



NOTICE OF COMPLETION OF FINAL ENVIRONMENTAL IMPACT STATEMENT

CEQR No. 07DEP063R

Project: Staten Island Bluebelt Drainage Plans for Mid-Island Watersheds

November 4, 2013

Carter H. Strickland, Jr.
Commissioner

Angela Licata
Deputy Commissioner,
Sustainability
alicata@dep.nyc.gov

59-17 Junction Blvd.
Flushing, New York 11373

Tel. (718) 595-4398
Fax(718) 595-4479

A Final Generic Environmental Impact Statement has been prepared by the New York City Department of Environmental Protection (DEP) for the proposed Staten Island Bluebelt Drainage Plans for Mid-Island Watersheds. DEP is certifying that this FGEIS is complete, acting as lead agency and in accordance with the State Environmental Quality Review Act (SEQRA) (Section 8-0113, Article 8 of the Environmental Conservation Law) as set forth in 6NYCRR Part 617, the City Environmental Quality Review (CEQR) process, as set forth in Executive Order 91 of 1977 and its amendments, and the State Environmental Review Process (SERP), as required by the State Revolving Loan Fund Program.

A Draft Generic Environmental Impact Statement (DGEIS) for the proposed project was completed and distributed for public review by DEP on September 23, 2011. A public hearing was held at the offices of Community Board 2 on Staten Island on October 27, 2011. The public comment period closed on December 16, 2011. In addition, DEP hosted a workshop-style meeting for the public on February 27, 2013 at which time residents had an opportunity to discuss the proposed plans described in the DGEIS. Notification of the public hearings appeared in the City Record, the New York State Department of Environmental Conservation (NYSDEC) Environmental News Bulletin, the DEP website, and in a local newspaper, The Staten Island Advance, at least 14 days before the hearing. The DGEIS was also available at public repositories listed below.

The Final Generic Environmental Impact Statement (FGEIS) incorporates comments received from the public on the DGEIS, and an assessment of potential environmental impacts related to the design, construction, and operation of the Staten Island Bluebelt Drainage Plans for the Mid-Island Watersheds.

Project Description

The New York City Department of Environmental Protection (DEP), on behalf of the City of New York, is proposing three amended drainage plans for the Mid-Island area on the East Shore of Staten Island (the "proposed project"). The proposed project area is generally bordered on the west by Great Kills Park (within the Gateway National Recreation Area [GNRA]) and the mapped but unbuilt Willowbrook Parkway right-of-way, and by the Staten Island Expressway to the east. The northern boundary extends along a number of Staten Island Greenbelt parks including LaTourette Park, Richmond County Country Club, and Reeds Basket Willow Swamp. The southern boundary is the Lower Bay. Mid-Island includes the Oakwood Beach, New Creek, and South Beach watersheds, which cover approximately 5,000 acres. The Mid-Island watersheds are located within Staten Island Community Boards 2 and 3.

The three proposed amended drainage plans would address the chronic flooding of streets and properties in Mid-Island while preserving and enhancing existing wetlands under DEP's Bluebelt Program and using these properties for stormwater management. The proposed project would involve multi-phase capital projects with construction expected to begin in fiscal year 2014 and continue through 2043.

DEP designs its drainage plans based on established criteria for the collection, conveyance, and management of stormwater and sanitary wastewater. The current drainage plans for these three watersheds (which date from the 1960s) call for a full network of storm and sanitary sewers in all mapped streets. This proposal involves amending these drainage plans to manage stormwater through a combination of collection sewers with Best Management Practices (BMPs) that would restore wetlands while integrating them into the drainage plan design. Under the three proposed amended drainage plans, existing protected wetlands comprised of surface water features such as streams, ponds and other wetlands, would be preserved and enhanced to provide natural hydrologic functions along with the filtering of pollutants, groundwater recharge and flood control within the Bluebelt properties. Proposed BMPs, such as extended detention basins and outlet stilling basins, would be installed at each storm sewer outlet (gray infrastructure) into the Bluebelt wetlands (green infrastructure). These proposed BMPs would alleviate the impacts of urban stormwater discharges into receiving wetlands by reducing erosive runoff velocities, intercepting contaminants and providing runoff storage in extended detention wetlands, thereby reducing downstream flooding and erosion. Moreover, the proposed BMP designs incorporate the restoration of natural features that enhance wetland habitats and benefit wildlife. The three proposed amended drainage plans also call for completing and upgrading the sanitary sewer system where needed. All sewer construction would involve street reconstruction once the sewers are installed.

