

A. INTRODUCTION

The federal Coastal Zone Management Act (CZMA) of 1972 was established to encourage coastal states to manage development within the states' designated coastal areas to reduce conflicts between coastal development and protection of resources within the coastal zone. Requirements for federal approval of coastal zone management programs and grant application procedures for development of the state programs is included in 15 CFR Part 923, Coastal Zone Management Program Development and Approval Regulations, National Oceanic and Atmospheric Administration (NOAA). The Coastal Zone Management Act requires that federal activities within a state's coastal zone be consistent with that state's coastal zone management plan. The New York State Department of State (NYSDOS) administers New York's coastal zone management program.

The City of Yonkers currently does not have an adopted or approved Local Waterfront Revitalization Program (LWRP) in conformance with the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42). The City is, however, currently preparing an LWRP to reflect current and proposed conditions in the coastal area, and to articulate the City's policies for the use and redevelopment of its Hudson River waterfront areas. When the draft LWRP has been developed, it will be submitted by the City of Yonkers to the Department of State, which will circulate the LWRP and initiate a 60-day review period, which includes a separate SEQRA review process. Once the LWRP is adopted by the City of Yonkers and approved by the Department of State, any local, State, or federal agency planning to undertake actions in the city's coastal area must determine whether or not their proposed actions will be consistent with the LWRP.

Because the City of Yonkers has not yet adopted an LWRP, and agencies proposing actions in the coastal zone must make a consistency determination with respect to the State coastal policies. The potential impact of the Proposed Action's on each of the State policies is addressed below.

B. NEW YORK STATE DEPARTMENT OF STATE COASTAL MANAGEMENT PROGRAM POLICIES

This section addresses the Proposed Action's conformance with the New York State Department of State Coastal Management Program policies relating to the use of coastal land and waters. This program consists of 44 policies intended to ensure appropriate use of the coastal zone. The policies are enumerated below in italics, followed by a brief discussion of the consistency of the Proposed Action in respect to the policy.

DEVELOPMENT POLICIES

Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

The Proposed Action’s purpose is to revitalize deteriorated and underutilized industrial land on the Yonkers waterfront and provide new public open space and additional visual and physical access to the Hudson River. The Proposed Action will physically, visually, and aesthetically reconnect the fabric of the City of Yonkers with the Hudson River. At present, the majority of the waterfront in Yonkers is devoted to existing or former industrial uses and vacant land, and no public access to the waterfront is provided except at the Beczak Environmental Center and at the JFK Marina Park. Redeveloping the underutilized industrialized lands along the waterfront to establish vibrant residential, recreational, marina, and commercial uses is consistent with this policy. In addition, residential land uses included in the Proposed Action are considered compatible uses in that they would benefit from their location adjacent to the Hudson River. The pedestrian activity generated by the residential development would reinforce the proposed waterfront recreational uses. By fostering economic revitalization of the waterfront, the Proposed Action would also benefit commercial and residential districts adjacent to the development area.

Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

The Alexander Street Master Plan includes a number of water dependent uses. These include marina facilities containing approximately 115 slips for recreational boaters; and improvements to JFK Marina Park to facilitate access to the water.

In addition, the Proposed Action contains water enhanced uses, defined as not having critical dependence on obtaining a waterfront location, but the enjoyment level of the users would be increased significantly if the use were adjacent to the waterfront. Many of the proposed uses of the waterfront fall into this category – public open space, residential uses, and retail use located on the ground floors of buildings, such as restaurants, are the most obvious of these. By attracting the public to this waterfront location, commercial uses in the vicinity would benefit. Further, by creating public vitality and vibrancy, linking the waterfront with the downtown district, as well as providing housing at this scenic locale, the local economy would realize long-term benefits.

Policy 3: Further develop the State’s major ports of Albany, Buffalo, New York, Ogdensburg and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to or in support of the waterborne transportation of cargo and people.

The City of Yonkers waterfront is not one of the State’s major ports. Therefore, this policy is not applicable.

Policy 4: Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

Yonkers does not contain a working harbor with a unique maritime identity. However, the connection of the human environment to traditional historic maritime uses that once occurred along the Hudson River in Yonkers has largely been lost due to economic and social forces—primarily the heavy industrialization of the Yonkers waterfront beginning in

the 19th century with the completion of the railroad on the banks of the Hudson River. The Alexander Street Master Plan intends to remedy some of these effects by linking Yonkers—visually, economically, and otherwise—to the water.

