



**NOTICE OF COMPLETION OF THE
FINAL ENVIRONMENTAL IMPACT STATEMENT
For the
PROPOSED NEW BRIGHTON COMFORT STATION**

DATE ISSUED: April 6, 2015

CEQR No. 14DPR005K

ULURP No. n/a

SEQR Classification: Type II

Lead Agency: New York City Department of Parks and Recreation (NYCDPR)

Location: Brighton Beach, Brooklyn

Portion of Blocks 8700 or 8725

The proposed New Brighton comfort station would be located on the beach immediately to the south of the Brighton Beach Boardwalk within Coney Island Beach and Boardwalk.

Pursuant to City Environmental Quality Review, Mayoral Executive Order No. 91 of 1977, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and its implementing regulations found in Part 617 of 6 NYCRR (SEQRA), a Final Environmental Impact Statement (EIS) has been prepared for the project described below and is available for review from the office listed on the last page of this notice. The Final EIS (FEIS) can also be downloaded from the New York City Department of Parks and Recreation's (NYCDPR) website at:

<http://nyc.gov/parks/new-brighton-comfort-station>

The preparation of an EIS for the New Brighton Comfort Station was directed by a New York State Supreme Court Justice sitting in Kings County in an order filed on August 27, 2013.

The lead agency (NYCDPR) issued a Draft Scope of Work for the EIS on October 18, 2013. A public scoping meeting was held on November 18, 2013 at 6:00 p.m. at the Shorefront YM-YWHA of Brighton-Manhattan Beach at 3300 Coney Island Avenue in Brooklyn, to accept oral and written comments. Comments received during the public meeting, and written comments received up to 10 days after the hearing, were considered and incorporated as appropriate into the Final Scope of Work. The Final Scope of Work was used as a framework for preparing the Draft EIS (DEIS) for the proposed project and was issued on February 26, 2014. The Notice of Completion and the DEIS were issued on March 3, 2014. A Public Hearing was held on the DEIS on March 20, 2014 at 6:00 p.m. at the Shorefront YM-YWHA of Brighton-Manhattan Beach, to accept oral and written comments on the DEIS. Written comments on the DEIS were accepted through May 4, 2014.



A. PROJECT IDENTIFICATION AND DESCRIPTION

INTRODUCTION

Adequate toilet and handwashing facilities are required to be provided at public bathing beaches by the New York State Public Health Law and by the Rules of the City of New York. In October 2012, Superstorm Sandy damaged many of the NYCDPR beaches and facilities, including the previously-existing New Brighton comfort station, which was damaged beyond repair and subsequently demolished. This comfort station consisted of an at-grade facility on a 5,000 square-foot solid slab foundation set on sand; it provided restroom facilities to support the eastern portion of the Coney Island-Brighton Beach Boardwalk and Beach.

For those comfort and lifeguard stations that were damaged beyond repair, which included the New Brighton comfort station, NYCDPR made plans to replace them with modular structures. NYCDPR received permits for its proposed work efforts at Coney Island Beach and Boardwalk (which includes Brighton Beach), and commenced construction of a replacement comfort station on the site of the previously-existing comfort station in April 2013. In August 2013, preparation of an EIS for the New Brighton Comfort Station was directed by a New York State Supreme Court Justice sitting in Kings County.

The Draft EIS analyzed a proposed project that was to consist of the installation of a modular comfort station near the eastern end of the Brighton Beach Boardwalk, approximately between Coney Island Avenue and Seacoast Terrace, in the neighborhood of Brighton Beach in Brooklyn. The proposed project was to be constructed predominantly within the footprint of the comfort station that was severely damaged by Superstorm Sandy in October 2012 and subsequently demolished. In addition, because of concerns raised by the public related to the height and location of the comfort station, the DEIS analyzed a series of eight additional alternatives (two No Action alternatives, two Elevation Alternatives, and two Location Alternatives with two elevation variations). The DEIS analyses determined that, with the exception of the No Action alternatives, all of the alternatives would satisfy project objectives and none would result in significant adverse impacts to the environment.

Based on input received from the public, the technical analyses in the DEIS, and NYCDPR's consideration of operational, access, and land use planning factors, one of the alternatives considered in the DEIS—Location Alternative 1B—has been identified as its preferred alternative. This alternative would provide for the construction of a replacement comfort station at the boardwalk level elevation, located approximately 350 feet west of the previously existing comfort station footprint, slightly to the west of Coney Island Avenue, on the beach in front of the Shorefront YM-YWHA Jewish Community Center of Brighton Beach.

