



City of New York  
Parks & Recreation

Adrian Benepe  
Commissioner

The Arsenal  
Central Park  
New York, New York 10065

Joshua Laird, Assistant Commissioner  
Planning & Natural Resources

(212) 360-3402  
joshua.laird@parks.nyc.gov

Re: Fresh Kills Park East Park Roads Supplemental Environmental Impact Statement  
CEQR No. 06DPR002R

On May 16, 2008, the New York City Department of Parks and Recreation (DPR), as lead agency, issued the Draft Generic Environmental Impact Statement (DGEIS) for the Fresh Kills Park. After consultation with the New York State Department of Environmental Conservation (DEC) on a proposal by DPR and the New York City Department of Sanitation (DSNY) to modify the closure plan of Section 6/7 of Fresh Kills Landfill to make certain grading changes to more easily accommodate the future construction of roads without disrupting the final cover, it was decided that an Supplemental Environmental Impact Statement (SEIS) would be completed. An SEIS was determined to be appropriate because the project could be more fully addressed in a Supplemental Environmental Impact Statement (SEIS) and that the proposed modifications to the closure plan has the potential to result in potentially significant environmental impacts that could be more fully disclosed than previously documented in the DGEIS. While many of the concerns raised by DEC will be addressed in the Final GEIS, to be released shortly, this SEIS will focus specifically on the roads proposed for East Park.

City Environmental Quality Review (CEQR) requires supplementation of a FGEIS when a subsequently proposed action was not addressed in the GEIS and the subsequent action may have one or more significant adverse environmental impacts. Accordingly, DPR, as lead agency, hereby issues a Positive Declaration for the Fresh Kills Park East Park Roads project. An SEIS will be prepared and a Draft Scope is being issued concurrently with the Positive Declaration. Attached is the Positive Declaration for CEQR No. 06DPR002R, Fresh Kills Park East Park Roads.

Also enclosed is a Draft Scope of Work to Prepare a Draft Supplemental Environmental Impact Statement (DSEIS). As stated in the Positive Declaration, a public scoping meeting has been scheduled from 7 PM to 9 PM on March 25, 2009, and will be held at P.S. 58 at 77 Marsh Avenue, Staten Island. Written comments will be accepted by the lead agency through April 25, 2009.

If you have any questions regarding the enclosed materials, please contact Michael Marrella at 212-788-9421.

Sincerely,

Joshua Laird  
Assistant Commissioner for Planning & Natural Resources  
New York City Department of Parks & Recreation

cc: See Attached Distribution List



Distribution List:

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Robert Dobruskin, New York City Department of City Planning  
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Michael Marrella, Fresh Kills Park Office  
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Michele Samuelson, New York City Department of Transportation  
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Thomas R. Frieden, MD, MPH, New York City Department of Health and Mental Hygiene  
Daniel Kass, Assistant Commissioner, NYC Department of Health and Mental Hygiene  
Andrew Winters, Mayor's Office of Capital Development Projects  
Tricia Zenobio, Mayor's Office of Capital Development Projects  
Heidi Rubinstein, New York City Law Department  
Harold Miller, Municipal Reference and Resource Center

Hong Yao, New York Public Library, Office of Information Services  
George Stafford, New York State Department of State, Coastal Zone Consistency  
Steve Ressler, New York State Department of State, Division of Coastal Resources  
Nancy Welsh, New York State Department of State, Division of Coastal Resources  
Steve Ridler, New York State Department of State, Division of Coastal Resources  
Celeste Johnson, New York State Department of Health  
Geoff Laccetti, New York State Department of Health  
Suzanne Mattei, Regional Director, New York State Department of Environmental  
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Paul John, New York State Department of Environmental Conservation, Region 2  
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Ruth Pierpont, New York State Office of Parks, Recreation and Historic Preservation  
Beth Cumming, New York State Office of Parks, Recreation and Historic Preservation  
Peter King, New York State Department of Transportation  
Douglas Currey, P.E., New York State Department of Transportation, Regional Office 11  
Elliot G. Sander, MTA New York City Transit  
Melissa Farley, MTA New York City Transit  
Michael Vissichelli, United States Army Corps of Engineers  
Richard Tomer, United States Army Corps of Engineers  
Alan J. Steinberg, United States Environmental Protection Agency, Region 2  
Grace Musumeci, United States Environmental Protection Agency, Region 2  
Michael Kelly, National Marine Fisheries Service  
Diane Rusanowsky, National Marine Fisheries Service  
Steve Pappa, United States Department of the Interior, Fish and Wildlife Service  
Gary Kassof, United States Coast Guard  
Jerome Chou, Field Operations  
William M. Steier, Geosyntec Consultants  
Robert Della Vedova, Arup  
Terry Doss, Biohabitats Inc.