Recreational fishing and boating are traditional maritime uses that would be enhanced and restored with the Proposed Action. These activities would result in greater public access to the Hudson shoreline, and would provide an economic boost to the City and the surrounding area. The Yonkers Canoe Club, founded in 1886, occupies a facility within the Alexander Street waterfront area. Although the Yonkers Canoe Club may be relocated to a more suitable section of the Hudson River within the project area, the continuation and enhancement of this use is an important link between past and future traditional uses of the Hudson River that would be facilitated by the Proposed Action.

Bringing smaller-scale commercial establishments to the Yonkers waterfront—restaurants, retail stores, etc.—can also be considered a traditional maritime use that has largely been lost within the city. Furthermore, increased access to and creation of waterfront parks would sustain the newly proposed water-dependent uses and would contribute to the continued viability of existing water dependent uses, including the Hudson River Museum and the Beczak Environmental Education Center.

Policy 5: *Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.*

By siting the proposed waterfront redevelopment on former industrial lands directly adjacent to downtown Yonkers and residential neighborhoods, the Proposed Action would encourage development near existing areas of concentrated development. Infrastructure and public services exist on and adjacent to the subject area, the necessary infrastructure is more than adequate at the proposed redevelopment location, which would be adjacent to the Yonkers and Glenwood Railroad Stations serviced by Metro-North, Amtrak (Yonkers Railroad Station only) and Bee-Line Bus service.

Public utilities are located either directly on or adjacent to the Alexander Street area as described in Chapter 12, “Utilities, Infrastructure, and Stormwater.” Community services are also adequate to serve the Proposed Action, as described in Chapter 6, “Community Facilities.”

Policy 6: *Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.*

The Proposed Action includes the adoption of an Urban Renewal Plan, and the nomination of the area as a Brownfields Opportunity Area. These proposed actions are specifically intended to facilitate the redevelopment of this waterfront site. These actions, comprising related aspects of the Proposed Action are aimed at establishing a blueprint to be followed in the redevelopment. To the extent that individual projects proposed for the subject area are consistent with the Proposed Action as analyzed in this Generic Environmental Impact Statement, it is the expectation and intention of the City of Yonkers to facilitate them.

FISH AND WILDLIFE POLICIES

Policy 7: *Significant coastal fish and wildlife habitats, as identified on the coastal area map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.*

As discussed in Chapter 4, “Natural Resources,” the eastern bank of the Hudson River in the vicinity of the Alexander Street waterfront is a designated Significant Coastal Fish and Wildlife Habitat, effective September 15, 1992. Because most of the shoreline along this habitat has already been extensively disturbed through decades of filling and bulkheading, the Proposed Action would result in only minor disturbances. These disturbances are anticipated to be limited to the construction of the marina facilities at JFK Marina Park, the construction of the along-shore vehicular and pedestrian linkage between the northern and southern portion of the subject area, and reconstruction of deteriorating bulkheads/riprap through the waterfront site. Work required to complete these components of the project would be undertaken to minimize the need for dredging and resultant increases in water turbidity that may result. In addition, new underpier areas (platforming), if any, are expected to be minimal in relation to the overall length of shoreline comprising the affected waterfront area. Lastly, individual project applicants would be required to obtain all applicable permits for components of individual projects that affect the Hudson River, including, but not limited to, a NYSDEC tidal wetlands permit (6 NYCRR Part 661); and an Army Corps of Engineers permit for installation of structures within the Hudson River.

Policy 8: *Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effects on those resources.*

The Proposed Action would not result in the introduction of any hazardous wastes or other pollutants to the waterfront area. As discussed in Chapter 10, “Hazardous Materials,” Phase I investigations and data base research was conducted on the parcels comprising the subject area to determine the potential for contamination of the soils and groundwater onsite. Hazardous materials are known to occur in several areas, and there is potential for other contaminants to exist. Prior to construction, individual project sponsors would be required to determine the potential for hazardous waste contamination and to undertake appropriate mitigation and remediation measures, necessary. The resulting remediation and clean up of individual sites would result in a positive effect of the Proposed Action. In addition to remediation, none of the proposed uses under this Proposed Action involves the manufacture or use of hazardous materials that would have the potential to be released into the Hudson River.