DEP has acquired numerous properties in these three watersheds as part of the Mid-Island Bluebelt Program, and would complete the full acquisition program through the City's Uniform Land Use Review Procedure (ULURP) process. The City Planning Commission (CPC) approved the New Creek land acquisitions between July 2003 and January 2005. The South Beach properties were approved for acquisition between

October 2005 and March 2007. Finally, approval for Oakwood Beach acquisitions was obtained in March 2007. The acquisition properties are largely within Federal Emergency Management Agency (FEMA) mapped 100-year floodplains and also contain freshwater wetlands as mapped by the New York State Department of Environmental Conservation (NYSDEC) and the National Wetland Inventory (NWI). The appropriate permits to develop the proposed BMPs would be obtained prior to implementation of the proposed project.

Required Approvals

- United States Army Corps of Engineers (USACE) for actions within navigable waters (e.g., construction of structures or activities within freshwater or tidal wetlands) as per Title 33 Code of the Federal Register, Parts 320-330¹. This approval will be in the form of a Regional General Permit for regulated activities in the wetlands of the three watersheds.²
- NYSDEC permits for activities in tidal and freshwater wetlands and adjacent areas as per Article 24 6NYCRR Part 663 Freshwater Wetlands Permits and Article 25 6NYCRR Part 661 Tidal Wetlands;
- NYSDEC permits for activities within coastal erosion hazard area that is designated along the Lower Bay shoreline as per Article 34 6NYCRR Part 505 (variance under subsection 505.13);
- NYSDEC State Pollution Discharge Elimination System (SPDES) permits for surface water outlets and discharges in accordance with Article 17 6NYCRR Part 750-757;
- NYSDEC approval under the SPDES General Permit for Stormwater Discharges from Construction Activity;
- NYSDEC permits for use of herbicides in and around wetlands (to control invasive plant species, such as Japanese knotweed);
- NYSDEC incidental take permits for endangered and threatened species of fish and wildlife and species of special concern in accordance with Environmental Conservation Law 11-0535 Part 182 where impacts have been identified with respect to rare, threatened, or endangered wildlife that is protected under this law;
- Construction of any BMPs proposed on NYSDEC property (e.g., Richmond County Country Club) requires NYSDEC approval in accordance with all applicable regulations including a concurrent use and occupancy agreement;

¹Pursuant to 33 CFR Section 320.3(e), coordination will be required with the U.S. Coast Guard for the proposed outfalls in tidal waters and National Oceanic and Atmospheric Administration-Fisheries Service (NOAA-FS) and National Marine Fisheries Service-Protected Resources Division (NMFS-PRD) may also require notification if the USACE determines that the proposed project may affect species or habitat under their purview.

² DEP is actively coordinating with the USACE and the United States Environmental Protection Agency (USEPA) on the Regional General Permit. On March 15, 2013 USACE issued a public notice announcing their intention to authorize Bluebelt construction in regulated wetlands with a Regional General Permit.

- Licenses and agreements between DEP and the New York State Department of Transportation (NYSDOT) for activities within the Willowbrook Parkway right-of-way;
- New York State Department of State (NYSDOS) coastal zone consistency review under the permit review process (all of the watersheds in their entirety are in the coastal zone);
- Licenses and agreements between DEP and the Metropolitan Transportation Authority (MTA) for activities under the Staten Island Rapid Transit (SIRT) tracks;
- Permits, licenses and agreements between DEP and the New York City Department of Parks and Recreation (DPR) for activities in City parkland including tree clearing (e.g., Reeds Basket Willow Swamp Park, Last Chance Pond Park, and Willowbrook Parkway right-of-way, since it is managed by DPR) and the need for any controls relative to Asian Longhorned Beetles (although not currently in the City's quarantine zone this area may be added at a future date) and the identification of trees to be cleared and a tree replacement plan consistent with the requirements of Local Law 3 of 2010;
- City Planning Commission (CPC) authorizations for work in the Special South Richmond Development District (SSRDD) and the Staten Island Special Natural Area District (NA-1) as well as coastal zone consistency review (all watersheds are in the coastal zone);
- CPC and New York City Department of Health and Mental Hygiene approval of the proposed amended drainage plans;
- Review by Staten Island Community Boards 2 and 3, the Staten Island Borough President, CPC, and the City Council for future street de-mappings related to siting of BMPS proposed in street beds and acquisition of sewer easements as per the requirements of ULURP;
- New York City Department of Transportation (DOT) approval for any in-street work; and
- License agreements or other forms of approvals with private landowners for any temporary work on private lands and sewer easements for any permanent infrastructure that would be on private lands and also require maintenance access.

