U.S. Department of Veterans Affairs

March 2014

NY HARBOR HEALTHCARE SYSTEM MANHATTAN CAMPUS

Appendix A: New York City Environmental Quality Review Form

HDR

DRAFT ENVIRONMENTAL ASSESSMENT FOR

FLOOD MITIGATION MEASURES

Design and Construction of Perimeter Flood Wall

MANHATTAN, NEW YORK

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* Veterans Affairs Medical Center Floodwall Project

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY United States Department of Veterans Affairs (VA)			NAME OF APPLICANT United States Department of Veterans Affairs (VA)		
NAME OF LEAD AGENCY CONTACT PERSON Vic Verma, P.E., M.B.A.			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Jennifer Curran		
ADDRESS CFM Regional Office - East (003C1B) 8380 Colesville, Rd, Suite 420			ADDRESS HDR One Blue Hill Plaza, 12th Floor		
CITY Silver Springs	STATE MD	ZIP 20910	CITY Pearl River	STATE NY	ZIP 10965-8509
TELEPHONE (240) 494-2974	EMAIL Vic.Verma@va.gov		TELEPHONE (845) 735-8300 ext. 293	EMAIL jcurran@hdrinc.com	

5. *Project Description*

The Department of Veterans Affairs proposes to construct a floodwall protection system at the Veterans Affairs Medical Center (VAMC) located in the Borough of Manhattan, City of New York, New York. The floodwall would be constructed along the eastern, and portionof the northern and southern boundaries of the VAMC Manhattan facility. The flood protection system would include floodgates, a secant wall serving as a seepage cutoff, internal storm water piping and storage, utility modifications, and internal drainage area pump stations.

The purpose of the proposed project is to provide flood protection for the VAMC Manhattan from coastal flooding. The floodwall is necessary to reduce flood risk and storm damage to the facility from hurricanes, storm surge, and other storm events that would cause East River waters to encroach on the VAMC Manhattan, resulting in property damage and interruptions in medical care. Additional information and project details are provided in Attachment A.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 6	STREET ADDRESS 423 E 23rd St
TAX BLOCK(S) AND LOT(S) Block 955, Lot 5		ZIP CODE 10010

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Block bound by E 25th Street to the north, 1st Avenue to the west, E 23rd to the south and Asser Levy Place to the east.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R8	ZONING SECTIONAL MAP NUMBER 12c

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☐ YES ☒ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☐ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☒ YES ☐ NO If "yes," specify: Sewer Site Connection Permits

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☒ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☒ YES ☐ NO If "yes," specify: Federal Funding and Actions

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP
☒ ZONING MAP
☐ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP
☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 48,970
Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 48,970
Other, describe (sq. ft.): 0

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 3,580
NUMBER OF BUILDINGS: 0
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A
HEIGHT OF EACH BUILDING (ft.): N/A
NUMBER OF STORIES OF EACH BUILDING: N/A

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO
If "yes," specify: The total square feet owned or controlled by the applicant:
The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 45,970 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 135,000 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 3,580 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)				3,580
Type (*e.g.,* retail, office, school)	units			Floodwall

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☒ NO
If "yes," please specify:
NUMBER OF ADDITIONAL RESIDENTS:
NUMBER OF ADDITIONAL WORKERS:
Provide a brief explanation of how these numbers were determined:

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2014			
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 6			
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES	☐ NO	IF MULTIPLE PHASES, HOW MANY?	
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:			
10. *Predominant Land Use in the Vicinity of the Project* (check all that apply) ☒ RESIDENTIAL ☐ MANUFACTURING ☐ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Public Facilities and Institutions			

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. The Public Baths (City Landmark and listed in the National Register of HIstoric Places). Additional information is provided in the EA.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☐	☒
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☒	☐
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Three petroleum spills, a leaking underground starage tank (LUST), contaminated historic fill and the presence of three active diesel underground stage tanks (UST), a large number of spills, LUST sites, and USTs/above ground storage tanks (AST) within 1/8 mile of the project site, potential release of hydraulic fluids from multilevel parking facility, presence of pad-mounted tranformer containing dielectric fluids and other oils adjacent to the project site. Additional information is provided in Attachment A.	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 0		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 0		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☒	☐
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒

	YES	NO
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☒	☐
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

The proposed project would result in the short-term and temporary adverse impacts caused by construction and demolition activities. The potential adverse impacts on land use and zoning, air quality, hydrology and water resources, solid waste and hazardous material, traffic, transportation and parking, utilities and noise would be largely avoided or minimized by strict adherence and monitoring the VA's MF04 construction standards for temporary environmental controls, demolition, and waste management, and application of standard construction BMPs. As such, the preliminary construction assessment is not warranted.