Development projects undertaken under this Proposed Action would generate wastewater from residential and commercial water uses. Such wastewater would be treated at the Yonkers Joint Wastewater Treatment Plant and discharged to the Hudson River in accordance with the plant’s permitted capacity. No significant impacts to fish and wildlife resources are expected as a result of this Proposed Action, as all applicable NYSDEC sewage treatment requirements would continue to be met by this facility.

Policy 9: *Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.*

The Proposed Action would result in the redevelopment of a largely private industrially developed area to a mixed-use neighborhood with a public esplanade and park along the entire stretch of the Hudson River frontage. As such, the Proposed Action would encourage public access to the waterfront for recreational fishing and other wildlife observation activities. The Proposed Action included improvements to the JFK Marina Park aimed at enhancing public and boater access to the waterfront, as well as includes the creation of 13 acres of new public open space and additional marina areas along the Alexander Street waterfront area. The proposed marina and breakwater at JFK Marina Park would expand recreational use and fishing resources. It is not expected that the marina facilities proposed as part of the Master Plan would adversely affect overall natural resources in this stretch of the Hudson River. No commercial fishing components are contemplated under this Proposed Action.

Policy 10: Further develop commercial finfish, shellfish and crustacean resources in the coastal area by: (I) encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities; (ii) increasing marketing of the State's seafood products; and (iii) maintaining adequate stocks and expanding aquaculture facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.

The Hudson River, in the vicinity of the Proposed Action, is used minimally for commercial fishing, and Yonkers does not provide support services for commercial fishing. The Proposed Action does not specifically include, nor does it exclude, marine-related services to support the sport and recreational fishing communities. Individual development applications under this Proposed Action may include such support facilities.

FLOODING AND EROSION POLICIES

Policy 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The Alexander Street waterfront area is located along a portion of the Hudson River waterfront that is almost entirely within the 100 year floodplain elevation. However, it is anticipated that all habitable structures proposed in accord with this Proposed Action would have first floors at elevations above the 100 year flood. Detailed elevation analyses would be conducted, and specific site plans, including bulkhead repair and replacement plans, would be prepared by individual project sponsors during proposed development of individual elements under this Proposed Action.

Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Virtually all of the subject waterfront along the Hudson River shoreline is comprised of urban fill deposited beginning in the 19th century and does not contain natural protective features. In addition, much of the shoreline is protected through the use of retaining structures. Sheet steel or concrete/timber bulkheads line the majority of shoreline along this stretch of the Hudson in Yonkers.

Policy 13: The construction or reconstruction or erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as

demonstrated in design and construction standards and/or assured maintenance or replacement programs.

Any necessary repairs of existing bulkheads and construction of new shoreline protection would be designed and undertaken by individual project sponsors and all necessary permits would be obtained from the applicable regulating authorities, as needed.

Policy 14: *Activities and development including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.*

Repairing of existing bulkheads would not increase the likelihood of flooding onsite or in other locations because it is anticipated that it would consist of replacement-in-kind only. No expansion of filled area into the Hudson would occur except to construct the proposed breakwater at the northern end of JFK Marina Park. This proposed breakwater extension would utilize dredged fill material that had previously been deposited adjacent to the southern end of the Park, thereby not increasing the net filled area adjacent to this public parkland area. All necessary permits will be applied for to undertake this proposed work element.

Stormwater pollution prevention plans will be prepared by individual project sponsors for applicable activities as per NYSDEC SPDES General Permit No. GP-93-06s.

Policy 15: *Mining, excavation, or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such lands.*

The Proposed Action would not involve any mining or excavation in coastal waters with the exception of the removal of previously deposited fill material necessary to construct the breakwater at the north end of JFK Marina Park. In addition, dredging may be required to provide adequate depth to allow marina uses, as well as other commercial boat access at marina sites. Any such facility would be subject to applicable permitting and approval processes to be undertaken by individual project sponsors.

Policy 16: *Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long-term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.*

Prior to use of public funds for shoreline erosion protection structures, a careful analysis of the benefits and long-term costs would be undertaken by the individual project sponsor proposing the use of such funds.