The proposed reduction in elevation to the boardwalk level would reduce the visual prominence of the structure while still maintaining sufficient elevation to satisfy current building codes and floodplain regulations, and provide an additional degree of freeboard above the existing code requirements as a supplemental resiliency measure. In addition, Coney Island Avenue serves as a primary access route to the beach and boardwalk, particularly for visitors that use public bus and subway stops on Brighton Beach Avenue (e.g., B 68 and B1 busses, B/Q subway.) The proposed Coney Island Avenue location would provide for visitor restroom facilities at a more central and convenient location, near a beach entrance. With the reduced elevation, no stairs or ramps would be required and direct access from the boardwalk would be available. From a planning and design perspective, locating the comfort station near other institutional, public, or community facility uses would also be consistent with the general pattern for comfort stations along the remainder of the beach.

PROJECT BACKGROUND

At the time of Superstorm Sandy, half of the previously-existing comfort station was open and operational and provided 8 toilets, 12 urinals, and 1 sink in the men's room and 11 toilets and 1



sink in the women's room. Following extensive damage by Superstorm Sandy, that comfort station was demolished in March 2013. The comfort station is the easternmost comfort station at Brighton Beach and the larger Coney Island Beach and Boardwalk property. The next nearest comfort station on this portion of the boardwalk is at Brighton 2nd Street, approximately 1/3 of a mile to the west of the project site.

NYCDPR discussed the project with the Brooklyn Community Board 13 Chair and Community Board 13 District Manager on February 12, 2013, held a meeting with a number of Coney Island and Brighton Beach stakeholders on February 20, 2013, and presented to the full board of Community Board 13 and attending community members on March 20, 2013.

By early spring of 2013, NYCDPR received permits for its proposed work efforts at Coney Island Beach and Boardwalk (which, as noted above, includes Brighton Beach) and nearby Manhattan Beach from the New York State Department of Environmental Conservation (NYSDEC) as follows:

- Article 34 of the Environmental Conservation Law (ECL) for new structures within the Coastal Erosion Hazard Area (CEHA),
- Tidal Wetlands Permits as per Article 25 of the ECL,
- Permission for excavation and fill or navigable waters as per Article 15 of the ECL for the repair of Steeplechase Pier, and
- Clean Water Act Water Quality Certification.

NYCDPR also received approval from the New York City Public Design Commission on February 19, 2013, and the New York City Department of Small Business Services (DSBS) Waterfront Permits Unit on March 12, 2013. The Federal Emergency Management Agency (FEMA) issued its Record of Environmental Determination on the post-Sandy recovery work in Coney Island, including the replacement New Brighton comfort station on March 19, 2013. The proposed replacement comfort station's consistency with the New York City Waterfront Revitalization Program was evaluated and approved by the New York State Department of State (NYSDOS) on March 7, 2013. All but two of the 17 planned replacement comfort and lifeguard stations—including one comfort and two lifeguard stations along the Coney Island-Brighton Beach boardwalk—were subsequently installed and were in use during the 2013 beach season.

Work on the New Brighton comfort station had begun in April 2013 with the placement of concrete pilings, and was then halted when contractors encountered unexpected below-grade obstructions that prevented further pile driving activities. The contractors developed an alternative construction method consisting of a concrete slab foundation and proceeded to place stones and complete form work. Prior to the pouring of concrete, NYSDEC determined that this method of construction was inconsistent with the permitted activities. The elements placed at the site (stones and rebar) were removed from the construction zone by NYCDPR. An alternate construction approach to facilitate the support of the modular comfort station was formulated consisting of 12 caisson piles. In August 2013, the preparation of this EIS was directed by a New York State Supreme Court Justice. Temporary trailers were installed on the boardwalk to provide seasonal restroom facilities for the 2014 beach season.

PROJECT PURPOSE AND NEED

As noted above, New York State Public Health Law and the Rules of the City of New York both require that bathing beaches be provided with an adequate number of toilets and hand washing facilities. The New York City Department of Health and Mental Hygiene (DOHMH), Division of Environmental Health is responsible for overseeing the health and safety of New York City's beaches. DOHMH undertook a public health assessment of the New Brighton comfort station service area which examined the potential effect of not having a comfort station at the New Brighton location. The assessment used information collected during the 2013 beach season when the comfort station had been demolished and not yet replaced. DOHMH's inspection reports noted unsanitary conditions at the beach, and multiple nuisance complaints were received.



DOHMH's report, which is summarized in and appended to the EIS, concluded that if the New Brighton comfort station were not replaced, it would likely lead to bathroom-substitute behavior that would in turn result in adverse impacts to public health and water quality. In addition, DOHMH noted that the absence of adequate and proximate toilets and hand washing facilities would likely result in fewer visitors to the beach, which would result in a reduction of recreation, physical activity, and social engagement for individuals and the community.

