

13.0 WATERFRONT REVITALIZATION PROGRAM

13.1 INTRODUCTION

This chapter evaluates the conformance of the Proposed Action with the WRP. The New York City Local WRP (LWRP) is authorized under New York State's CMP which, in turn, is based on federal legislation. The federal CZMA of 1972 was enacted to protect the characteristics of waterfront areas and established polices regarding development within the coastal zone.

The New York City WRP was originally adopted in 1982 and revised in 1999, and is included as part of New York State's CMP. The NYSDOS administers the CMP at the state level; the NYCDCP administers the LWRP for the City. The CMP and LWRP encourage government coordination to advance waterfront planning and require an evaluation of consistency of the Proposed Action with the coastal zone policies. The WRP establishes policies for use and development of the waterfront, and it provides a framework for evaluating the consistency of discretionary actions in the coastal zone with those policies.

A new LWRP was approved by the NYC City Council in October 1999, and by the NYSDOS and the U.S. Secretary of Commerce in 2002. The new LWRP replaced the 56 City and State polices approved in 1982 with ten polices designed to more effectively address the City's waterfront planning objectives. The new LWRP is used for City review under ULURP and SEQRA/CEQR. The LWRP includes policies for the following New York City coastal issues:

- Residential and Commercial Development.
- Water-Dependent and Industrial Uses.
- Commercial and Recreational Uses.
- Coastal Ecological Systems.
- Water Quality.
- Flooding and Erosion.
- Solid Waste and Hazardous Substances.
- Public Access.
- Scenic Resources.
- Historical and Cultural Resources.

13.2 CONSISTENCY ASSESSMENT

The proposed MN 1/2/5 Garage and Salt Shed (at the existing MN 1 Garage Site) would be located within the City's designated coastal zone (Figure 3-3). As such, development on these sites is subject to review for consistency with the City's LWRP. As noted in the *CEQR*

Technical Manual for any given policy of the LWRP, the Proposed Action may advance it, be neutral to it or hinder it.

Those policies determined to be relevant to the Proposed Action are presented below, followed by a discussion of the policy applicability and the Proposed Action's consistency with the policy. Policies determined to be not applicable are not addressed. Further relevant discussion is found in the substantive chapters of this DEIS.

POLICY 1 SUPPORT AND FACILITATE COMMERCIAL AND RESIDENTIAL REDEVELOPMENT IN AREAS WELL-SUITED TO SUCH DEVELOPMENT.

The DSNY is proposing to: construct and operate a new garage (approximately 427,250 net sq ft) in lower Manhattan on an undeveloped industrial site generally bounded by Spring Street, Washington Street and West Street/Route 9A; and to reuse the existing MN 1 Garage site on West Street/Route 9A as a new salt shed. The new garage (approximately 140 to 150 ft in height) would house operations of three existing DSNY garages – MN 1 at Canal Street and West Street/Route 9A, and MN 2 and MN 5 at Gansevoort/Pier 52. DSNY vehicles and equipment (refuse and recycling collection trucks, snow plow attachments, salt spreaders, etc.), would be parked, maintained, refueled and washed there. Existing staging operations of the UPS commercial transport service would be co-located in the first floor of the new DSNY MN 1/2/5 Garage. The building would therefore have a mixed commercial and DSNY truck storage and maintenance use.

The project would enable DSNY uses to be moved from Gansevoort /Pier 52 to permit the development of the Hudson River Park

The proposed site is well suited to the use as a garage with an excellent location on a major arterial highway that affords easy access to the districts to be served. The site is presently used as a surface parking and equipment storage area by UPS. The existing zoning – Manufacturing M2-4 – allows garages as an as-of-right use and prohibits residential use. Uses in the immediate area are predominantly transportation, utility and industrial. The salt shed would be a compatible use as it would serve as a supporting facility to the new MN 1/2/5 Garage. The site has been used by DSNY since the 1920's. The NYCDCP reviewed the zoning district containing the proposed sites in 2003 and concluded it was appropriate and should remain unchanged. Removal of DSNY garage operations from Gansevoort/Pier 52 would enable park amenities to be developed

that would serve the residents of the area. The Proposed Action would be consistent with this policy.

POLICY 1.1 ENCOURAGE COMMERCIAL AND RESIDENTIAL REDEVELOPMENT IN APPROPRIATE COASTAL ZONE AREAS.

Refer to Response 1.

POLICY 1.3 ENCOURAGE REDEVELOPMENT IN THE COASTAL AREA WHERE PUBLIC FACILITIES AND INFRASTRUCTURE ARE ADEQUATE OR WILL BE DEVELOPED.

Refer to Response 1.

