# APPENDIX A LAND USE

• WRP Consistency Assessment Form

FOR INTERNAL USE ONLY	WRP No
Date Received:	DOS No

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

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

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

1

C.	PROJECT LOCATION					
	Borough: <u>Brooklyn</u>	Tax Block/Lot(	(s): <u>Blo</u>	ck 2615, Lots 1, 6, 19, 21, 25, 50	0, and 1	125
	Street Address:					
	Name of water body (if loo	cated on the waterf	ront): _			
	REQUIRED ACTION eck all that apply.	IS OR APPROV	/ALS			
Cit	ty Actions/Approvals/Fur	nding				
	City Planning Commission	n Yes	□N	lo		
	City Map Amendm Zoning Map Amend Zoning Text Amen Site Selection – Pul Housing Plan & Pro Special Permit (if appropriate, spec	dment dment olic Facility oject	fication	Zoning Certification Zoning Authorizations Acquisition – Real Property Disposition – Real Property Other, explain:  Renewal other) Expiration	n Date:	Concession UDAAP Revocable Consent Franchise
	Board of Standards and A  Variance (use) Variance (bulk) Special Permit (if appropriate, special		_	o Renewal 🗹 other) Expiration	on Date:	
	Other City Approvals					
	Legislation Rulemaking Construction of Posts 384 (b) (4) Approx Other, explain:			Funding for Construction, specify Policy or Plan, specify:  Funding of Program, specify:  Permits, specify:		
Sta	ate Actions/Approvals/Fu	ınding				
	Funding for Consti	ruction, specify: am, specify:		Permit type and number		
Fed	deral Actions/Approvals/					
	Federal permit or	license, specify Age	ncy:	Permit type and numbe	er:	
	Funding for Consti	ruction, specify:				
	Other, explain:	am, specily				
ls tl	his being reviewed in conjur					] No

#### **E. LOCATION QUESTIONS**

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

#### F. WRP POLICY ASSESSMENT

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

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

	'	Promote	Hinder	N/A
1	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	~		
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	~		
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.			~
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	~		
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.			~
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	~		

		Promote Hinder		N/A
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.			9
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.			4
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.			٢
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.			*
2.4	Provide infrastructure improvements necessary to support working waterfront uses.			~
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.			4
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.			[
3.1.	Support and encourage in-water recreational activities in suitable locations.			1
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.			7
3.3	Minimize conflicts between recreational boating and commercial ship operations.			7
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.			٧
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.			•
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.			۲
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.			<b>\</b>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.			2
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.			~
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.			1
4.5	Protect and restore tidal and freshwater wetlands.			1
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.			2
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.			7
4.8	Maintain and protect living aquatic resources.			~

			Hinder	N/A
5	Protect and improve water quality in the New York City coastal area.			V
5.1	Manage direct or indirect discharges to waterbodies.	V		
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.			3
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.			4
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.			4
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	~		
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.	V		
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.	V		
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.	~		
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.			•
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.			<
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
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.			•
7.2	Prevent and remediate discharge of petroleum products.			~
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.			~
8	Provide public access to, from, and along New York City's coastal waters.			7
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.			V
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.			7
8.3	Provide visual access to the waterfront where physically practical.			~
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.			~

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.			
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.			V
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.			V
9.2	Protect and enhance scenic values associated with natural resources.			~
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.			7
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.			~
10.2	Protect and preserve archaeological resources and artifacts.			~
The a Water canno "The   New Manag	pplicant or agent must certify that the proposed activity is consistent with New York City's approximation or agent must certify that the proposed activity is consistent with New York City's approximation of the program, pursuant to New York State's Coastal Management Program. If this certification can be made, complete this proposed activity complies with New York State's approved Coastal Management Program as expected York City's approved Local Waterfront Revitalization Program, pursuant to New York State's gement Program, and will be conducted in a manner consistent with such program."  Stant/Agent's Name: RP Inlet Prop, LLC/Raymond Levin, Esq., Herrick, Feinstein, LLP	rtifications s Sections ressed	on on. in	
Addre	ess: Two Park Avenue, New York, NY, 10016			
Telepl Applic	tant/Agent's Signature:		_	
Date:	12/21/2020			

#### **Submission Requirements**

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

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

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

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

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

#### **New York City Department of City Planning**

Waterfront and Open Space Division 120 Broadway, 31st Floor New York, New York 10271 212-720-3525 wrp@planning.nyc.gov www.nyc.gov/wrp

#### **New York State Department of State**

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

#### **Applicant Checklist**

~	Copy of original signed NYC Consistency Assessment Form
V	Attachment with consistency assessment statements for all relevant policies
	For Joint Applications for Permits, one (I) copy of the complete application package
V	Environmental Review documents
	Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.

#### NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet

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

Enter information about the project and site in highlighted cells in Tabs 1-3. HighTab 4 contains primary results. Tab 5, "Future Flood Level Projections" contains background computations. The remaining tabs contain additional results, to be used as relevant. Non-highlighted cells have been locked.

Background Information						
Project Name	The Acme Fish Expansion					
Location	Greenpoint, Brooklyn (Block 2615, Lots 1, 6, 19, 21, 25, 50, and 125)					
Type(s)	Residential, Commercial, Community Facility  Parkland, Open Space, and Critical Infrastructure or Facility  Industrial Uses					
	Over-water Structures Shoreline Structures Transportation Wastewater Treatment/Drainage Coastal Protection					
	The Applicant is proposing the development of a two-building commercial office and light industrial building comprising approximately 654,300 gross square feet (gsf) on the block bounded by Banker Street, Wythe Avenue, Gem and North 15th Streets, and Meserole Avenue in the Greenpoint neighborhood of Brooklyn CD 1. The Proposed Actions include zoning map and text amendments affecting Block 2615 in its entirety, as well as two LSGD special permits for a development to be built on the entire block (the "Development Site").					
Planned Completion date	2024					

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

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

Last update: June 7, 2017

## Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.14	2.14	NAVD88	NOAA, Williamsburg Bridge, NY
1% flood height	11.00	11.00	NAVD88	2015 FEMA pFIRMS for nearest 1% flood zone
As relevant:				
0.2% flood height	14.00	14.00	NAVD88	Estimate based on 1% flood elevation
MHW	1.81	1.81	NAVD88	NOAA, Williamsburg Bridge, NY
MSL	-0.22	-0.22	NAVD88	NOAA, Williamsburg Bridge, NY
MLLW	-2.61	-2.61	NAVD88	NOAA, Williamsburg Bridge, NY

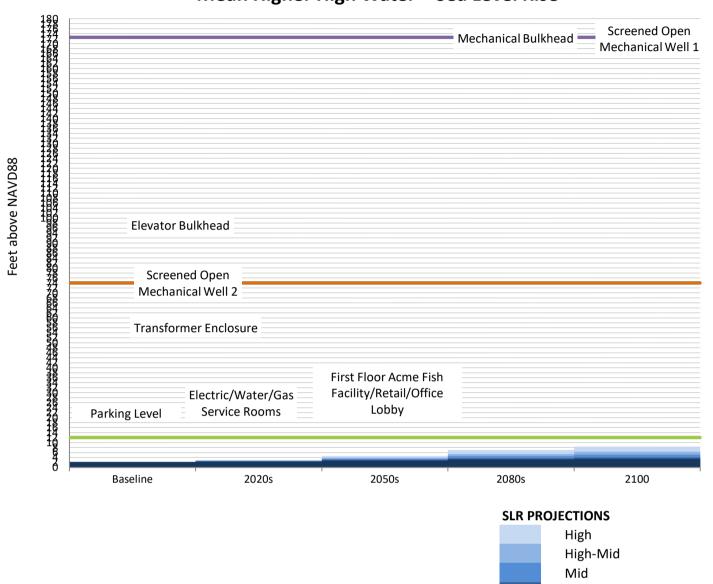
Data will be converted based on the following datums:

Datum	FT (NAVD88)
NAVD88	0.00
NGVD29	-1.10
Manhattan Datum	1.65
Bronx Datum	1.51
Brooklyn Datum (Sewer)	0.61
Brooklyn Datum (Highway)	1.45
Queens Datum	1.63
Richmond Datum	2.09
Station	0.00
MLLW	-2.61