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	Potentially Significant Adverse Impact NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, The Department of Veternas Affairs (VA) assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

Attachment A

Supplement to the Environmental Assessment Statement (EAS) Short Form for the Veterans Affairs Medical Center Floodwall Project

Items on the EAS Short form requiring additional information are provided in this attachment. The numbering of the items below corresponds to items as they are numbered on the EAS Short Form.

Part I – General Information

5. Project Description

The U.S. Department of Veterans Affairs (VA) proposes to construct a floodwall with floodgates around portions of the north, east, and south perimeters of the Veterans Affairs Medical Center (VAMC) Manhattan. This project would include construction of a floodwall, seepage cutoff wall, interior drainage improvements, four combined sanitary/storm sewer pumping stations, interior site paving, utility service reconstruction, installation of backflow prevention valves, and landscaping. The floodwall would traverse from the main building entrance at East 23rd Street, east to Asser Levy Place, north along Asser Levy Place, and west along East 25th Street. The floodwall would be approximately 1,570 feet long and 10 to 10.5 feet high above existing grade along Asser Levy Place. Along East 23rd and East 25th Streets, the floodwall would maintain a height of at least 8 feet above grade because the ground elevations rise toward First Avenue. Five flood gates would be installed around the perimeter of the site, which would allow vehicle and pedestrian access to the site, while allowing closure of openings in the event of a flooding event. The proposed floodgates would be passive flood barriers that are capable of operating without human intervention. Hollow internal gate elements make the gates buoyant in the event of rising floodwaters. The buoyant gates rotate upwards into place as floodwaters rise, while rubber gaskets along the sides of the gate prevent significant water seepage into the interior of the site. Upon completion of the project, the system will not be a 44 CFR 65.10 certified flood protection system. Certification of the system and remapping is not required and would not provide tangible benefits to the VA. The system will be designed, however, to be compliant with the technical requirements of 44 CFR 65.10. The system will also be designed to meet technical requirements and best practices as identified applicable USACE guidance.

The purpose for the proposed wall is to provide protection from the 100 year flood (still water elevation plus design wave height and 1 foot of freeboard), and from the 500-year flood (still water elevation plus 2 feet of freeboard). Still water elevations are taken from Federal Emergency Management Agency (FEMA) 2013 coastal flood mapping data. Proposed construction of the floodwall results from a defined need to reduce flood risk and storm damage to the facility from hurricanes, storm surge, and other storm events that would cause East River waters to encroach on the grounds of VAMC Manhattan. The completed floodwall protection system would reduce the risk of damage to property for events that do not exceed design criteria. The high water marks from Hurricane Sandy are approximately correlated to the 100-year still water elevation as indicated by FEMA 2013 coastal flood mapping data.

PART II – Technical Analysis

1. Land Use, Zoning, and Public Policy

(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program Boundaries? If yes, complete the Consistency Assessment Form (CAF).

Upon review of the New York City WRP Consistency Assessment Form (CAF), an assessment of project consistency with the applicable WRP policies was conducted. The detailed assessment is provided in Attachment B.

5. Shadows

(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?

The proposed project is located across the street from the Asser Levy Recreation Center, which is considered a sunlight-sensitive resource. The floodwall would be approximately 10 to 10.5 feet high above existing grade along Asser Levy Place. A preliminary screening assessment was conducted to ascertain whether the shadow cast by the proposed project could reach any sunlight-sensitive resources at any time of year. The results of the preliminary screening assessment indicate that incremental shadows would be cast on the Asser Levy Recreation Center during each of the days analyzed (March 21st, May 6th, June 21st, November 21st, and December 21st). Due to the presence of shadows resulting from existing adjacent structures, including the VAMC itself, a new incremental shadow would only occur in the afternoon on June 21st. The new incremental shadow is located near the southwest corner of the recreation center property and is minimal in size. The proposed project would not, therefore, result in adverse shadow impacts.

6. Historic and Cultural Resources

(a) Does the proposed project site or an adjacent site contain any architectural and/or archeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the new York State or National Register of Historic Places; or that is within a designated or eligible new York City, New York State or National Register Historic District?

One historic resource has been identified within or adjacent to the project site. The Public Baths within the Asser Levy Recreation Center located at 392 Asser Levy Place, immediately east of the VAMC Manhattan is listed in the National Register of Historic Places (NRHP) and was designated a City Landmark by the New York City Landmarks Preservation Commission (NYCLPC). The proposed project would not result in a significant adverse impact on this resource. By letter dated November 15, 2013, the SHPO concurred in the VA's determination of No Adverse Effect. The NYCLPC also reviewed the project and will review and comment on the VA's Construction Protection Plan for the Public Baths. Agency correspondence is provided at the end of Attachment A.