The Proposed Action would require potable water, electricity, sanitation service and natural gas supply (or steam), all of which are available in the project vicinity.

POLICY 5 PROTECT AND IMPROVE WATER QUALITY IN THE NEW YORK COASTAL AREA.

POLICY 5.1 MANAGE DIRECT OR INDIRECT DISCHARGES TO WATERBODIES.

The project sites currently drain water to the City's combined sanitary and storm sewer system. This would not change; therefore, the MN 1/2/5 Garage and Salt Shed would not result in a direct discharge to surface or ground waters. Relocating the garages and salt storage from their current locations on the Gansevoort Peninsula/Pier 52 and from 297 West Street/553 Canal Street would not increase discharges to the City's combined sewer system. The new garage would have a combination of curbs, catch basins and/or pipes to manage stormwater. Stormwater runoff from the project sites would increase marginally compared to existing conditions, but not more than would be expected from as-of-right commercial development on the site. Sanitary wastewater flows would be expected to be comparable to those currently generated by the three district garages. The new garage's wastewater and water from equipment washing would be conveyed through a sand trap and an oil/water separator and the existing municipal sanitary system, and subsequently to the Newtown Creek WPCP. Stormwater from the MN 1/2/5 Garage and Salt Shed would be directed to the City sewer system as is currently done. The salt shed would be covered and would have an impermeable ground surface. The garage would incorporate

“Green Building” design features such as a green roof. The project would be consistent with this subpolicy.

POLICY 5.2 PROTECT THE QUALITY OF NEW YORK CITY’S WATERS BY MANAGING ACTIVITIES THAT GENERATE NONPOINT SOURCE POLLUTION.

Best Management Practices would be utilized to the extent practicable to control potential sources of pollution during construction of the proposed facilities and during their operation. Construction activities at the project sites would be conducted in accordance with applicable state and federal regulations governing stormwater runoff associated with construction activities. A SWPPP would be prepared and implemented during construction to prevent or minimize offsite runoff of sediment. Runoff from the application of road salt would be unchanged by relocating the salt shed from the Gansevoort/Pier 52 to 297 West Street/553 Canal Street. Many MN 1 collection trucks and cars are currently stored on City streets while MN 2 and 5 store vehicles outdoors. This practice would cease with the Proposed Action. Industrial wastewater from the vehicle maintenance and storage areas would be routed through a sand trap and an oil/water separator before entering the municipal sewer system. The Project would be consistent with this subpolicy. Therefore, no significant nonpoint sources of pollution would be expected.

POLICY 7 MINIMIZE ENVIRONMENTAL DEGRADATION FROM SOLID WASTE AND HAZARDOUS SUBSTANCES.

POLICY 7.1 MANAGE SOLID WASTE MATERIAL, HAZARDOUS WASTES, TOXIC POLLUTANTS, AND SUBSTANCES HAZARDOUS TO THE ENVIRONMENT TO PROTECT PUBLIC HEALTH, CONTROL POLLUTION AND PREVENT DEGRADATION OF COASTAL ECOSYSTEMS.

The MN 1/2/5 Garage and Salt Shed would be developed in accordance with applicable federal, state and local regulations and requirements. Under the first level of the new garage there would be nine USTs storing fuel and oil. The total capacity of all the tanks in the garage would be 34,000 gallons and would consist of: one 10,000 gallon diesel tank; three 4,000 gallon diesel tanks; one 4,000 gallon unleaded fuel tank; one 2,000 gallon ethanol tank and a tank each (2,000 gallons) for motor oil, hydraulic oil, and waste oil. Double wall tanks and leak detection systems would be installed. The two USTs containing liquid calcium chloride (a non-toxic compound used for snow and ice melting) in the proposed

salt shed would have a total capacity of 8,000 gallons. Equipment wash water would be directed through a sand trap and an oil/water separator before being discharged to the City's sewer system for further treatment at the Newtown Creek WPCP. All tanks would be designed, installed and tested in accordance with applicable New York City and New York State requirements. Current practices of outdoor truck storage would cease. Compacted solid waste would be fully contained in 12 or fewer parked collection vehicles inside the facility for short periods between shifts. The small amounts of hazardous materials required for garage operations and maintenance would be stored in accordance with applicable regulations. The Proposed Action would be consistent with this subpolicy.

POLICY 7.2 PREVENT AND REMEDIATE DISCHARGE OF PETROLEUM PRODUCTS.