Significant Impacts and Mitigation

A full assessment of potential impacts was undertaken in preparation of the FGEIS. The proposed project has potential significant adverse impacts in three natural resources areas: vegetation and trees, rare, threatened, and endangered species, and tidal wetlands. DEP has examined mitigation measures to reduce the potential significant adverse impacts identified above where feasible or practicable.

With respect to vegetation and trees, detailed surveys and designs would be developed for each of the proposed BMPs. As part of the final design process, a detailed tree survey would be conducted for proposed BMP sites to determine the actual number of trees to be removed and the area of affected habitat. Survey results and additional natural resources

data would be reviewed with DPR for the purposes of identifying opportunities to further avoid particular large trees, dense stands of native trees, and important wooded and wetland habitats. DEP will continue to work with DPR to develop restitution plans for unavoidable tree removal, especially at two sites in the New Creek watershed: BMPs NC-6 and NC-11.

With respect to rare, threatened, and endangered wildlife and plant species, pre-construction investigations would be completed at each proposed BMP site. These investigations would be performed during the appropriate season or time of year and designed specific to the spawning, nesting, foraging, and breeding characteristics of each plant or animal species. The investigations would inform final BMP designs to support wildlife and wetland permitting and construction. If any of the endangered, threatened, or special concern species are observed, design modifications, construction controls, and other protective measures would be implemented as part of the proposed project to avoid these species and minimize impacts. In addition, DEP would coordinate with NYSDEC to obtain any necessary incidental take permits for endangered and threatened species of fish and wildlife and species of special concern in accordance with Environmental Conservation Law 11-0535 Part 182 if mitigation measures are not sufficient to avoid incidental takings.

With respect to mitigating the loss of tidal wetlands due to construction of ocean outfalls, DEP, working together with DPR and the New York City Department of Design and Construction (DDC), identified tidal wetland mitigation opportunities at Crescent Beach Park in conjunction with proposed park enhancements and drainage improvements including the proposed Robinson Avenue Sewer Improvement Project. Crescent Beach Park, a 68-acre park (with about 10 land acres and 58 acres in the water), is located in the Great Kills section of Staten Island, just southwest of the Oakwood Beach watershed and west of Great Kills Park. The creation of tidal wetlands in this park to offset the loss due to the proposed project may not be possible because of the construction of a sand dune for coastal flood protection.

Another potential tidal wetland mitigation site would be at the mouth of the Oakwood Beach creek system at the confluence of the east and west branches. This area is between the Oakwood Beach Wastewater Treatment Plant and the ocean outfall across the beach. The land is owned by the National Park Service as part of the GNRA or by DPR. As in the case of Crescent Beach, this work would have to be coordinated with any shoreline protection measures proposed by USACE.

DEP has been coordinating with USACE and the United States Environmental Protection Agency (USEPA) on a Regional General Permit that would authorize a number of Bluebelt projects on Staten Island, including all of those planned as part of the the proposed project. A requirement of that permit is a wetland mitigation plan that ensures there will be no net loss of forested wetlands within Richmond County, due to activities authorized by the permit. DEP, in coordination with USACE and USEPA, is developing a plan to mitigate the loss of forested wetlands, estimated to be about 5.46 acres from activities associated with the proposed project.

