APPENDIX A
WATERFRONT REVITALIZATION PROGRAM
CONSISTENCY ASSESSMENT

Appendix A: Waterfront Revitalization Program Consistency Assessment

A. INTRODUCTION

The Project Area (Block 2415, Lots 1, 6, 10, 7501, and 7502, and portions of Lots 16 and 38) is located within the designated Coastal Zone and therefore is subject to the policies and provisions of New York City's Waterfront Revitalization Program (WRP). All proposed actions subject to CEQR, the Uniform Land Use Review Procedure (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 WRP. The WRP contains 10 major policies, each with several objectives, focused on improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats (such as wetlands), and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting coastal development with appropriate uses.

In accordance with the City's WRP and the federal Coastal Zone Management Act, the Proposed Actions were reviewed for its consistency with the City's WRP policies.

The Proposed Actions, the rezoning of the western portion of Block 2415 from M3-1 to M1-5 and M1-4/R6A (MX-8) and removal of a portion of it from the "Excluded Area" shown on Map 2 for Community District 1, Brooklyn, within Appendix F of the Zoning Resolution, would facilitate the development of a nine-story mixed-use building (the Proposed Project) on Projected Development Site 1 (Block 2415, Lot 1). The Proposed Project would require the demolition of the existing single-story warehouse building located on the site, to be followed by the construction of the new mixed-use building. The Proposed Project would contain approximately 101,000 gross square feet (gsf), including 70,000 gsf of light industrial/office uses, 22,000 gsf of community facility uses, and 9,000 gsf of retail uses. The Proposed Actions could result in additional development within the Project Area beyond what is proposed by the applicant for Block 2415, Lot 1. Block 2415, Lot 6, could also be redeveloped by the proposed analysis year, and therefore this site is also considered in this analyses as a Projected Development Site. It is assumed that Projected Development Site 2 would be redeveloped as a new, approximately 80,500-gsf, nine-story mixed-use building containing office, community facility, and retail uses. The building would include 55,000 gsf of office uses, 17,500 gsf of community facility (medical office) uses, and 8,000 gsf of retail uses.

The WRP Consistency Assessment Form (CAF), contained in **Attachment 1**, lists the WRP policies and asks whether the Proposed Actions would promote or hinder each policy, or if each policy would not be applicable. This appendix provides additional information for the policies that have been checked "promote" or "hinder" in the WRP CAF.

B. CONSISTENCY OF THE PROPOSED ACTIONS WITH WATERFRONT REVITALIZATION PROGRAM POLICIES

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The Proposed Actions would rezone the western portion of Block 2415 (the Rezoning Area, co-terminus with the Project Area) between South 2nd and South 3rd Streets (Block 2415, Lots 1, 6, 10, 7501, and 7502 and portions of Lots 16 and 38), and would develop a nine-story mixed use building on Projected Development Site 1 containing 9,000 gsf of retail uses, 70,000 gsf of light industrial/office uses and up to 22,000 gsf of community facility use (medical office). In addition, the rezoning would allow for the future redevelopment of Projected Development Site 2 with a separate nine-story mixed-use building with approximately 55,000 gsf of office uses, 17,500 gsf of community facility uses, and 8,000 gsf of retail uses. This Consistency Assessment considers the potential impacts of the above-described development in the Project Area.

The Proposed Actions would encourage commercial development within an appropriate coastal Zone area, and are therefore consistent with Policy 1.1.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

The Project Area is located in an already established neighborhood with adequate existing public facilities and infrastructure, including water and sewer, community facility, and transportation services. The Proposed Actions would facilitate redevelopment consistent with existing development in the surrounding neighborhood, and at an appropriate density. As analyzed in Attachment H, "Water and Sewer Infrastructure," of the Proposed Actions' Environmental Assessment Statement (the EAS), the Proposed Actions would result in an incremental water demand of 77,871 gpd, which would not represent a significant increase in demand on the New York City water supply system.

Therefore, the Proposed Actions would promote Policy 1.3.

Policy 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.

As described further below under Policy 6.2, the Project Area is outside the current and NPCC-projected 100-year floodplain boundaries through the year 2100. Due to its location outside of these flood zones, the Proposed Actions would be resilient to future flooding from sea level rise.

Therefore, the Proposed Actions would be consistent with Policy 1.5.

Policy 5: Protect and improve water quality in the New York City coastal area.

Policy 5.1: Manage direct or indirect discharges to waterbodies.