The proposed garage site has a history of truck storage, while the proposed salt shed site has USTs and has a recorded petroleum spill that was resolved to the satisfaction of the NYSDEC. The existing tanks will be removed in accordance with all applicable regulations. Petroleum products would be stored in the new MN 1/2/5 Garage for the fueling and maintenance of DSNY and other City vehicles. All storage tanks or containers would be designed, installed and tested in accordance with applicable and appropriate federal, state and local requirements for the storage and handling of these materials, including cathodic protection and leak detection systems. Appropriate management procedures would also be in place to prevent or minimize spills of these materials. Sand traps and oil/water separators would be incorporated into the drainage system, as appropriate. The Proposed Action would be consistent with this subpolicy.

7.3 TRANSPORT SOLID WASTE AND HAZARDOUS SUBSTANCES AND SITE SOLID AND HAZARDOUS WASTE FACILITIES IN A MANNER THAT MINIMIZES POTENTIAL DEGRADATION OF COASTAL RESOURCES.

The Proposed Action would provide a base of operations for three existing DSNY garages at one site. This action would enable DSNY vehicles and equipment to be stored, maintained, refueled and washed indoors at the new facility instead of on local City streets and outdoors at Gansevoort/Pier 52. Solid waste in collection vehicles parked in the garage for short periods between shifts would remain fully contained. The Proposed Action would be consistent with this subpolicy.

POLICY 8: PROVIDE PUBLIC ACCESS TO AND ALONG NEW YORK CITY'S COASTAL WATERS.

8.1 PRESERVE, PROTECT AND MAINTAIN EXISTING PHYSICAL, VISUAL AND RECREATIONAL ACCESS TO THE WATERFRONT.

The MN 1/2/5 Garage and Salt Shed would be in a designated manufacturing district and would not be sited on the waterfront. Public access to the Hudson River waterfront is currently available from Hudson River Park, which is situated west of the proposed sites and a pedestrian walkway/bicycle path located between West Street/Route 9A and the Hudson River. The Hudson River Park, operated by the Hudson River Park Trust, will offer physical, visual and recreational access to the waterfront in the vicinity of the project sites when completed. DSNY must vacate the Gansevoort/Pier 52 at 2 Bloomfield Street, which will become part of the Hudson River Park, in accordance with the Hudson River Park authorizing legislation and the conditions of an October 27, 2005 Consent Order between the City of New York, the Friends of Hudson River Park and the Hudson River Park Trust. The DSNY will remove its existing facilities at the Gansevoort/Pier 52 upon completion of the new MN 1/2/5 Garage and Salt Shed. The salt shed would be located across Canal Street from Canal Park, but would not affect access to that park. Vehicles and equipment would access the salt shed via Canal Street and Spring Street. The MN 1/2/5 Garage and Salt Shed would not impact, nor preclude the development of waterfront public access in the area and would be consistent with this subpolicy.

8.2 INCORPORATE PUBLIC ACCESS INTO NEW PUBLIC AND PRIVATE DEVELOPMENT WHERE COMPATIBLE WITH PROPOSED LAND USE AND COASTAL LOCATION.

Public access would not be compatible with the proposed uses and operations at the project sites. The MN 1/2/5 Garage and Salt Shed would be located in a manufacturing district in an area that contains other such uses and would be as-of-right under the existing zoning. Public access to the waterfront is presently provided by the Hudson River Park. DSNY's vacating of Gansevoort/Pier 52 would enhance the policy. The sites of the garage and salt shed are not located on or immediately adjacent to the waterfront. No public access is currently available at the sites or would be incorporated into the Project. The Proposed Action would be consistent with this subpolicy.

8.3 PROVIDE VISUAL ACCESS TO COASTAL LAND, WATERS AND OPEN SPACE WHERE PHYSICALLY PRACTICAL.

The site of the proposed garage is currently undeveloped and is owned and operated by the UPS for use as a truck trailer and equipment staging area. In the Future Without the Proposed Action, commercial development as-of-right at an FAR of 5.0 would be expected by the year 2012. A building in this location would block views of the waterfront from locations along Washington Street. The new MN 1/2/5 Garage would be constructed consistent with the general building forms that have recently been constructed and/or are being built in this section of lower Manhattan. The height and uniformity of the structure would potentially block some views from publicly accessible locations. Existing visual access along Washington Street to the waterfront is, however, already limited at the site due to existing UPS operations (e.g., parked trailers and trucks) and West Street/Route 9A, which physically separates the project sites from the waterfront. The MN 1/2/5 Garage and Salt Shed would not be waterfront structures and would, therefore, not result in significant adverse impacts to existing visual access along the waterfront, compared to current or Future Without the Proposed Action conditions. The Proposed Action would be consistent with this subpolicy.

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.