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**POSITIVE DECLARATION**

**Project Identification**

CEQR No. 06DPR002R

SEQRA Classification: Type I

**Lead Agency**

New York City Department  
of Parks and Recreation  
The Arsenal, Central Park  
New York, NY 10065  
Contact: Joshua Laird  
(212) 360-3402

**Name, Description and Location of Proposal:**

Fresh Kills Park

The closure of Fresh Kills Landfill has created a magnificent opportunity to transform approximately 2,200 acres of closed landfill, wetlands, and creeks into a unique public space. The City and State of New York recognized this opportunity, and initiated a design competition to envision a plan for Fresh Kills Landfill. This transformation of the Fresh Kills Landfill into public parkland marks a new commitment to create a large new open space for the City, with recreational and cultural amenities, and environmental protection for the residents of Staten Island and the region. The new parkland will create significant wildlife habitat; provide hundreds of acres of land for active and passive recreation; and improve local connectivity through the provision of paths, roadways, and access points that would connect with existing adjoining parks. Moreover, this ambitious project will showcase state-of-the-art environmental reclamation techniques alongside the innovative design of park spaces. In sum, the proposed park would provide a much-needed and unique public open space for residents of the City and State of New York and the region as a whole.

The City of New York's master planning process has resulted in a Draft Master Plan (DMP) for the Fresh Kills Park. This illustrative plan, and an accompanying reasonable worst-case development scenario, served as the basis for the impact analyses to be conducted in the DGEIS.

The total Fresh Kills area is approximately 2,200 acres, of which 1,785 acres fall within five designated planning areas: the Confluence (100 acres), which is comprised of two programmatic areas—the Point (50 acres) and Creek Landing (20 acres)—North Park (233 acres), South Park (425 acres), East Park (482 acres), and West Park (545 acres). Acreage within Fresh Kills, but outside the main planning areas, include: open water and creeks (estimated at 210 acres); the site



of the DSNY transfer station (85 acres); areas of the site for which no programmatic changes are proposed (e.g., the Isle of Meadows, 100 acres); and the West Shore Expressway right-of-way (25 acres). The North Park, South Park, East Park, and West Park planning areas include lands within the boundary of a solid waste management area defined by the Fresh Kills Landfill closure plan. These four landfill sections (Landfill Sections 3/4, 2/8, 6/7, and 1/9) are either closed or undergoing final closure.

In May 2008 DPR released the Fresh Kills Park Draft Generic Environmental Impact Statement (DGEIS). A public hearing on that DGEIS was held on September 3, 2008 and the period for submitting written comments remained open until September 30, 2008. A final GEIS is expected to be released by DPR in March 2009. Based on the comments submitted on the DGEIS, this DSEIS is proposed to be prepared to address the potential impacts of the proposed East Park Roads as well as the examination of additional road alignment alternatives.

### East Park Roads Project

The overall proposed Fresh Kills Park project would accommodate vehicular circulation throughout the park with the construction of approximately seven miles of roads including both primary and secondary roads. The goal of the Plan is to bring the largest focus of users to the center of the site, the Confluence, from which all five park areas could be easily accessed as well as the West Shore Expressway. In addition, smaller entrances are planned in the North, South, and Eastern Parks to allow for neighborhood access at the edges of the park.

Within East Park, it is proposed to develop a circulation plan for three analysis years, 2011, 2016 and 2036, as described below.

#### *2011*

By 2011, it is assumed that grading would be completed in accordance with the modified closure design. Interim uses in the graded areas could include walking trails.

#### *2016*

By 2016, it is assumed that the proposed Yukon Avenue connection would be completed. This would provide a four-lane road, approximately 2,000 linear feet in length, across East Park that would connect Richmond Avenue on the east with the Confluence Loop Road in the center of the site. Once at the Confluence Loop Road, drivers could access the West Shore Expressway northbound or southbound as well as other areas of the park scheduled for completion by 2016.

