

Appendix A-2
WRP CAF

For Internal Use Only:

WRP no. _____

Date Received: _____

DOS no. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

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

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

A. APPLICANT

1. Name:

Queens Development Group

Address:

c/o Jesse Masyr, Wachtel, Masyr & Missry, LLP, 1 Dag Hammarskjold Plaza, 47th Floor, New York, New York 10117

3. Telephone:

212-909-9500

Fax:

E-mail Address:

masyr@wmlp.com

4. Project site owner:

City of New York, various private entities

B. PROPOSED ACTIVITY

1. Brief description of activity:

See EAS page 1a.

2. Purpose of activity:

The proposed project would support the economic revitalization of the Willets Point neighborhood of Queens by converting large, surface parking lots into mixed-use residential, office, and commercial development. It would create new employment opportunities for local residents and would create economic and fiscal benefits to the City in the form of economic revitalization, increased employment opportunities, and tax revenue. In addition, the proposed project would provide approximately 8 acres of new publicly accessible open space and new community facilities and public school facilities, which would serve the surrounding neighborhood.

3. Location of activity:

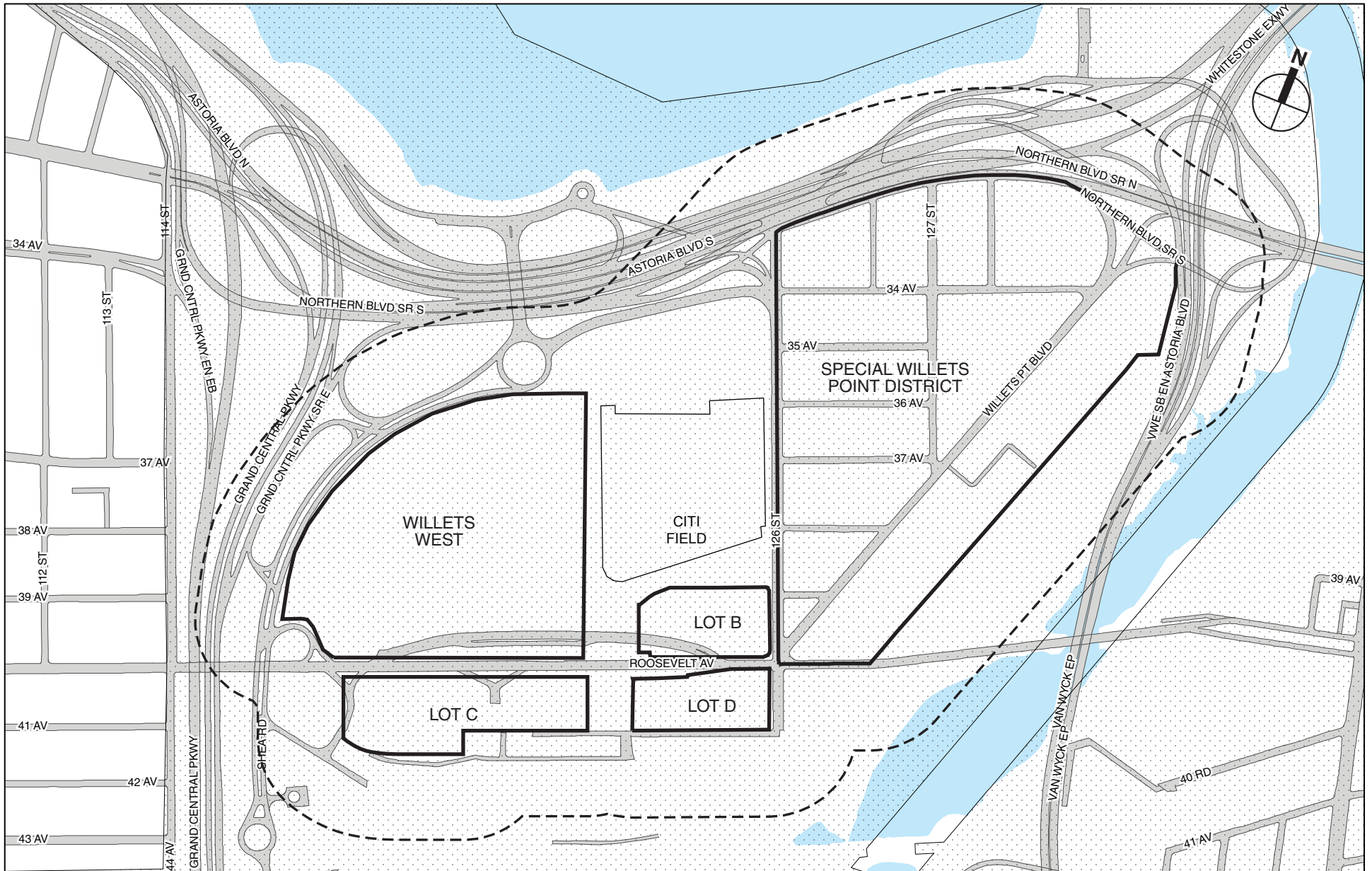
See EAS page 1a.




Borough:

Queens

Street Address or Site Description:

The project site is roughly bounded by Northern Boulevard, Shea Road, Roosevelt Avenue, and Willets Point Boulevard (see Figure A-1).