## Describe key physical features of the project.

Feature (enter name)	Feature Cate	gory			Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88			Ft Above 0.2% flood height
Parking Level	✓ Vulnerable	Critical	Potentially Hazardous	Other	2100	12.0	Feet	NAVD88	12.0	12.0	9.9	1.0	-2.0
Enclosed parking on the ground j	floor.												
First Floor Acme Fish Facility/Re	et // Vulnerableo	Critical	Potentially Hazardous	Other	2100	12.0	Feet	NAVD88	12.0	12.0	9.9	1.0	-2.0
The lowest occupied floor of the													
Electric/Water/Gas Service Roo	Vulnerable	✓ Critical	Potentially Hazardous	Other	2100	12.0	Feet	NAVD88	12.0	12.0	9.9	1.0	-2.0
Various locations with lowest loc	cations on the g	round floor.											
Mechanical Bulkhead	Vulnerable	✓ Critical	Potentially Hazardous	Other	2100	172.5	Feet	NAVD88	172.5	172.5	170.4	161.5	158.5
Mechanical bulkhead									ı				
Screened Open Mechanical We		✓ Critical	Potentially Hazardous	Other	2100	172.5	Feet	NAVD88	172.5	172.5	170.4	161.5	158.5
Screened Open Mechanical Well									1				
Screened Open Mechanical We		✓ Critical	Potentially Hazardous	Other	2100	74.0	Feet	NAVD88	74.0	74.0	71.9	63.0	60.0
Screened Open Mechanical Well									1				
Transformer Enclosure	Vulnerable	✓ Critical	Potentially Hazardous	Other	2100	74.0	Feet	NAVD88	74.0	74.0	71.9	63.0	60.0
Transformer Enclosure													
Elevator Bulkhead	Vulnerable	✓ Critical	Potentially Hazardous	Other	2100	74.0	Feet	NAVD88	74.0	74.0	71.9	63.0	60.0
Elevator Bulkhead													

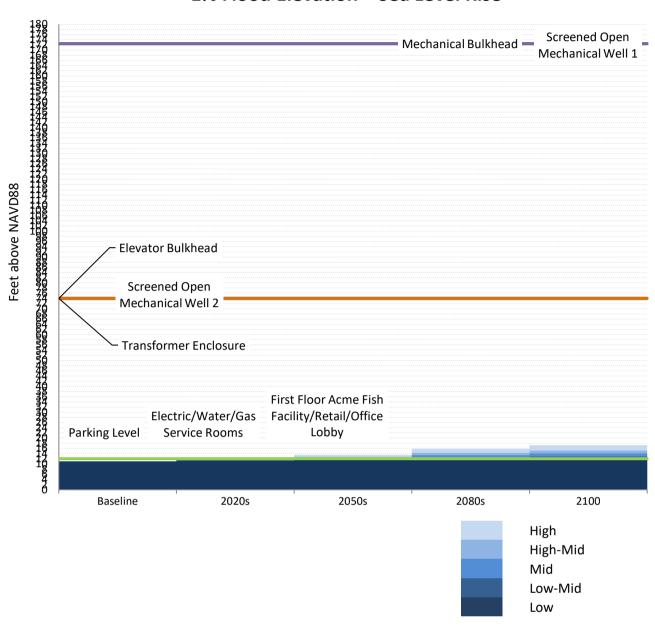
## Mean Higher High Water + Sea Level Rise



Low-Mid

Low

### 1% Flood Elevation + Sea Level Rise



		SLR (ft)					
	Low	ı	Low-Mid	Mid	High-Mid	High	
Baseline		0.00	0.00	0.00	0.00	0.00	2014
2020s		0.17	0.33	0.50	0.67	0.83	2020s
2050s		0.67	0.92	1.33	1.75	2.50	2050s
2080s		1.08	1.50	2.42	3.25	4.83	2080s
2100		1 25	1 83	3.00	<b>4</b> 17	6.25	2100