The comfort station as originally proposed is specifically designed to be resilient against future storm surges and resulting damage by raising the structure above the 100-year flood elevation as indicated on the FEMA Preliminary Flood Insurance Rate Maps (FIRMs) and above the 500-year base flood elevation as indicated on the FEMA Critical Action Floodplain Map. This proposed elevation of the comfort station would be consistent with (and exceed the recommendations of) the City's June 2012 report on the Special Initiative for Rebuilding and Resiliency (SIRR), which aims to increase the resiliency of New York City, with a long-term focus on preparing for and protecting against the impacts of climate change. The report presents recommendations both for rebuilding the communities impacted by Superstorm Sandy and increasing the resilience of infrastructure and buildings citywide; the report notes the importance of providing replacement comfort station facilities that are more resilient than those that preceded them.

REPLACEMENT COMFORT STATION AS ORIGINALLY PROPOSED

The project as originally proposed would install a replacement comfort station approximately 300 feet east of Coney Island Avenue and immediately to the south of the Brighton Beach Boardwalk within mapped parkland.

The originally proposed replacement comfort station is partially completed on the project site. Work began in April 2013 with the placement of 16 concrete pilings (wood pilings were also installed in the project area to support ramps and stairs from the boardwalk to the beach). As discussed above, work on the project site was halted when below-grade obstructions prevented further pile driving activities. Currently, the originally proposed site and an adjacent area are surrounded by chain link fencing, as well as construction netting in some locations. Twelve more pilings would need to be placed at the site before the modular structures can be installed.

The replacement comfort station would consist of two modular units—one serving as the women's restroom and the other as the men's—each approximately 15 wide, 12 feet high, and 60 feet long and totaling 1,710 square feet between the two units. The modular structures have been prefabricated off-site and were delivered to an area near the project site. For installation, the structures would be lifted onto the pilings via crane.

The modular structures would be oriented perpendicular to the beach to expose less surface area to wind and wave action in future storms. The structures have been designed in accordance with the 2008 New York City Building Code and to the standards of the American Society of Civil Engineers appropriate to structures located in flood zones. The pile foundation and modular structures are designed to resist flotation, collapse, and lateral movement when subjected to wind and flood loads. The height of the modular structures was designed to provide clearance above the boardwalk in order to allow boardwalk patrons to walk underneath and to provide views from the boardwalk to the ocean through the structural supports. As a result, the two modular structures would be installed atop pilings approximately 13 feet above the beach and 8 feet above the boardwalk. The two structures would be about 12 feet in height, so the maximum height of the structures would be approximately 25 feet above the beach and 20 feet above the boardwalk.

The materials for the modular structure have been designed to withstand conditions on the beachfront. The piles for the main structure are made of concrete; concrete piles would also support the access walkways and ramps to the modular structure. Steel is used for the main frame, with the siding made of concrete fiber board and the interiors of tile and stainless steel. All components of the comfort station that are not part of the main structure (i.e., metal siding panels,



skylights, photovoltaic panels, etc.) have been designed to exceed the performance requirements of the 2008 New York City Building Code for high wind loads of up to 120 miles per hour.

Stairs and ramps—designed to be compliant with Americans with Disabilities Act (ADA) accessibility requirements—would connect the modular structures to the boardwalk. The comfort station would connect to existing below ground utility connections at the project site.

PREFERRED ALTERNATIVE

As discussed above, subsequent to publication of the DEIS, NYCDPR identified Location Alternative 1B as its preferred alternative. The preferred alternative provides for the construction of a replacement comfort station at boardwalk elevation approximately 350 feet west of the previously existing comfort station footprint, slightly to the west of Coney Island Avenue, on the beach in front of the Shorefront YM-YWHA Jewish Community Center of Brighton Beach (preferred alternative site).

The comfort station would comprise two modular units, each approximately 15 wide, 12 feet high, and 60 feet long. The finished floor elevation of the comfort station would be at boardwalk level (approximately +16.6 feet NAVD88). The northern wall of the comfort station would be set at a distance of five feet from the boardwalk. A walkway from the boardwalk would provide entry and exit access to each comfort station module (i.e., the men's and women's areas). No stairs or ramps would be required for this alternative. Access would be provided from boardwalk level only; access from the beach would not be provided. The preferred alternative would raise the structure above the 100-year flood elevation as indicated on the FEMA Preliminary Flood Insurance Rate Maps and would have the same flood resistant design features as the originally proposed project.