These impacts are unavoidable as they are a function of the proposed BMP site locations within the watersheds, which require siting along existing stream channels and within the watershed wetlands, to achieve the project objectives of comprehensive stormwater management, flood reduction and wetland enhancement. These impacts have been minimized to the extent possible in the proposed amended drainage plans and would be further minimized through proposed mitigation and final designs. For a detailed description of potential significant adverse impacts and related mitigation measures, please refer to Natural Resources sections in Chapters 3, 4 and 5, Chapter 8, "Mitigation," and Chapter 9, "Unavoidable Significant Adverse Impacts."

Contact Person

Robert Will, Project Manager
New York City Department of Environmental Protection
Bureau of Environmental Planning and Analysis

Office of Ecological Services

59-17 Junction Boulevard, 11th Floor
Flushing, New York 11373
Phone: (718) 595-3185
Fax: (718) 595-4479
Email: rwill@dep.nyc.gov



Angela Licata
Deputy Commissioner

Attached: Final Generic Environmental Impact Statement
Repository List

c: Diane Savino, NY State Senator-District 23
Andrew Lanza, NY State Senator-District 24
Nicole Malliotakis, NY State Assemblyperson-District 60
Joseph Borelli, NY State Assemblyperson-District 62
Michael Cusick, NY State Assemblyperson – District 63
James Molinaro, Staten Island Borough President
James Oddo, NYC Councilperson-District 50
Vincent Ignizio, NYC Councilperson-District 51
Dana Magee, Staten Island Community Board 2 Chairperson
Debra Derrico, Staten Island Community Board 2 District Manager
Frank Morano, Staten Island Community Board 3 Chairperson
Charlene Wagner, Staten Island Community Board 3 District Manager

Robert Kulikowski, NYC Mayor's Office of Environmental Coordination
Michael McSweeney, NYC City Clerk and Clerk of the Council
Robert Dobruskin, DCP
Jackie Harris, DCP
Wilbur Woods, DCP
Len Garcia-Duran, DCP
Jim Garin, DEP
Nick Barbaro, DEP
Dana Gumb, DEP
Pinar Balci, DEP
Terrell Estes, DEP
John McLaughlin, DEP
Alexander Wolk, DEP
Narayana Venugopalan, DDC
Hervé Carrié, DDC
Adena Long, DPR
Daniel Grulich, DPR
Mike Browne, DPR
Michael Schnall, DPR
Bram Gunther, DPR
Michael Feller, DPR
Gina Santucci, LPC
Amanda Sutphin, LPC
Naim Rasheed, DOT
George Stafford, NYS Department of State Coastal Zone Consistency
Venetia Lannon, NYSDEC
Steve Zahn, NYSDEC
John Cryan, NYSDEC
Joe Pane, NYSDEC
Uchenna Madu, NYSDOT
Ruth Pierpont, NYSOPRHP
Jodi McDonald, USACE
Craig Spitz, USACE
Leonard Houston, USACE
Joseph Vietri, USACE
Dan Montella, USEPA
Sandeep Mehrotra, Hazen & Sawyer
Dahlia Thompson, Hazen & Sawyer
Robert White, AKRF, Inc.

Repositories

Dongan Hills NY Public Library Branch
1617 Richmond Road
Staten Island, NY 10304

Great Kills NY Public Library Branch
56 Giffords Lane
Staten Island, NY 10308

Huguenot Park NY Public Library Branch
830 Huguenot Avenue
Staten Island, NY 10312

New Dorp NY Public Library Branch
309 New Dorp Lane
Staten Island, NY 10306

Port Richmond NY Public Library Branch
75 Bennett Street
Staten Island, NY 10302

Richmondtown NY Public Library Branch
200 Clarke Avenue
Staten Island, NY 10306

South Beach NY Public Library Branch
21-25 Robin Road
Staten Island, NY 10305

St. George NY Public Library Branch
5 Central Avenue
Staten Island, NY 10301

Todt-Hill-Westerleigh NY Public Library Branch
2550 Victory Boulevard
Staten Island, NY 10314

Staten Island Community Board 2 Offices
Sea View Hospital, Lou Caravone Community Service Building
460 Brielle Avenue
Staten Island, NY 10314

Staten Island Community Board 3 Offices
655-218 Rossville Avenue
Staten Island, NY 10309

NYC Department of Environmental Protection
59-17 Junction Blvd., 11th Floor
Flushing, NY 11373