As analyzed in Attachment H, "Water and Sewer Infrastructure," of the EAS, development on Projected Development Sites 1 and 2 is expected to generate an estimated 47,016 gpd of daily sanitary sewage. This incremental increase in sewage generation would be approximately 0.02 percent of the average daily flow at the Newtown Creek WWTP (212 mgd) and would not result in an exceedance of the plant's permitted capacity of 310 mgd.

In accordance with the New York City Plumbing Code (Local Law 33 of 2007), the developments on Projected Development Sites 1 and 2 would be required to utilize low-flow plumbing fixtures, which would reduce sanitary flows to the plant.

Therefore, the Proposed Actions would properly manage discharges to the City's waterbodies and would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

Therefore, the Proposed Actions would be consistent with Policy 5.1.

Policy 5.2: Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.

The Project Area is in a part of New York City served by a combined sewer system that collects both sanitary sewage and stormwater ("nonpoint source" runoff). As analyzed in Attachment H, "Water and Sewer Infrastructure," of the EAS, any new developments or alterations requiring a connection to the sewer system are required to achieve the new stormwater release rate, which in accordance with Chapter 31 of Title 15 of the *Rules of the City of New York* (RCNY), is the greater of 0.25 cubic feet per second (cfs) or 10 percent of the allowable flow. Flexibility in achieving this rate is provided to the development community through a variety of approvable systems, including subsurface and rooftop stormwater detention systems. Specific stormwater best management practices (BMP) would be determined with further refinement of the building designs and in consultation with the New York City Department of Environmental Protection (DEP). It is expected that there would be an increase in on-site stormwater detention and retention as a result of the Proposed Actions.

Therefore, the Proposed Actions would be consistent with Policy 5.2.

Policy 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.

Policy 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.

As shown in **Figure 1**, the Project Area is not located within the current 100-year floodplain nor the 500-year floodplain as shown on the FEMA Preliminary FIRM (FEMA, 12.5.2013). The closest 100-year floodplain is a Zone AE with a base flood elevation (BFE) of 12.0 feet NAVD88 located approximately 200 feet west of the Project Area along the East River. Therefore, the Project Area is not subject to the 1-percent-annual-chance flood and the Proposed Actions would be consistent with Policy 6.1.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in the New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into planning and design of projects in the city's Coastal Zone.

As shown by the NYCDCP Flood Hazard Mapper, the Project Area would not be subject to the 100-year flood in the future up to and including the year 2100 under the NPCC "high" (90th Percentile) estimates of sea level rise. These "high" estimates of sea level rise project a maximum 6.25 foot increase in the elevation of sea level by the year 2100. Under this scenario, the 100-year flood would stop west of Kent Avenue according to the NYCDCP Flood Hazard Mapper, and would not reach the Project Area which is located east of Kent Avenue.



FEMA Preliminary FIRM 2015

307 KENT AVENUE

Figure 1

As shown by NYCDCP's Flood Hazard Mapper, the level of daily high tides does affect any portion of the Project Area under current conditions nor does MHHW reach Projected Development Sites 1 or 2 at any point in the future through the year 2100.

Although estimates of sea level rise do not indicate that the Project Area will be vulnerable to coastal flooding at this time or in the future, developers of the buildings on Projected Development Sites 1 and 2 may voluntarily choose to dry-floodproof lower portions of the buildings in accordance with NYC Building Code Appendix G, "Flood Resistant Construction." Dry floodproofing is important for the flood protection of critical features that enter from a building's lowest floor, such as water/sewer, gas and electric service. It is expected the buildings would locate heating/cooling equipment and emergency generators on the rooftop or upper floors, well above the 100-year flood elevation.

Therefore, the Proposed Actions would be consistent with Policy 6.2.

Policy 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.

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 Proposed Actions may require disturbance to lead-containing paint (LCP) and/or asbestos-containing materials (ACM), the disposal of Universal Wastes, and soil excavation.

Prior to construction, an asbestos-contained materials (ACM) survey will be performed. If any ACM is identified, it will be removed in accordance with New York City, New York State and Federal requirements.

If lead-containing paint (LCP) or materials are identified they will be collected, maintained and disposed of in accordance with 6 NYCRR Part 360 and all other applicable Federal, State and local requirements.