2100	1.25	1.83	3.00	4.17	6.25	2100
Baseline	2.14	2.14	2.14	2.14	2.14	Baseline
2020s	2.31	2.47	2.64	2.81	2.97	<b>2020</b> s
2050s	2.81	3.06	3.47	3.89	4.64	<b>2050</b> s
2080s	3.22	3.64	4.56	5.39	6.97	2080s
2100	3.39	3.97	5.14	6.31	8.39	2100
	1%+SLR (ft ab	ove NAVD	88)			
	Low Lo	w-Mid	Mid	High-Mid	High	
Baseline	11.00	11.00	11.00	11.00	11.00	Baseline
2020s	11.17	11.33	11.50	11.67	11.83	<b>2020</b> s
20203				40 75	40.50	2050-
2050s	11.67	11.92	12.33	12.75	13.50	2050s
	11.67 12.08	11.92 12.50	12.33 13.42			2080s 2080s
2050s				14.25	15.83	
2050s 2080s	12.08 12.25	12.50 12.83	13.42 14.00	14.25	15.83	2080s
2050s 2080s	12.08 12.25 <b>0.2%+SLR (ft a</b>	12.50 12.83 bove NAVE	13.42 14.00	14.25 15.17	15.83 17.25	2080s
2050s 2080s 2100	12.08 12.25 <b>0.2%+SLR (ft a</b> <b>Low Lo</b>	12.50 12.83 bove NAVE ow-Mid	13.42 14.00 <b>088)</b> <b>Mid</b>	14.25 15.17 <b>High-Mid</b>	15.83 17.25 High	2080s
2050s 2080s 2100 Baseline	12.08 12.25 <b>0.2%+SLR (ft a</b> <b>Low Lo</b> 14.00	12.50 12.83 bove NAVE bw-Mid 14.00	13.42 14.00 <b>088)</b> <b>Mid</b> 14.00	14.25 15.17 <b>High-Mid</b> 14.00	15.83 17.25 <b>High</b> 14.00	2080s
2050s 2080s 2100 Baseline 2020s	12.08 12.25 <b>0.2%+SLR (ft a</b> <b>Low Lo</b> 14.00 14.17	12.50 12.83 bove NAVE bw-Mid 14.00 14.33	13.42 14.00 <b>088)</b> <b>Mid</b> 14.00 14.50	14.25 15.17 <b>High-Mid</b> 14.00 14.67	15.83 17.25 <b>High</b> 14.00 14.83	2080s
2050s 2080s 2100 Baseline 2020s 2050s	12.08 12.25 0.2%+SLR (ft a Low Lo 14.00 14.17 14.67	12.50 12.83 bove NAVE bw-Mid 14.00 14.33 14.92	13.42 14.00 <b>P88)</b> <b>Mid</b> 14.00 14.50 15.33	14.25 15.17 <b>High-Mid</b> 14.00 14.67 15.75	15.83 17.25 <b>High</b> 14.00 14.83 16.50	2080s
2050s 2080s 2100 Baseline 2020s	12.08 12.25 <b>0.2%+SLR (ft a</b> <b>Low Lo</b> 14.00 14.17	12.50 12.83 bove NAVE bw-Mid 14.00 14.33	13.42 14.00 <b>088)</b> <b>Mid</b> 14.00 14.50	14.25 15.17 High-Mid 14.00 14.67 15.75 17.25	15.83 17.25 <b>High</b> 14.00 14.83	2080s

	0	1
Parking Level	12	12
First Floor Acme Fish Facility/F	12	12
Electric/Water/Gas Service Ro	12	12
Mechanical Bulkhead	172.5	172.5
Screened Open Mechanical W	172.5	172.5
Screened Open Mechanical W	74	74
Transformer Enclosure	74	74
Elevator Bulkhead	74	74

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CI R	(ın)
JLIN	<b></b>

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

#### MLLW+SLR (ft above NAVD88)

Low		Low-Mid	Mid	High-Mid	High		
	-2.61	-2.61	-2.61	-2.61	-2.61		
	-2.44	-2.28	-2.11	-1.94	-1.78		
	-1.94	-1.69	-1.28	-0.86	-0.11		
	-1.53	-1.11	-0.19	0.64	2.22		
	-1.36	-0.78	0.39	1.56	3.64		

#### MSL+SLR (ft above NAVD88)

Low		Low-Mid	Mid	High-Mid	High
	-0.22	-0.22	-0.22	-0.22	-0.22
	-0.05	0.11	0.28	0.45	0.61
	0.45	0.70	1.11	1.53	2.28
	0.86	1.28	2.20	3.03	4.61
	1.03	1.61	2.78	3.95	6.03

