# APPENDIX K:

# CORRESPONDENCE WITH CITY AGENCIES

**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

August 18, 2016

Robert R. Kulikowski
Langan
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001

Re: Bay Street Corridor Rezoning and Related Actions, Staten Island (Langan Project No.: 170289505)
Town/City: City of New York. County: Richmond.

Dear Robert Kulikowski:

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

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and 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,

Andrea Chaloux

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program

891

# The following rare plants, rare animals, and significant natural communities have been documented in the vicinity of your project site.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.**

| *COMMON NAME* | *SCIENTIFIC NAME* | *NY STATE LISTING* | *HERITAGE CONSERVATION STATUS* |
|---|---|---|---|
| **Upland/Terrestrial Communities** | | | |
| **Serpentine Barrens** | | | Rare Community Type and Globally Rare |

Grymes Hill Serpentine: The community is in good condition with natural erosion processes intact, but very small and in a highly urbanized landscape. Exotic species are present. 4603

**The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.**

| *COMMON NAME* | *SCIENTIFIC NAME* | *NY STATE LISTING* | *HERITAGE CONSERVATION STATUS* |
|---|---|---|---|
| **Vascular Plants** | | | |
| **Green Milkweed** | *Asclepias viridiflora* | Threatened | Imperiled in NYS |

Grymes Hill Serpentine, 1998-08-21: *Andropogon*-dominated grasslands overlooking Verrazano Bridge and developed areas. 8522

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/97703.html for Ecological Communities of New York State.

# The following rare plants and rare animals have historical records at your project site, or in its vicinity.

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site include a search for these species, particularly at sites that are currently undeveloped and may still contain suitable habitat.

| *COMMON NAME* | *SCIENTIFIC NAME* | *NYS LISTING* | *HERITAGE CONSERVATION STATUS* |
|---|---|---|---|
| **Amphibians** | | | |
| **Northern Cricket Frog** | *Acris crepitans* | Endangered | Critically Imperiled in NYS |
| 1898-04-23. | | | 8570 |

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

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Landmarks Preservation Commission

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

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http://nyc.gov/landmarks

# ARCHAEOLOGY

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP156R
**Project:** BAY ST CORRIDOR PROJECTED SITES
**Date received:** 4/3/2017

**Comments:** as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

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**This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.**

**Comments:** LPC has reviewed B 487 Lot 100 and no longer recommends that an archaeological documentary study be completed for this lot. However, we still recommend that an archaeological documentary study be completed for B 488 L 65.

The LPC is also in receipt of the Historic and Cultural Resources Chapter dated March 20, 2017. We note that it states that a Phase 1A will be completed for both lots so should be amended to reflect the findings above although we note that Figure 7-1: Archaeological Sensitive Area does not show any sensitive areas.



4/5/2017

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

**File Name:** 31672_FSO_ALS_04052017.doc

NYC Landmarks Preservation Commission

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# ARCHAEOLOGY

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP156R
**Project:** BAY STREET CORRIDOR REZONING
**Address:** 270 BAY STREET, **BBL:** 5005000001
**Date Received:** 5/8/2017

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**This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.**

**[ ] No archaeological significance**

**[ ] Designated New York City Landmark or Within Designated Historic District**

**[ ] Listed on National Register of Historic Places**

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

**[** X**] May be archaeologically significant; requesting additional materials**

**Comments:** The LPC is in receipt of the, "Phase 1A Archaeological Study for Bay Street Rezoning Project, Block 488 Lot 65, Borough of Staten Island, New York," prepared by Langan and dated May 8, 2017. The LPC concurs that the site is archaeologically sensitive and that it should be tested to further assess the potential as per the CEQR Technical Manual 2016. Please submit a bound copy of the report to LPC for our archives.



5/12/2017

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

**File Name:** 31436_FSO_ALS_05122017.doc

# ENVIRONMENTAL REVIEW

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP156R
**Project:** BAY ST CORRIDOR PROJECTED AND POTENTIAL SITES
**Date received:** 7/27/2016

**Comments:** The LPC is in receipt of the draft chapter 7, "Historic and Cultural Resources" of the DEIS dated 7/22/16, and the list of projected/potential soft sites. The text is acceptable for architectural resources.