8. Natural Resources

(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? If yes, list the resources and attach supporting information on whether the proposed project would affect any of these resources.

An inventory of biological resources was conducted at the VAMC Manhattan on September 18, 2013. Biological resources identified at the site included upland vegetative communities characterized by Edinger et al. (2002)[1] as mowed lawn with trees, paved road/path and urban vacant lot. The mowed lawn with trees community provides habitat for common urban wildlife including feral cats, mice, voles, squirrels, raccoons, blue jays, rock pigeons, American robins, European starling, house sparrows and other common birds as well as common garter snakes. In a letter dated October 18, 2013, the New York State Department of Environmental Conservation, Natural Heritage Program (NHP) indicated that there are no reported occurrences of threatened, endangered or species of special concern on the project site. The response letter is provided at the end of Attachment A.

Impacts on natural resources, resulting from removal of trees along the proposed floodwall and temporary disturbance of the area due to construction, are anticipated to be minimal as few resources are present. Comparable habitats are located in other areas in the vicinity of the project site and would be available for species avoiding the area.

9. Hazardous Materials

The proposed project site has been developed since at least 1890 and has had a number of occupants and uses including metal foundries, laundry companies, gasoline stations, factories and coal yards. Recent excavations at the project site have identified contaminated historic fill material underneath the project site. Analytical testing has indicated the presence of SVOCs in the historic fill. A Phase I Environmental Site Assessment (ESA) was completed in September 2013. Several Recognized Environmental Conditions (RECs) were identified including three petroleum spills, a leaking underground storage tank (LUST), contaminated historic fill and the presence of three active diesel underground stage tanks (UST), a large number of spills, LUST sites, and USTs/above ground storage tanks (AST) within 1/8 mile of the project site, potential release of hydraulic fluids from multilevel parking facility, presence of pad-mounted transformer containing dielectric fluids and other oils adjacent to the project site.

As part of the construction of the proposed project, up to 5,000 cubic yards (yd^3) of soil would be removed. All construction and demolition debris would be transported to appropriate landfills via private carters in accordance with the New York City Solid Waste Management Plan (SWMP) and any other applicable requirements. Elements of the proposed construction could result in the short-term generation and transportation of hazardous substances, petroleum products, or hazardous waste if these materials are encountered during construction. The contractor would notify the VA of any spills or contamination encountered during construction and the VA would perform the required notification.

---

[1] Edinger, G.J., D.J. Evans, S. Gebauer, T.G. Howard, D.M. Hunt, and A.M. Olivero (editors). 2002. Ecological Communities of New York State. Second Edition. A revised and expanded edition of Carol Reschke's *Ecological Communities of New York State.* (Draft for review). New York Natural Heritage Program, New York Department of Environmental Conservation, Albany, NY.