Relocating DSNY's existing garages and salt storage facility from the Gansevoort/Pier 52 on the waterfront to the proposed project sites would improve the visual quality and scenic resources of the waterfront. The MN 1/2/5 Garage and Salt Shed would not be located on or immediately adjacent to the waterfront or be within a historic district. The overall area in the vicinity of the Proposed Action generally lacks cohesive urban form, with a mix of large commercial and industrial buildings and some smaller mixed commercial and residential uses. Truck activity from the new garage would be similar to historic and current freight distribution in the area. The areas to the east and south of the sites are expanding into more residential uses although the areas are zoned for mixed commercial use. The new garage and salt shed would be located within a manufacturing zoning district and would be compatible with surrounding uses and buildings. The current truck parking and equipment staging on the proposed

garage site and DSNY trucks stored on local streets are not considered scenic and block pedestrian views along Spring and Washington Streets to the water. Therefore, the Proposed Action would be consistent with this subpolicy.

POLICY 10 PROTECT, PRESERVE AND ENHANCE RESOURCES SIGNIFICANT TO THE HISTORICAL, ARCHAEOLOGICAL AND CULTURAL LEGACY OF THE NEW YORK CITY COASTAL AREA.

10.1 RETAIN AND PRESERVE DESIGNATED HISTORIC RESOURCES AND ENHANCE RESOURCES SIGNIFICANT TO THE COASTAL CULTURE OF NEW YORK CITY

No designated historic resource would be directly affected by the Proposed Action. The proposed salt shed would be adjacent to the landmarked Land Ventilation Building of the Holland Tunnel, but would not have a significant adverse impact on this historic engineering structure. Potential impacts to other historic resources within a 400 ft radius of the site were considered and none were found to be significant. Coordination letters to the SHPO and the NYCLPC were sent to determine the presence/sensitivity of historic and archaeological resources within 400 ft of the proposed MN 1/2/5 Garage and Salt Shed. On December 21, 2006, SHPO indicated that there were no archaeological concerns associated with the Proposed Action.

SHPO requested additional data on the proposed changes to the MN 1 Garage as it is adjacent to the Ventilation Building of the Holland Tunnel and contributes to that NHL. DSNY will provide SHPO with building design data for its review. The MN 1 Garage lacks significant historical or cultural value; replacing it with a salt shed would not significantly adversely impact the adjacent ventilation building. The existing wall of the MN 1 Garage that adjoins the ventilation building would be removed as part of the garage demolition. It would be replaced with a protective masonry wall approximately 15 ft in height. The salt shed would be built approximately 30 ft from the ventilation building. Incremental shadows, estimated to be about nine ft above the existing MN 1 Garage wall, would be cast onto the ventilation building by the salt shed during a portion of the afternoon hours in the winter. However, the historic significance of this engineering structure does not depend upon sunlight, and consequently, such minor shadows would not be considered significant. The salt shed, with a peak roof height of 75 ft (at West Street/Route 9A), would block some views of the ventilation building looking east (from West Street/Route 9A, the Hudson River Park). Views of the building from the south at Canal Park would not be affected.

No known historic resource would be directly affected by the Proposed Action. The new garage would be built on a slab with no cellar or basement. The James Brown House, a New York City Landmark and National Register resource, is located at 326 Spring Street, diagonally across from the southeast corner of the garage site. Construction would not be expected to affect this structure. The potential for impacts on the building from pile driving would be assessed prior to construction and measures taken, as appropriate.

The NYCLPC identified historic resources in the vicinity of the project, the nearest ones being the James Brown House and the Holland Tunnel Land Ventilation Building. As noted previously, there would be no direct effects on the James Brown House. The NYCLPC indicated the potential for recovery of materials from a circa 1804 landfill for a portion of the MN 1/2/5 Garage site. It was recommended that archaeological monitoring be performed. DSNY has committed to perform the recommended monitoring at the initiation of project construction as any discoveries may enhance knowledge of the history of the shoreline area. The Proposed Action would be neutral or advance this subpolicy.

POLICY 10.2 PROTECT AND PRESERVE ARCHAEOLOGICAL RESOURCES AND ARTIFACTS.

Refer to Subpolicy 10.1 Response.

13.3 OTHER WRP POLICIES

With respect to other WRP policies, the Proposed Action sites have no significant natural characteristics, no disturbance to regulated tidal wetlands or adjacent areas would occur, there are no lots on the shoreline, and waterfront zoning is not applicable. Policies concerning public access, the working waterfront and natural waterfront are also not applicable to the Proposed Action. With respect to scenic resources, while the new garage would block some upper story views to the Hudson River, views from public areas such as sidewalks are currently blocked by UPS trailers parked at the Equipment Staging Lot (where the garage would be built). Moreover, views would be blocked without the Proposed Action with the expected commercial development on the site in the Future No Build condition. Therefore, there would be no significant adverse impact to scenic resources from the Proposed Action. The Proposed Action would not hinder any of the other WRP Policies.