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**Properties with no Archaeological significance:**

| |
|---|
| 5004980074 |
| 5004980005 |
| 5004980001 |
| 5004890016 |
| 5004880206 |
| 5004880201 |
| 5004880071 |
| 5004880026 |
| 5004880018 |
| 5004870080 |
| 5004870064 |
| 5004870042 |
| 5005090004 |
| 5005080009 |
| 5005070017 |
| 5005050051 |
| 5004880053 |
| 5000060020 |
| 5005090001 |
| 5005080021 |
| 5005260019 |
| 5005110001 |
| 5005100043 |
| 5005090034 |
| 5005090008 |
| 5005080001 |
| 5005070012 |
| 5005070006 |
| 5005070005 |
| 5005070001 |
| 5005050018 |
| 5005050014 |
| 5005050001 |
| 5005030032 |
| 5005000022 |
| 5005000001 |

| |
|---|
| 5004970009 |
| 5004970007 |
| 5004970001 |
| 5004890019 |
| 5004890005 |
| 5004890001 |
| 5004880175 |
| 5004880164 |
| 5004880162 |
| 5004880157 |
| 5004880009 |
| 5004880001 |
| 5004870060 |
| 5000340001 |
| 5000090009 |
| 5005270070 |
| 5005270068 |
| 5005270066 |
| 5005270065 |
| 5005270059 |
| 5005270055 |
| 5005270052 |
| 5005270050 |
| 5005270049 |
| 5005260061 |
| 5005260059 |
| 5005260057 |
| 5005260053 |
| 5005260052 |
| 5005260043 |
| 5005260025 |
| 5005260021 |
| 5005260011 |
| 5005260008 |
| 5005080024 |
| 5005080023 |
| 5005080022 |
| 5005050025 |
| 5005050024 |
| 5005050022 |
| 5005050012 |
| 5005050011 |
| 5005050004 |
| 5005030001 |
| 5005020034 |
| 5005020001 |
| 5005000024 |
| 5005000020 |
| 5005000018 |
| 5005000016 |

| |
|---|
| 5005000012 |
| 5005000011 |
| 5005000010 |

**Properties with Archaeological significance:**
LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation for the following Borough, Block and Lot location(s) within the study area:

| |
|---|
| 5004880065 |
| 5004870100 |

Accordingly, the Commission recommends that an archaeological documentary study be performed for these location(s) to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2012).

**Properties with no Architectural significance:**
1) ADDRESS: 365 Bay Street, BBL: 5004880071
2) ADDRESS: 253 Bay Street, BBL: 5004870060
3) ADDRESS: 253 Bay Street, BBL: 5004870080
4) ADDRESS: 475 Bay Street, BBL: 5004880009
5) ADDRESS: 465 Bay Street, BBL: 5004880018
6) ADDRESS: 453 Bay Street, BBL: 5004880026
7) ADDRESS: 3 Baltic Street, BBL: 5004880175
8) ADDRESS: Wave Street, BBL: 5004880201
9) ADDRESS: 467 Bay Street, BBL: 5004880206
10) ADDRESS: 425 Bay Street, BBL: 5004880053
11) ADDRESS: 385 Bay Street, BBL: 5004880065
12) ADDRESS: 511 Bay Street, BBL: 5004890005
13) ADDRESS: 215 Bay Street, BBL: 5004970001
14) ADDRESS: 209 Bay Street, BBL: 5004970007
15) ADDRESS: 181 Bay Street, BBL: 5004970009
16) ADDRESS: 248 Bay Street, BBL: 5004980001
17) ADDRESS: 15 Swan Street, BBL: 5005000016
18) ADDRESS: Swan Street, BBL: 5005000018
19) ADDRESS: Swan Street, BBL: 5005000020
20) ADDRESS: 121 Van Duzer Street, BBL: 5005000022
21) ADDRESS: Van Duzer Street, BBL: 5005000024
22) ADDRESS: Bay Street, BBL: 5005020001
23) ADDRESS: 380 Bay Street, BBL: 5005050004
24) ADDRESS: Grant Street, BBL: 5005050051
25) ADDRESS: 392 Bay Street, BBL: 5005050011
26) ADDRESS: 394 Bay Street, BBL: 5005050012
27) ADDRESS: 398 Bay Street, BBL: 5005050014
28) ADDRESS: 13 Clinton Street, BBL: 5005050022
29) ADDRESS: Clinton Street, BBL: 5005050024
30) ADDRESS: Clinton Street, BBL: 5005050025
31) ADDRESS: 406 Bay Street, BBL: 5005050018
32) ADDRESS: 442 Bay Street, BBL: 5005070012
33) ADDRESS: Baltic Street, BBL: 5005070017
34) ADDRESS: Van Duzer Street, BBL: 5005080022
35) ADDRESS: Van Duzer Street, BBL: 5005080023
36) ADDRESS: Van Duzer Street, BBL: 5005080024
37) ADDRESS: 466 Bay Street, BBL: 5005090001