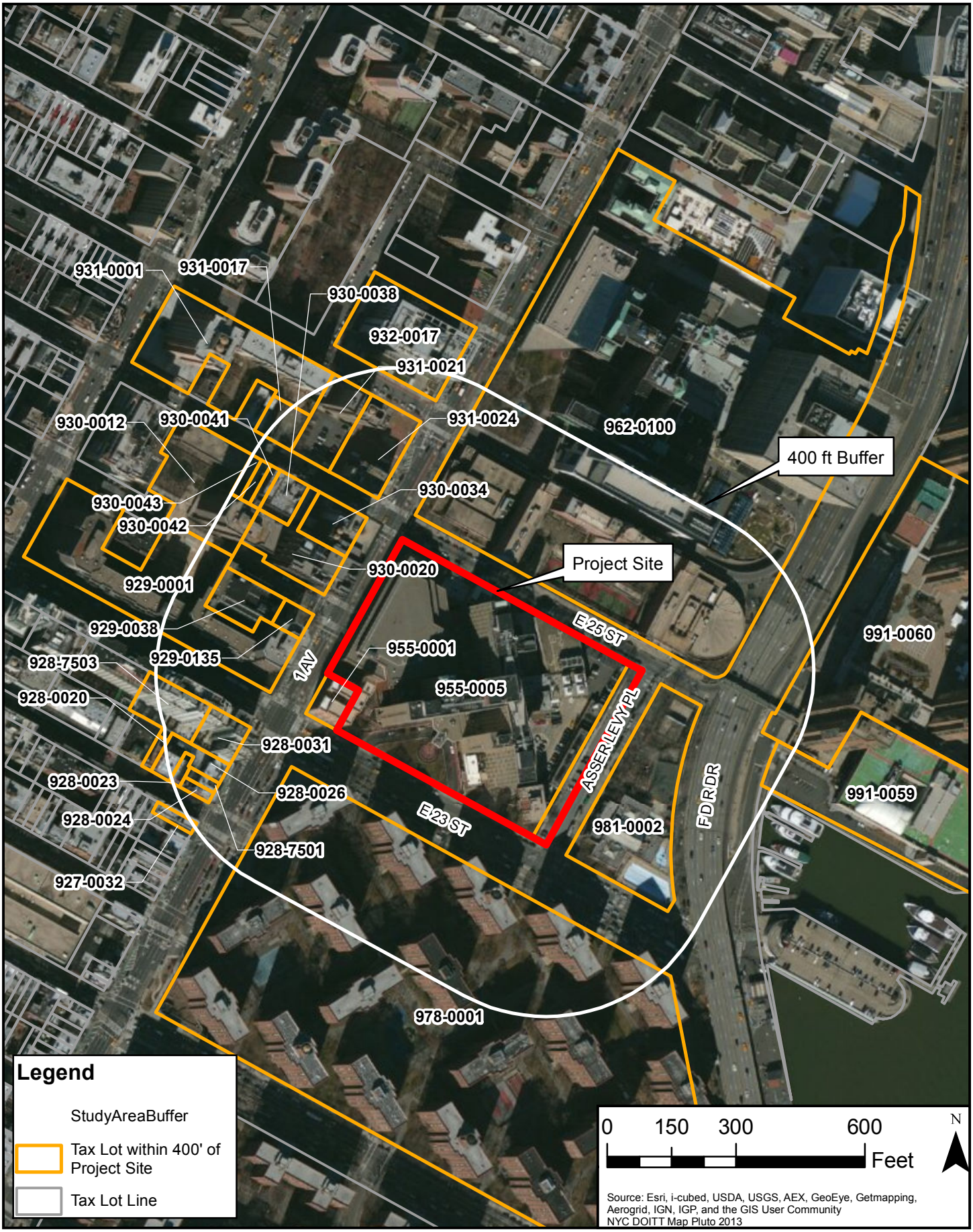
The contaminated media would be characterized and properly disposed off site a facility licensed to accept contaminated material for treatment of disposal. Groundwater encountered during construction would likely contain concentrations of contaminants in excess of groundwater quality standards. Excess water would be containerized and disposed off site at a licensed disposal facility upon chemical analysis.

HDR

Department of Veterans Affairs

VAMC Floodwall
USGS Topographic Map

Document Path: \\prl-srv3\GIS_Projects\094091_HDR_Architecture\0218259_SD_DD_CD_VA_Floodwall_EA_Con\GIS\Map_Docs\Draft\VAMC_Floodwall_USGS_buffer.mxd

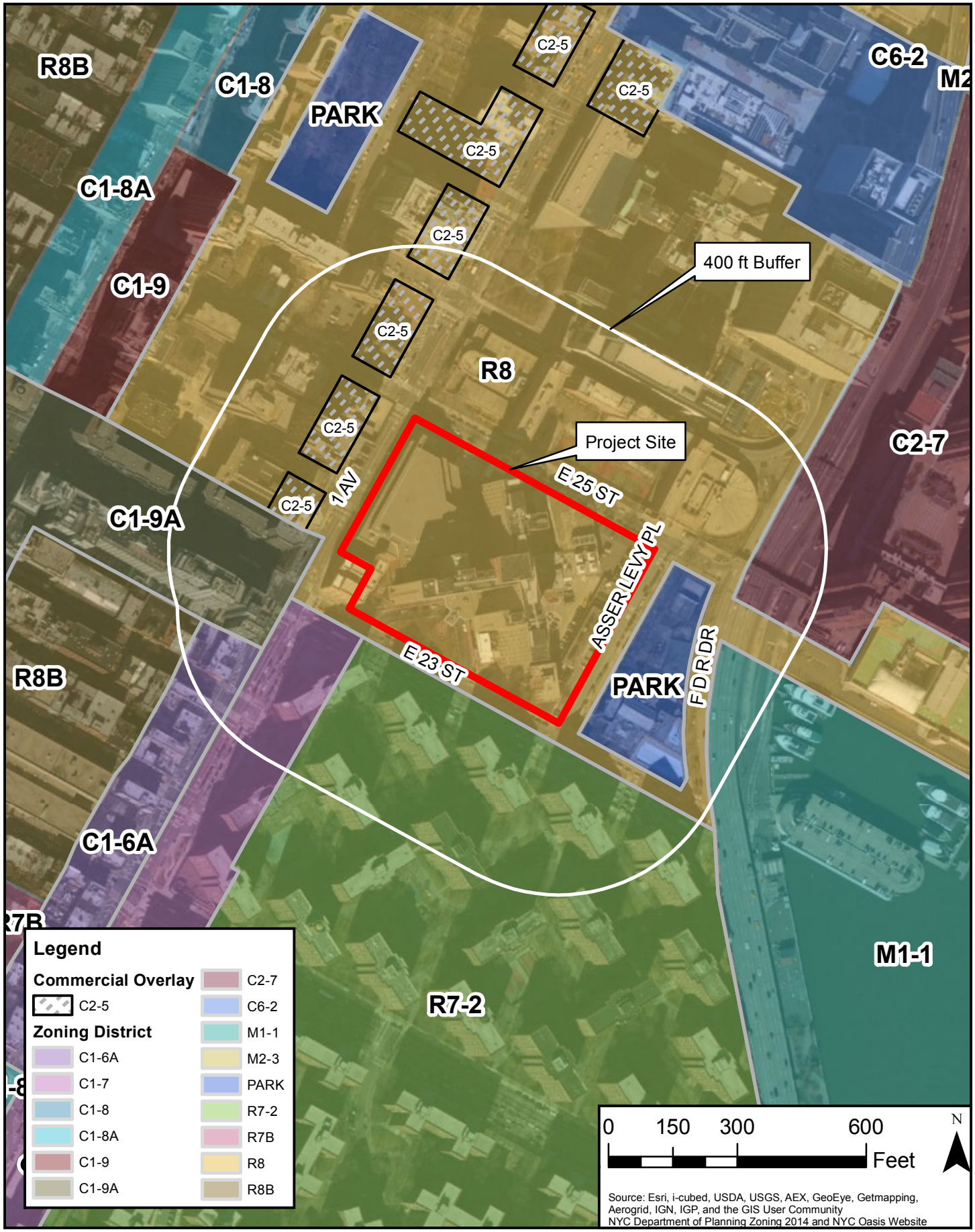


HDR

Department of Veterans Affairs

VAMC Floodwall
Tax Parcel Map

Document Path: \\prl-srv3\GIS_Projects\094091_HDR_Architecture\0218259_SD_DD_CD_VA_Floodwall_EA_Con\GIS\Map_Docs\Draft\VAMC_Floodwall_TaxMap.mxd