#### *2036*

By 2036, two additional four-lane road connections would be provided, one to the north connecting to Richmond Hill Road, and one to the south, connecting to Forest Hill Road. The road to the south at Forest Hill Road would cross a segment of Landfill Section 6/7 (approximately 2,200 linear feet across the landfill), and then cross an area of wetlands to the east (approximately 800 linear feet). This road would provide access to East Park as well as the Confluence Loop and the balance of the park and the West Shore Expressway (northbound and southbound by 2036).

To the north, a new connection would also be provided to Richmond Hill Road. This would involve a reconfiguring of the Yukon Avenue connection to provide a new intersection and a Richmond Hill Road. This connection would extend for a length of approximately 5,000 linear feet and would pass along the east bank of the existing drainage basins to the east of East Park.



**Regulatory Approvals:**

Listed below are the City, State and Federal agencies that either have a discretionary action with respect to the proposed plan, or have an advisory role in the environmental review process. DPR will coordinate the project's environmental review with these agencies to ensure proper examination of environmental impacts with respect to their respective discretionary actions.

*New York City*

- Department of Parks and Recreation (Lead Agency)
- Department of City Planning (involved)
- Department of Design and Construction (involved)
- Department of Environmental Protection (involved)
- Department of Health and Mental Hygiene (interested)
- Department of Sanitation (involved)
- Department of Transportation (involved)
- Art Commission (involved for early implementation projects only)
- Landmarks Preservation Commission (interested)
- New York City Office of Environmental Coordination (interested)
- New York City Transit Authority (interested)
- Office of the Staten Island Borough President (interested)
- Department of Cultural Affairs (interested)

*New York State*

- Department of Environmental Conservation (involved)
- Department of State (involved)
- Department of Transportation (involved)
- Office of Parks, Recreation and Historic Preservation (involved)
- Department of Health (interested)

*Federal*

- United States Army Corps of Engineers (involved)
- United States Coast Guard (involved)
- United States Environmental Protection Agency (interested)
- United States Fish and Wildlife Service (interested)
- National Marine Fisheries Service (interested)

**Statement of Significant Effect:**

The New York City Department of Parks and Recreation has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement is required:

1. The proposed action may result in significant adverse impacts on natural resources.
2. The proposed action may result in significant adverse hazardous materials impacts.

3. The proposed action is located within the City's coastal zone and requires review for consistency with the Local Waterfront Revitalization Program (LWRP).
4. The proposed action may result in significant adverse impacts on landfill infrastructure.
5. The proposed action may result in significant adverse impacts to traffic.
6. The proposed action may result in significant adverse impacts to air quality.
7. The proposed action may result in significant adverse noise impacts.
8. The proposed action may result in significant adverse construction-related impacts.
9. The proposed action may result in significant adverse public health impacts.

**Supporting Statement:**

The above determination is based on the Draft Generic Environmental Impact Statement prepared for the action which finds that:

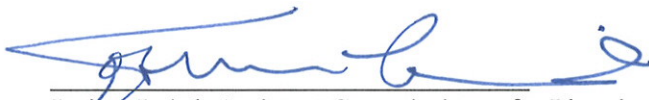
1. The proposed action would result in activities within tidal and freshwater wetlands that are located within the project area, which could affect natural resources and habitat.
2. The proposed action would result in construction on a former landfill, which raises concerns regarding potential impacts on public health as it relates to open space users and construction workers.
3. The proposed action would result in new development in the designated coastal zone, which could potentially be inconsistent with the policies of the LWRP.
4. The proposed action would result in new development within the project area, which is expected to impact landfill infrastructure.
5. The proposed park roads would alter local traffic patterns that could impact local intersections.
6. The alteration of traffic flows could potentially result in air quality impacts due to increased mobile source (vehicular) emissions.
7. The proposed action would alter the local traffic volumes that could result in additional traffic noise.
8. The proposed action would result in new development on the project site that would involve construction and construction-related impacts, including erosion and sedimentation.
9. The proposed action would result in new development on a landfill that could potentially result in public health concerns.

**Public Scoping:**

For the above reasons, the CEQR lead agency, the New York City Department of Parks and Recreation, will prepare a Draft Supplemental Environmental Impact Statement (DSEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for March 25, 2009 from 7 PM to approximately 9 PM, and will be held at P.S. 58 at 77 Marsh Avenue, Staten Island. Written comments will be accepted by the lead agency through April 25, 2009.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law. Should you have any questions pertaining to this Positive Declaration, you may contact Michael Marrella at 212-788-9421.



Joshua Laird, Assistant Commissioner for Planning & Natural Resources  
New York City Department of Parks & Recreation