38) ADDRESS: Bay Street, BBL: 5005090004
39) ADDRESS: 478 Bay Street, BBL: 5005090008
40) ADDRESS: 164 Canal Street, BBL: 5005260011
41) ADDRESS: 184 Canal Street, BBL: 5005260019
42) ADDRESS: 188 Canal Street, BBL: 5005260021
43) ADDRESS: Broad Street, BBL: 5005260025
44) ADDRESS: 152 Canal Street, BBL: 5005260057
45) ADDRESS: 150 Canal Street, BBL: 5005260059
46) ADDRESS: 146 Canal Street, BBL: 5005260061
47) ADDRESS: Broad Street, BBL: 5005260008
48) ADDRESS: Canal Street, BBL: 5005270049
49) ADDRESS: 201 Canal Street, BBL: 5005270050
50) ADDRESS: 201 Canal Street, BBL: 5005270052
51) ADDRESS: 205 Canal Street, BBL: 5005270055
52) ADDRESS: Canal Street, BBL: 5005270065
53) ADDRESS: 223 Canal Street, BBL: 5005270066
54) ADDRESS: Canal Street, BBL: 5005270068
55) ADDRESS: Canal Street, BBL: 5005270070
56) ADDRESS: 55 Stuyvesant Place, BBL: 5000090009
57) ADDRESS: 100 Brook Street, BBL: 5000340001
58) ADDRESS: 54 Central Avenue, BBL: 5000060020
59) ADDRESS: 355 Front Street, BBL: 5004870100



8/17/2016

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

**File Name:** 31672_FSO_DNP_08092016.doc

Landmarks Preservation Commission

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# ENVIRONMENTAL REVIEW

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP156R
**Project:** BAY ST CORRIDOR REZONING
**Date received:** 9/6/2016

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**Comments:** The LPC is in receipt of the 2nd Draft Historic and Cultural Resources Chapter of the PDEIS dated September 1, 2016.

Table 7-1, "Designated and Eligible Historic Resources" should be amended to include the following changes, as should the relevant text. The Tompkinsville Pool and the Burgher House appear S/NR eligible. The Stapleton Branch NYPL appears LPC eligible.

In order to complete the architectural review, Figures 7-3 through 7-6 and the Shadows Impact section need to be provided for review and comment.

The text pertaining to archaeological resources should be revised to note that in the event that the Phase 1A Archaeological study determines that potentially significant archaeological resources may be impacted by the proposal, and if the LPC concurs with that determination, that all subsequent needed archaeology would be completed as per the CEQR Technical Manual.

Gina Santucci 9/15/2016

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

**File Name:** 31672_FSO_ALS_09122016.doc

Landmarks Preservation Commission

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# ENVIRONMENTAL REVIEW

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP156R
**Project:** BAY ST CORRIDOR PROJECTED SITES
**Date received:** 8/21/2018

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**Comments:** The LPC is in receipt of the Historic and Cultural Resources chapter of the draft EIS dated 8/20/18. The text pertaining to architectural and archaeological resources appears acceptable.

Gina Santucci 8/28/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

**File Name:** 31672_FSO_ALS_08212018.doc