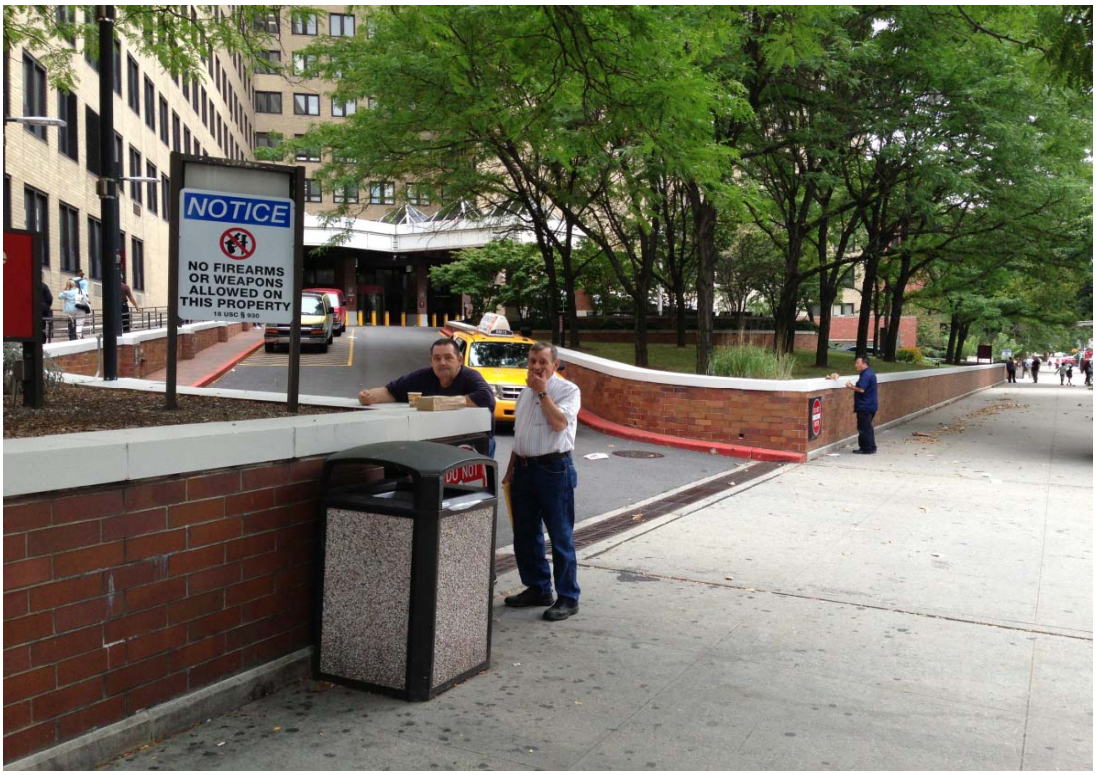
HDR

Department of Veterans Affairs

VAMC Floodwall
Zoning

Document Path: \\prl-srv3\GIS_Projects\094091_HDR_Architecture\0218259_SD_DD_CD_VA_Floodwall_EA_Con\GIS\Map_Docs\Draft\VAMC_Floodwall_Zoning_Buffer.mxd

Picture 1: View of VAMC Manhattan Facility and Asser Levy Place under construction from south



Picture 2: Entryway of VAMC Manhattan on E.23rd St.

Department of Veteran's Affairs	**VAMC Manhattan Flood Wall Project**	DATE:	03/07/14	**PHOTO**
		CREATED BY:	DB	**1 & 2**
		REVIEWED BY:		
		JOB NO:	202839	

VAMC Manhattan

Picture 3: View of WWII Monument along E. 23rd Street and VAMC facility in the back

Picture 4: North side of VAMC facility along E. 25th Street viewing West

Department of Veteran's Affairs	**VAMC Manhattan Flood Wall Project**	DATE:	03/07/14	**PHOTO**
		CREATED BY:	DB	**3 & 4**
		REVIEWED BY:		
		JOB NO:	202839	

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

November 15, 2013

Marjorie Nowick
Historic Architecture/History Program Manager
HDR for VA
9563 South Kingston Court, #200
Englewood, CO 80112

Re: VA
VAMC Manhattan Floodwall
New York County
13PR04828

Dear Ms. Mowick,

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted documents in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental quality Review Act (New York Environmental Conservation Law Article 8).

Philip Perazio of our archeological unit has no archeological concerns with the proposed work. Kathy Howe of our survey unit notes that the VA hospital at 423 East 23rd Street is not eligible for listing on the National Register of Historic Places. We note that the Public Baths located at 392 Asser Levy Place are listed on the National Register of Historic Places.

Based upon our review, it is the SHPO's opinion that the proposed floodwall will have No Adverse Effect upon historic resources provided a construction protection plan is put in place for the Public Baths. If there are substantive changes or unexpected conditions, consultation with our office should resume.

We look forward to additional consultation on this project. If you have any questions, please feel free to contact me at 518-237-8643 extension 3282.

Sincerely,

Beth A. Cumming
Senior Historic Site Restoration Coordinator
e-mail: Beth.cumming@parks.ny.gov

via e-mail

An Equal Opportunity Employer/Affirmative Action Agency

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: US DEPT VETERANS AFFAIRS / 106-M
Project: VETERANS AFFAIRS MEDICAL CENTER FLOODWALL PROJECT
Address: 403 EAST 23 STREET, **BBL:** 1009550005
Date Received: 10/30/2013

[X**] No architectural significance**

[X**] No archaeological significance**

[x] in radius Designated New York City Landmark or Within Designated Historic District

[x] in radius Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments:

Within the radius: Asser Levy Public Baths, 392 Asser Levy Place, LPC and S/NR listed. A construction protection plan for this property is required for LPC review and comment.

Cc: SHPO

Gina Santucci 11/6/2013

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 28923_FSO_DNP_11062013.doc

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

October 16, 2013

Margaret Wellins
HDR
PO Box 1509
Pearl River, NY 10965

Re: Construction of a Floodwall at the Veterans Affairs Medical Center, Manhattan
Town/City: New York. County: New York.

Dear Margaret Wellins :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities, at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nancy A. Davis

Nancy Davis-Ricci
Environmental Review Specialist
New York Natural Heritage Program

1004

Attachment B

Compliance with the New York State Coastal Management Program and the New York City Waterfront Revitalization Program

At the local level, New York City's Waterfront Revitalization Program (WRP) was approved by New York State in 1982. It contains 12 policies addressing local issues and guidelines for application of the state's 44 Coastal Management Program (CMP) policies in the New York City context. In 1999, City Council approved a revised WRP in compliance with State and Federal policies to simplify and clarify the review process for actions reviewed within the City and to bring the City's policies into conformance with local waterfront plans (Department of City Planning, The New Waterfront Revitalization Program: A Proposed 197a Plan). The new WRP consolidates the 44 Statewide and 12 City-specific policies into 10 New York City coastal zone policies. The revised New York City Plan was accepted by the Federal Department of Commerce in September 2002. In 2012, these policies were updated to incorporate considerations surrounding the waterfront that have evolved as a result of numerous waterfront planning efforts that have taken place since 2002. These policies are now the operable Coastal Zone Management Policies in New York City. As such, the Proposed Action is reviewed in terms of the 10 WRP policies.

Upon review of the New York City WRP Consistency Assessment Form (CAF), the WRP policies applicable to the construction of a floodwall at the Veterans Affairs Medical Center (VAMC) Manhattan are indicated in the table below. The following section reviews these policies and assesses their consistency with the project.

Note: This document substitutes the review of the CMP policies given the locally-adopted WRP in New York City.

CZM Policy Number	CZM Policy Name	Applicable to Project	Not Applicable to Project
Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.			
1.1	Encourage commercial and residential development in appropriate coastal zone areas		X
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public		X
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed		X
1.4	In areas adjacent to Sensitive Maritime and Industrial Areas, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.		X
1.5	Integrate consideration of climate change and sea level rise into planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	X	

CZM Policy Number	CZM Policy Name	Applicable to Project	Not Applicable to Project
Policy 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.			
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas		X
2.2	Encourage a harmonious relationship between working waterfront uses, compatibly upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.		X
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.		X
2.4	Provide infrastructure improvements necessary to support working waterfront uses.		X
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront development and infrastructure, pursuant to WRP Policy 6.2.		X
Policy 3: Promote use of New York City's waterways for commercial and recreation boating and water-dependent transportation.			
3.1	Support and encourage in-water recreational activities in suitable locations		X
3.2	Support and encourage recreational and commercial boating in New York City's maritime centers.		X
3.3	Minimize conflicts between recreational boating and commercial ship operations.		X
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.		X
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water dependent uses.		X
Policy 4: Protect and restore the quality and function of ecological systems within the New York City coastal area.			
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.		X
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.		X
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.		X
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.		X
4.5	Protect and restore tidal and freshwater wetlands.		X
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.		X

CZM Policy Number	CZM Policy Name	Applicable to Project	Not Applicable to Project
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.		X
4.8	Maintain and protect living aquatic resources.		X
Policy 5: Protect and improve water quality in the New York City coastal area.			
5.1	Manage direct or indirect discharges to waterbodies.	X	
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	X	
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.		X
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.		X
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.		X
Policy 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.			
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.	X	
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.	X	
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.		X
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.		X
Policy 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.			
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, and substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	X	
7.2	Prevent and remediate discharge of petroleum products.	X	
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.	X	
Policy 8: Provide public access to, from, and along New York City's coastal waters.			

CZM Policy Number	CZM Policy Name	Applicable to Project	Not Applicable to Project
8.1	Preserve, protect, maintain and enhance existing physical, visual and recreational access to the waterfront.		X
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.		X
8.3	Provide visual access to the waterfront where physically practical.		X
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.		X
8.5	Preserve the public interest in and use of lands and waters held in public trust by the state and city.		X
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship. The following principles should be applied as appropriate and to the extent practicable.		X
Policy 9: Protect scenic resources that contribute to the visual quality of the New York City coastal area.			
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	X	
9.2	Protect and enhance scenic values associated with natural resources.		X
Policy 10: Protect, preserve and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.			
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.		X
10.2	Protect and preserve archaeological resources and artifacts.		X

Analysis of Applicable Policies

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

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

The VAMC Manhattan provides services the community in acute medicine, surgery, acute psychiatry, neurology, and rehabilitation medicine. The campus houses a designated clinical care unit and a Research Center for Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV) infection. This floodwall would serve to protect the services that the VAMC Manhattan provides to the community. The construction of a floodwall at VAMC Manhattan would be designed to incorporate modeled storm surge and wave heights of a 100-year flood based on FEMA flood maps and the high-water mark from Hurricane Sandy. Also, predictions of sea level rise from the New York City Panel on Climate Change will be incorporated into the design process.

Policy 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.

This project is not considered essential to water-dependent or industrial uses. However, the floodwall will be designed to incorporate modeled storm surge and wave heights of a 100-year flood. Predictions of sea level rise from the New York City Panel on Climate Change will be incorporated.

