

RECORD OF DECISION

SOUTH SHORE OF STATEN ISLAND, NEW YORK COASTAL STORM RISK MANAGEMENT STUDY

The Final Feasibility Report and Final Environmental Impact Statement (FR/EIS), dated September 2016 and revised December 2016, for the South Shore of Staten Island Coastal Storm Risk Management Study, herein incorporated by reference, evaluates managing the risk of damages from hurricane and storm surge flooding in the Borough of Staten Island, New York. Based on these reports, the reviews of other Federal, state, and local agencies, Tribes, input from the public, and the review by my staff, I find the plan recommended by the Director of Civil Works to be technically feasible, economically justified, environmentally and socially acceptable, in accordance with environmental statutes, and in the public interest.

The Final FR/EIS evaluated various structural and non-structural alternatives to address hurricane and storm surge flooding of the Staten Island, New York area. The recommended plan is the National Economic Development (NED) plan. The recommended plan is consistent with all requirements contained in The Disaster Relief Appropriations Act of 2013 (Public Law 113-2), which would provide authorization for construction. The recommended plan includes:

- Construction of flood risk management features consisting of a buried seawall/armored levee along a majority of the Fort Wadsworth - Oakwood Beach reach of Staten Island, approximately 5.3 miles at an elevation of 19.4 feet North American Vertical Datum of 1988 (NAVD88), that will serve as the first line of defense against coastal surge flooding and wave forces. The flood risk management features are comprised of four sections:
 - Reaches A-1 and A-2: Construction of an earthen levee 3,400 feet in length with a crest elevation of 16.9 feet NAVD88.
 - Reach A-3: Construction of a vertical floodwall 1,800 feet in length with a crest elevation of 19.4 feet NAVD88.
 - Reach A-4: Construction of a buried seawall 22,700 feet in length with a crest elevation of 19.4 feet NAVD88.
- Implementation of an interior drainage plan that includes:
 - Acquisition and preservation of 301 acres of open space;
 - Excavation of a pond approximately 188 acres in size including removal of existing *Phragmites* monoculture and seeding/re-planting of ponds with native vegetation, creating 46 acres of emergent wetland habitat;
 - Construction of tide gates and gate chambers along the project alignment;
 - Raising of roads along three roads: Seaview Avenue (at Father Capodanno Boulevard), Kissam Avenue, and Mill Road, and;
 - Other minor interior drainage measures necessary to meet the Minimum Facility Plan as defined in the Final FR/EIS.

In addition to the "no-action" alternative, four alternatives were evaluated and a variety of alternatives were considered and not carried forward as they did not meet the project criteria. The alternatives considered included a variety of non-structural measures such as

the acquisition of properties in the 10-year floodplain, the flood proofing of structures in the 25-year floodplain, and changes in zoning; a variety of structural alternatives such as beach nourishment and/or dune restoration, sea wall construction, levees and/or floodwalls, and elevation of a road and promenade; and, several alternatives for interior flood control measures needed to prevent damages to areas behind the constructed storm risk management features. The recommended plan is the environmentally preferable alternative.

All practical means to avoid and minimize adverse environmental effects were analyzed and incorporated into the recommended plan. The recommended plan will disturb approximately 51 acres of vegetation with the construction of the storm risk management features and approximately 188 acres for pond excavation. Additionally, the recommended plan will have unavoidable impacts to cultural resources, vegetation, trees, and some wildlife habitats. These impacts are directly related to the specific locations for the proposed storm risk management features and ponds. With Best Management Practices (such as native vegetation planting and tree replacements) in place, no significant adverse impacts to trees or vegetation are expected as a result of construction. The recommended plan will impact approximately 145 acres of an existing low quality habitat consisting of a common reed (*Phragmites australis*) monoculture, 11 acres of permanent loss from fill associated with the construction of the flood risk management features, 117 acres of wetland and 11.3 acres of upland converted to surface water detention areas associated with the interior drainage project feature (within Drainage Areas B, C, and E), and conversion of 16.5 acres to tidal wetland (mosaic of habitat) feature. The project will result in the creation of 46 acres of emergent wetlands. Considering the functions and values of the wetlands impacted, the recommended plan will produce a net positive impact on wetland habitats and the quality of wetlands in the project area. No compensatory mitigation is required.

In accordance with section 7 of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service concurred with the U.S. Army Corps of Engineers' (Corps) determination that the recommended plan may affect, but is not likely to adversely affect Federally listed species or designated critical habitat in the project area. In order to avoid and minimize disturbance to the rufa red knot, construction in the Oakwood Beach area will not occur between May 1 and June 15 and July 15 and November 30 of any year, with the understanding that the restriction can be modified should two years of pre-construction surveys show that no red knots are utilizing the Oakwood Beach area.

In accordance with section 106 of the National Historic Preservation Act of 1966, as amended, the Corps determined that Miller Army Airfield Historic District and other historic properties may be adversely affected by the recommended plan. The Corps, National Park Service (NPS), and the New York State Historic Preservation Office entered into a programmatic agreement, dated August 25, 2016. All terms and conditions resulting from the agreement shall be implemented in order to minimize adverse impacts to historic properties.

In accordance with NPS policies for National Recreation Areas, adequate offset must be provided for any unavoidable impacts to designated national recreation areas. Miller Field is part of the Gateway National Recreation Area. The Corps and NPS mutually agreed that restoring seven acres of forested upland and wetlands areas that are partially within Miller

Field to include trails and interpretive features for the public will adequately offset for temporary construction impacts on the visitor experience at Miller Field.

In accordance with the Clean Air Act, the Corps conducted a general conformity analysis of the recommended plan and determined in a Record of Non-Applicability that anticipated estimated emissions from the construction of the recommended plan are significantly below the General Conformity trigger levels set for New York, New Jersey, Long Island, and Connecticut Non-Attainment Area. The land-based construction equipment (non-road) associated with these types of restoration projects is included in the New York State Department of Environmental Conservation's (NYSDEC) State Implementation Plan.

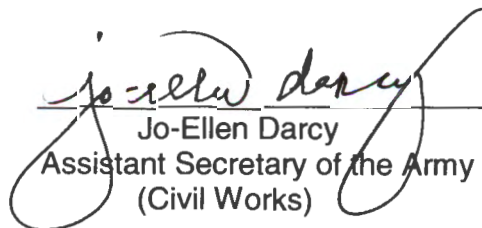
A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the State of New York prior to construction. In a letter dated April 20, 2016, NYSDEC stated that review of the FR/EIS did not identify any issues that would preclude the Corps being issued a water quality certification upon completion of more detailed information during the pre-construction engineering and design phase.

In accordance with the Coastal Zone Management Act of 1972, as amended, New York State concurred with the Corps' determination that the recommended plan is consistent with the state coastal zone management plans.

Public review of the draft FR/EIS was completed September 9, 2015. All comments submitted during the public comment period were responded to in the final FR/EIS. A 30-day waiting period and state and agency review of the Final FR/EIS was completed on October 16, 2016. Comments from state and Federal agencies did not result into any changes to the Final FR/EIS.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in the evaluation of alternatives. Based on the review of these evaluations, I find that the benefits of the recommended plan outweigh the costs and any adverse effects. This Record of Decision completes the National Environmental Policy Act process.

12/5/2016
Date


Jo-Ellen Darcy
Assistant Secretary of the Army
(Civil Works)