Prior to soil excavation, subsurface testing would be conducted, if necessary, to characterize potential contaminants in any soil to be excavated. Based on results from these studies, a Construction Health and Safety Plan (CHASP) would be prepared to outline health and safety procedures and measures necessary to protect both workers and the community, and to specify appropriate handling and disposal of soils or excavated materials during construction. During construction, any hazardous materials encountered would be handled and removed in accordance with DEP, New York State Department of Environmental Conservation (DEC), Occupational Safety and Health Administration (OSHA), and Environmental Protection Agency (EPA) requirements. In addition, appropriate sediment and erosion control measures would be implemented during construction to control potential contaminants in stormwater runoff.

These measures will prevent adverse impacts related to solid waste and hazardous materials. Therefore, the Proposed Actions would be consistent with Policy 7.1.

Policy 7.2: Prevent and remediate discharge of petroleum products.

The Proposed Actions will not involve activities related to the discharge of petroleum products. Any excavated soil which is found to be contaminated with petroleum products will be appropriately remediated, removed, and disposed of, as required by Federal, State, and City regulations. Any encountered underground storage tanks would be removed in accordance with

applicable regulatory requirements including NYSDEC requirements relating to spill reporting and tank registration.

With these measures, the Proposed Actions would be consistent with Policy 7.2.

Policy 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.

As discussed above under Policy 7.1, any solid waste generated by the Proposed Actions will be disposed of in accordance with all applicable Federal, State and local requirements.

All solid waste generated by the Proposed Actions would be disposed of in accordance with 6NYCRR Part 360 and all other applicable Federal, State and local requirements. All universal and regulated wastes shall be disposed of in accordance with 6 NYCRR Parts 370 through 374 and 376, and 40 CFR Part 273 – Standards for Universal Waste Management, and the Resource Conservation and Recovery Act (RCRA) laws and regulations.

Therefore, the Proposed Actions would be consistent with Policy 7.3.

Policy 10: Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City Coastal Area.

Policy *10.1: Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.*

As discussed in Attachment E, "Historic and Cultural Resources," of the EAS, there are no known or potential architectural resources within the Project Area. The former Havemeyers & Elder Filter, Pan & Finishing House—a New York City Landmark that also has been determined eligible for listing on the State and National Registers of Historic Places—is located within 90 feet Projected Development Sites 1 and 2, directly across Kent Avenue. Therefore, to avoid inadvertent demolition and/or construction-related damage to this resource, it would be included in a Construction Protection Plan for historic structures that would be prepared in coordination with the New York City Landmarks Preservation Commission (LPC). At nine stories tall (approximately 151 feet), the proposed building on Projected Development Site 1 would be of similar height to the 155-foot-tall former Havemeyers & Elder Filter, Pan & Finishing House. In addition, the visual context of the architectural resources in the study area also includes a 16-story, 170-foot tall modern building to the south at 325 Kent Avenue, and in the future will also include 36- to 42-story office and residential towers. Therefore, the proposed and projected development within the Project Area would not introduce incompatible visual, audible, or atmospheric elements to the setting of any architectural resources.

Therefore, the Proposed Actions would be consistent with Policy 10.1.

Policy *10.2: Protect and preserve archaeological resources and artifacts.*

As discussed in Attachment E, "Historic and Cultural Resources," of the EAS, consultation was initiated with LPC and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) in order to obtain an initial determination of Projected Development Sites 1 and 2's potential archaeological sensitivity. In a comment letter dated April 3, 2019, LPC determined that it has no archaeological concerns for Projected Development Sites 1 or 2, and therefore no additional archaeological analysis would be required and the project would not result in significant adverse impacts to archaeological resources.

Therefore, the Proposed Actions would be consistent with Policy 10.2. ✷

ATTACHMENT 1
WATERFRONT REVITALIZATION PROGRAM
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 *New York City Waterfront Revitalization Program (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.