The elevation of the preferred alternative would be nearly 10 feet lower than the replacement comfort station that was originally proposed. The sand elevation on and around the project side varies from +11 to +12 feet NAVD88 and the bottom of the modular structures under this alternative would be at approximately +15 feet NAVD88. Therefore, approximately 4-5 feet of sand could be redistributed on the beach to provide appropriate clearance under the modules. A fence enclosure would be installed under the northern edge of the modular structures to restrict access under the boardwalk. If the sand were not re-graded to provide clearance, a fence would be installed at the perimeter of the modular units.

It is expected that the preferred alternative would be operational for use in the 2017 beach season. During the beach seasons prior to completion of the preferred alternative, temporary restrooms would be provided on the boardwalk at Coney Island Avenue (as was done for the 2014 beach season). The temporary restrooms would satisfy New York State Public Health Law governing bathing beaches, and the Rules of the City of New York, and enable NYCDPR to open the beach to the public.

The preferred alternative (like the project as originally proposed) would provide four toilets, four urinals, and eight sinks in the men's facility and eight toilets and eight sinks in the women's facilities. Similar to the comfort station it replaces, the proposed comfort station is planned to be open for public use from Memorial Day through Labor Day with the following hours: Memorial Day to July 4th from 9 AM to 7 PM and July 4th to Labor Day from 9 AM to 8 PM. The comfort station will be patrolled by NYCDPR Enforcement Patrol officers and/or by the New York City Police Department. The comfort station would also be maintained consistent with a maintenance schedule set forth by NYCDPR and staffed by attendants (one in the women's restroom and one in the men's as well as a job training participant in each restroom).

The build year for the preferred alternative is later than the 2014 build year that was assumed in the DEIS, and therefore, the temporary bathroom trailers would be in place for the 2015 and 2016 beach seasons. The temporary restrooms would satisfy the relevant public health regulations; therefore, this extended temporary condition would not result in any significant adverse impacts to



the environment, and would end with the completion of the construction of the replacement comfort station. Overall, the delayed completion of the construction of the replacement comfort station would not change any of the findings of the DEIS.

Prior to construction of the preferred alternative, NYCDPR would obtain all required permits, which are expected to include approvals from NYSDEC, DSBS, PDC, and NYSDOS. In addition, NYCDPR would obtain permits from the New York City Department of Environmental Protection (NYCDEP) for water and sewer connections as well as permits from the New York City Department of Transportation (NYCDOT) for any street work, as necessary. NYCDPR would also seek reimbursement of the costs for the preferred alternative through FEMA's funding for post-disaster rebuilding efforts. NYCDPR would also obtain necessary permits from NYSDEC for the removal of the piles and construction fencing that is installed at the site of the previously-existing (under construction) comfort station.

C. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

The following environmental areas were screened out in the Final Scope of Work: socioeconomic conditions, community facilities and services, historic and cultural resources, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, air quality, greenhouse gas emissions, noise, and public health. Therefore, the proposed project would not result in any significant adverse impacts related to any of these categories.

The proposed project would not result in any significant adverse impacts to any environmental area, including the following categories analyzed in the FEIS:

- Land Use, Zoning, and Public Policy;
- Open Space;
- Shadows;
- Urban Design and Visual Resources;
- Natural Resources;
- Hazardous Materials;
- Neighborhood Character;
- Construction;
- Induced Growth; and
- Irreversible and Irretrievable Commitment of Resources.

The EIS also analyzed a series of eight additional alternatives (two No Action alternatives, two Elevation Alternatives, and two Location Alternatives with two elevation variations), including the Preferred Alternative. The FEIS analyses determined that, with the exception of the No Action alternatives, all of the alternatives would satisfy project objectives and none would result in significant adverse impacts to the environment.

The FEIS identified a number of measures that would be undertaken in connection with the construction of the preferred alternative (if approved), as follows:

- Geotechnical and topographical surveys;
- Natural resources survey;
- Preparation of a construction noise mitigation plan;
- Vibration monitoring during construction of the preferred alternative's piles.

As neither the project as originally proposed nor the preferred alternative would result in any significant adverse impacts to the environment, no mitigation measures have been identified.



NYC Parks

CEQR No. 11DPR004R

ULURP No. n/a

SEQR Classification: Type II

Location: Brighton Beach, Brooklyn

Portion of Blocks 8700 or 8725

The proposed New Brighton comfort station would be located on the beach immediately to the south of the Brighton Beach Boardwalk within Coney Island Beach and Boardwalk.

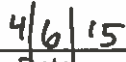
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The FEIS can be downloaded from NYCDPR's website at:
<http://nyc.gov/parks/new-brighton-comfort-station>



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Date