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

There is no in-water work proposed for the design and construction of the floodwall around the VAMC Manhattan. Therefore, commercial and recreational boating and water-dependent transportation will not be impacted.

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

The quality and function of ecological systems within the New York City coastal area will not be negatively impacted. The project area does not include any Significant Coastal Fish and Wildlife Habitat, Special Natural Waterfront Area, Ecologically Sensitive Maritime and Industrial Area, Recognized Ecological Complexes, nor is it impinging on any freshwater or tidal wetlands. Therefore, this policy does not apply.

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

5.1 Manage direct or indirect discharges to waterbodies.

5.2 Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.

Design of the proposed floodwall and floodgates would also have the potential to impact the surface water quality resources surrounding the proposed project site, including the East River. As part of the Proposed Action, design would include analysis of potential storm water runoff during and after proposed construction activities along with management of nonpoint source pollution. Therefore, the proposed action will be in compliance with Policy 5.1 and 5.2.

Policy 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.

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.

The proposed floodwall would function as a first line of defense to reduce future property damage and interruptions of VAMC Manhattan service during flooding events such as those experienced in October 2012 as a result of Hurricane Sandy. The completed floodwall and floodgates would lower the risk of damage to property and the need to close the facility and thus limit the vital medical services the facility provides.

6.2 Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.

As stated previously, the floodwall at VAMC Manhattan would be designed to incorporate modeled storm surge and wave heights of a 100-year flood based on FEMA flood maps and the high-water mark from Hurricane Sandy. Also, predictions of sea level rise from the New York City Panel on Climate Change will be incorporated into the design process.

Policy 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.

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

The Proposed Action will not generate additional exposure pathways to hazardous materials after construction. There would be no long-term or permanent direct impact on hazardous materials or solid waste as a result of the Proposed Action. Once constructed, the floodwall and the floodgates are both passive systems that will not require the storage or use of hazardous materials for their continued operation.

Elements of the Proposed Action construction could result in the short-term generation and/or transportation of hazardous materials or solid waste, if contaminated soils are encountered during construction. If stained soils are observed or if soils are found contaminated with petroleum products, the VA would comply wither applicable local, state and federal regulations regarding its proper disposal. If construction activities, such as excavation result in the discovery of previously-unknown hazardous substances, the VA would be responsible for removing and disposing of contaminated media in accordance with state laws and regulations for hazardous waste management.

Excavation dewatering will necessary to complete the Proposed Action. It is likely the groundwater encountered will be contaminated. The VA would comply with applicable local, state and federal regulations regarding its proper handling.

There is an additional risk of minor spills and leaks of petroleum products during maintenance and equipment refueling during construction. If a spill or leak of fuel or other hazardous substances occurs, it would be addressed according to New York State Department of Environmental Conservation (NYSDEC) containment and remedial action procedures. Potential risk to human health and the environment attributable to an accidental release would be reduced by implementing a Spill Prevention, Control and Countermeasure (SPCC) Plan during construction.

7.2 Prevent and remediate discharge of petroleum products.

As stated previously, the minor risk of spills and leaks of petroleum products during maintenance and equipment refueling during construction would be addressed according to NYSDEC containment and remedial action procedures. Potential risk to human health and the environment attributable to an accidental release would be reduced by implementing a SPCC Plan during construction.

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.

Elements of the Proposed Action construction could result in the short-term generation and/or transportation of hazardous materials or solid waste, if contaminated soils are encountered during construction. The VA would be responsible for removing and disposing of contaminated media in accordance with state laws and regulations for hazardous waste management.

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

The proposed floodwall will not impact public access to, from, and along New York City's Coastal Waters.

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

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

The area surrounding VAMC Manhattan consists of a mix of residential, commercial, and public land use. The property is bound to the north by Hunter College Brookdale Health Sciences Campus, to the south by Peter Cooper Village (a private residential development), to the west by New York University College of Dentistry and commercial buildings, and to the east by the Asser Levy Recreation Center. The proposed floodwall would be adjacent to the playground and future running track at the Asser Levy Recreation Center. In addition, the public baths at the Recreation Center are listed on the National Register of Historic Places (90NR00679). Floodwall design would incorporate aesthetic design to complement the surrounding neighborhood.

Policy 10; Protect, preserve and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.

The Proposed Action should result in No Significant Impact on cultural, historic, archaeological and architectural resources under NEPA, and No Adverse Effect to historic properties under Section 106. For more information, see the Section 3.3 Cultural Resources in the Environmental Assessment.

TASK ORDER NO. VA101F-13-J-0159

VA PROJECT NO. 630-600

HDR PROJECT NO. 215104

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