A. APPLICANT INFORMATION

Name of Applicant: 307 Kent Associates

Name of Applicant Representative: CB Mobley, Bryan Cave LLP

Address: 1290 Avenue of the Americas, New York, NY 10104

Telephone: 212-541-2153 Email: cbmobley@bclplaw.com

Project site owner (if different than above): Same as Applicant

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The applicant is seeking a zoning map amendment and zoning text amendment (the Proposed Actions) in order to facilitate the construction of a nine-story mixed-use building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1: Projected Development Site 1) in the Williamsburg neighborhood of Brooklyn Community District 1. The zoning map amendment would convert a portion of the existing M3-1 zoning district to M1-5 (affecting Lots 1, 10, and part of Lots 6, 7501, and 7502); and marginally extend the existing MX-8 (M1-4/R6A) boundary (affecting portions of Lots 6, 16, 38, 7501, and 7502). The zoning text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution would remove the 90-foot wide portion of the subject block from the "Excluded Area" shown on this map in order to make Mandatory Inclusionary Housing (MIH) regulations applicable for the proposed MX-8 area. The Proposed Project would have an analysis year of 2022 and would include approximately 9,000 gross square feet (gsf) of retail uses, 70,000 gsf of light industrial/office uses, and up to 22,000 gsf of community facility use. The Proposed Actions could result in additional development in the Project Area beyond what is proposed by the applicant for Projected Development Site 1; Projected Development Site 2 (Block 2415, Lot 6) could be redeveloped as a result of the Proposed Actions, and is assumed to redeveloped with a 9-story mixed-use building with approximately 55,000 gsf of office uses, 17,500 gsf of community facility uses, and 8,000 gsf of retail uses.

2. Purpose of activity

As described above, the purpose of the activity is a zoning map amendment and zoning text amendment applicable to the above-described "Project Area" (Block 2415, Lots 1, 6, 10, 7501, and 7502 and portions of Lots 16 and 38), and to develop a nine-story mixed use building on Projected Development Site 1 containing approximately 9,000 gsf of retail uses, 70,000 gsf of light industrial/office uses and up to 22,000 gsf of community facility use (medical office).

In addition, the Proposed Actions could result in additional development on Projected Development Site 2 with a separate nine-story mixed-use building with approximately 55,000 gsf of office uses, 17,500 gsf of community facility uses, and 8,000 gsf of retail uses.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 2145, Lots 1, 6, 10, 7501, 7502, part of Lots 16 and 38

Street Address: 307 Kent Avenue (Projected Development Site 1)

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

☐ City Map Amendment	☐ Zoning Certification	☐ Concession
☑ Zoning Map Amendment	☐ Zoning Authorizations	☐ UDAAP
☑ Zoning Text Amendment	☐ Acquisition – Real Property	☐ Revocable Consent
☐ Site Selection – Public Facility	☐ Disposition – Real Property	☐ Franchise
☐ Housing Plan & Project	☐ Other, explain: _____	
☐ Special Permit		

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Board of Standards and Appeals ☐ Yes ☑ No

☐ Variance (use)
☐ Variance (bulk)
☐ Special Permit

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

☐ Legislation	☐ Funding for Construction, specify: _____
☐ Rulemaking	☐ Policy or Plan, specify: _____
☐ Construction of Public Facilities	☐ Funding of Program, specify: _____
☐ 384 (b) (4) Approval	☑ Permits, specify: DOT's office of Construction Mitigation and Coordination
☐ Other, explain: _____	

State Actions/Approvals/Funding

☐ State permit or license, specify Agency: _____ Permit type and number: _____
☐ Funding for Construction, specify: _____
☐ Funding of a Program, specify: _____
☐ Other, explain: _____

Federal Actions/Approvals/Funding

☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
☐ Funding for Construction, specify: _____
☐ Funding of a Program, specify: _____
☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. 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 Maps – Part III 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 Maritime 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 NYC Waterfront Revitalization Program. 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.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☐
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
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.	☐	☐	☐
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.	☐	☐	☐
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☐
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☐
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☐
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.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☐
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☐
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☐
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☐
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.	☐	☐	☐
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.	☐	☐	☐
4.8	Maintain and protect living aquatic resources.	☐	☐	☐

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☑	☐	☐
5.1	Manage direct or indirect discharges to waterbodies.	☑	☐	☐
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☑	☐	☐
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
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.**	☑	☐	☐
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.	☑	☐	☐
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.**	☑	☐	☐
7.1	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.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☐
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☐
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.	☐	☐	☐
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.	☐	☐	☐
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.**	☑	☐	☐
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.	☑	☐	☐

G. CERTIFICATION

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

"The proposed activity complies with New York State's approved 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."

Applicant/Agent's Name: Lisa Lau, AKRF, Inc.

Address: 440 Park Avenue South, 7th Floor, New York City, New York, 10016

Telephone: 646-388-9746 Email: llau@akrf.com

Applicant/Agent's Signature: Lisa M. Lau

Date: 3/31/2021

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 NYS Department of State 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
212-720-3696
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
- ☑ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☑ 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.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp