/default.asp>

[CT River Watershed Council](#)

<https://www.ctriver.org/>

New York

[Eelgrass Report](#)

http://www.dec.ny.gov/docs/fish_marine_pdf/finaleseagrassreport.pdf

[Peconic Estuary Program](#)

<https://www.peconicestuary.org/>

[NY/NJ Harbor Estuary](#)

<https://www.hudsonriver.org/estuary-program>

New York GIS Clearinghouse

<https://gis.ny.gov/>

New Jersey

[Submerged Aquatic Vegetation Mapping](http://www.crssa.rutgers.edu/projects/sav/)

<http://www.crssa.rutgers.edu/projects/sav/>

[Barnegat Bay Partnership](https://www.barnegatbaypartnership.org/)

<https://www.barnegatbaypartnership.org/>

[NJ GeoWeb](https://www.nj.gov/dep/gis/geoweb splash.htm)

<https://www.nj.gov/dep/gis/geoweb splash.htm>

[NJ DEP Shellfish Maps](https://www.nj.gov/dep/landuse/shellfish.html)

<https://www.nj.gov/dep/landuse/shellfish.html>

Pennsylvania

[Delaware River Management Plan](https://www.fishandboat.com/Fish/Fisheries/DelawareRiver/Documents/delaware_river_plan_exec_draft.pdf)

https://www.fishandboat.com/Fish/Fisheries/DelawareRiver/Documents/delaware_river_plan_exec_draft.pdf

[PA DEP Coastal Resources Management Program](https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Coastal%20Resources%20Management%20Program/Pages/default.aspx)

<https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Coastal%20Resources%20Management%20Program/Pages/default.aspx>

[PA DEP GIS Mapping Tools](https://www.dep.pa.gov/DataandTools/Pages/GIS.aspx)

<https://www.dep.pa.gov/DataandTools/Pages/GIS.aspx>

Delaware

[Partnership for the Delaware Estuary](http://www.delawareestuary.org/)

<http://www.delawareestuary.org/>

[Center for Delaware Inland Bays](http://www.inlandbays.org/)

<http://www.inlandbays.org/>

[Delaware FirstMap](http://delaware.maps.arcgis.com/home/index.html)

<http://delaware.maps.arcgis.com/home/index.html>

Maryland

[Submerged Aquatic Vegetation Mapping](http://web.vims.edu/bio/sav/)

<http://web.vims.edu/bio/sav/>

[MERLIN](http://dnrweb.dnr.state.md.us/MERLIN/)

<http://dnrweb.dnr.state.md.us/MERLIN/>

[Maryland Coastal Bays Program](https://mdcoastalbays.org/)

<https://mdcoastalbays.org/>

Virginia

[Submerged Aquatic Vegetation mapping](http://www.mrc.virginia.gov/regulations/Guidance_for_SAV_beds_and_restoration_final_approved_by_Commission_7-22-17.pdf)

http://www.mrc.virginia.gov/regulations/Guidance_for_SAV_beds_and_restoration_final_approved_by_Commission_7-22-17.pdf

[VDGIF Time of Year Restrictions \(TOYR\) and Other Guidance](https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf)

<https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>



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