-  Project Site Boundary
-  Coastal Zone
-  Study Area Boundary (400-Foot Perimeter)

0 200 400 FEET
SCALE

Coastal Zone Boundary
Figure A-1

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:
**Approval from Federal Aviation Administration (FAA) for building in proximity to LaGuardia Airport.
 Approval by the New York City Industrial Development Agency (IDA) for the waiver of mortgage recording tax for property within the Special Willets Point District.**

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
No

6. Will the proposed project result in any large physical change to a site within the coastal area that will require the preparation of an environmental impact statement? **Yes** **No**
 If yes, identify Lead Agency: _____ _____
Office of the Deputy Mayor for Economic Development (ODMED)

7. Identify City discretionary actions, such as zoning amendment or adoption of an urban renewal plan, required for the proposed project.
Special permit(s) to allow surface parking uses within the Special Willets Point District, and modification of the City's existing lease for the CitiField property and adjacent parking properties; Mayoral and Queens Borough Board approval of the business terms pursuant to New York Charter Section 384(b)(4); technical revisions to the previously-approved City Maps that modify the staging for the closure of City streets.

C. COASTAL ASSESSMENT

The following questions represent, in a broad sense, the policy of the WRP. The number in the parentheses after each question indicated the policy or policies that are the focus of the question. A detailed explanation of the Waterfront Revitalization Program and its policies are contained in the publication the *New York City Waterfront Revitalization Program*. Check either "Yes" or "No" for each of the following questions. Once the checklist is completed, assess how the proposed project affects the policy or standards indicated in "()" after each question with a Yes response. Explain how the action is consistent with the goals of the policy or standard.

Location Questions:	Yes	No
1. Is the project site on the waterfront or at the water's edge?	_____	_____ <input checked="" type="checkbox"/>
2. Does the proposed project require a waterfront site?	_____	_____ <input checked="" type="checkbox"/>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	_____ <input checked="" type="checkbox"/>
Policy Questions:	Yes	No
The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each questions indicate the policy or policies addressed by the question. The new <u>Waterfront Revitalization Program</u> offers detailed explanations of the policies, including criteria for consistency determinations. Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.		
4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under- used waterfront site? (1)	_____	_____ <input checked="" type="checkbox"/>
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	_____ <input checked="" type="checkbox"/>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____ <input checked="" type="checkbox"/>	_____
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____ <input checked="" type="checkbox"/>	_____

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

Policy Questions cont'd:		Yes	No
28.	Would the action cause violations of the National or State air quality standards? (5.2) The project's consistency with Policy 5.2 will be addressed in the SEIS.	_____	_____
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	✓
30.	Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3) The project's consistency with Policy 5.3 will be addressed in the SEIS.	_____	_____
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	✓
32.	Would the action result in any activities within a Federally designated flood hazard area or State designated erosion hazards area? (6) The project site lies within the 100-year flood boundary. Therefore, the project's consistency with Policy 6 will be addressed in the SEIS.	✓	_____
33.	Would the action result in any construction activities that would lead to erosion? (6)	_____	✓
34.	Would the action involve construction or reconstruction of flood or erosion control structure? (6.1)	_____	✓
35.	Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	✓
36.	Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	_____	✓
37.	Would the proposed project affect a non-renewable source of sand? (6.3)	_____	✓
38.	Would the action result in shipping, handling, or storing of solid wastes; hazardous materials, or other pollutants? (7)	_____	✓
39.	Would the action affect any sites that have been used as landfills? (7.1) The project's consistency with Policy 7.1 will be addressed in the SEIS.	_____	_____
40.	Would the action result in development of a site that may contain contamination or has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2) The historical uses and conditions on and off the project site indicate the potential for adverse impacts related to hazardous materials. Therefore, the project's consistency with Policy 7.2 will be addressed in the SEIS.	✓	_____
41.	Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3) The remediation of the project site may require the treatment and/or disposal of solid wastes or hazardous materials. Therefore, the project's consistency with Policy 7.3 will be addressed in the SEIS.	_____	_____
42.	Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	✓
43.	Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8) A portion of the project is located within the boundaries of Flushing Meadows Corona Park. Therefore, the project's consistency with Policy 8 will be addressed in the SEIS.	✓	_____
44.	Would the action result in the provision of open space without the provision for its maintenance? (8.1)	_____	✓
45.	Would the action result in any development along the shoreline but NOT include new water enhanced or water dependent recreational space? (8.2)	_____	✓
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3) The project's consistency with Policy 8.3 will be addressed in the SEIS.	_____	_____
47.	Does the proposed project involve publically owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	✓
48.	Does the project site involve lands or waters held in public trust by the state or city? (8.5)	_____	✓

Policy Questions cont'd:

	Yes	No
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	_____✓
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1) The project's consistency with Policy 9.1 will be addressed in the SEIS.	_____✓	_____
51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10) As disclosed in the FGEIS, the proposed project would demolish the former Empire Millwork Corporation Building, which has been determined eligible for listing on the New York State and National Registers of Historic Places (S/NR), and thus would have a significant adverse impact on historic resources.	_____✓	_____
52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)	_____	_____✓


D. CERTIFICATION

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

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

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Applicant/Agent Signature:  Date: 8/27/2012