Policy 17: *Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood-level.*

The majority of the Proposed Action would be built on existing urban fill material supported by bulkheads. Therefore, the use of non-structural measures to prevent erosion at the water's edge is not considered to be a viable option without extensive earthwork. The details of how the water's edges will be treated will be specified at the time of individual development

applications, and it is anticipated that there may be areas where bulkheads along the water's edge may be replaced by rip-rap or potentially by restored tidal marshlands. As noted above, all buildings and onsite structures would have their first floor elevations above the 100-year flood elevation and would be set back from the water's edge to accommodate the esplanade and other recreation areas along the watercourse.

Policy 18: *To safeguard the vital economic, social and environmental interests of the State, City, and of their citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State and the City have established to protect valuable coastal resource areas.*

This GEIS and the applications submitted by individual project sponsors under this Proposed Action include evaluations of potential impacts on economic, social, and environmental elements of the waterfront. The GEIS and analyses of subsequent individual projects will undergo public review and comment to ensure that the interests of the government agencies and the citizens are given full consideration.

PUBLIC ACCESS POLICIES

Policy 19: *Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonable anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks.*

The Yonkers waterfront is currently underused by the public—primarily due to private property owners prohibiting access. The Proposed Action would create approximately 13 acres of new public open space land along the entire shoreline of the Alexander Street waterfront area. This open space would accommodate numerous public facilities that would open up the waterfront and its scenic views to all Yonkers residents and visitors, in accordance with this policy. The proposed marinas, improvements to JFK Marina Park, encouragements for canoe and kayak access, retail uses, and other water-related recreational and cultural activities are included in the Proposed Action as replacements for deteriorating and underutilized industrial land from which no public access is allowed. Other elements to improve access will include extension of public streets to new streets along the waterfront and the creation of a new waterfront esplanade for pedestrian use. On- and off-street public parking facilities within the Alexander Street waterfront area are integral to fostering this access.

Policy 20: *Access to publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.*

Access to the Alexander Street waterfront area is primarily limited to four public roadways: Wells Avenue, Babcock Place, Ashburton Avenue, and JFK Memorial Drive. The Proposed Action would enhance these entrances for vehicles and pedestrians, as well as add a new railroad crossing to connect the waterfront with the Point Street/Ravine Avenue neighborhood area. The Proposed Project would create approximately 13 acres of new public open space and parkland along the Hudson River shoreline, as well as public parkland improvements of JFK Marina Park and Trevor Park. Improvements proposed in a separate action to the Hudson River Museum will further enhance the public's access to the Hudson

River and enhance the connection between the Museum and the waterfront. Thus, the shoreline development would be compatible with adjoining on-site uses.

A portion of the subject area is already owned by the City of Yonkers or related entities, making it possible for the city to move quickly on a coordinated first phase development effort. For example, the former ATI site is owned by the Yonkers Industrial Development Agency. Future ownership of the waterfront would be determined as individual development applications are considered, however it is anticipated that the waterfront would ultimately be owned by the City of Yonkers

RECREATION POLICIES

***Policy 21:** Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.*

The Proposed Action contemplates water-related recreational uses as principle uses in the waterfront areas now occupied by vacant land and by industrial uses. Unimpeded public access to the public open spaces and amenities along the waterfront is anticipated.

The revitalized waterfront and its public amenities will be well served by public transportation and on- and off-street public parking facilities. The waterfront is directly adjacent to the Metro-North Yonkers and Glenwood railroad stations, and is also served by Amtrak (Yonkers station only). Furthermore, bus service provided by Westchester County currently serves the Subject Area. Thus, transportation services would provide access to previously restricted areas of the shore in conformance with this policy.

***Policy 22:** Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.*

The purpose of the proposed reuse of the inaccessible and underutilized waterfront is to encourage multiple uses, including water-related recreation. As an urban center, demand for recreational space in Yonkers is high. The proposed marinas and passive open space areas along the waterfront are all-newly created recreational opportunities compatible with this policy. Public input provided during Master Plan development cited the need for additional active recreational facilities, such as ballfields. As detailed planning proceeds for individual development components, site planning for the open space areas would be conducted and the appropriateness and locations for such facilities would be determined and evaluated.

HISTORIC AND SCENIC RESOURCES POLICIES

***Policy 23:** Protect, enhance, and restore structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities, or the nation.*

Five properties in the vicinity of the Alexander Street study area are listed on the State and National Registers of Historic Places (S/NR): Philippe Manor Hall, Trevor Mansion, Old Croton Aqueduct Trail, the Palisades Interstate Parkway, and the Halcyon Place Historic District. The area also includes seven sites eligible for the S/NR: the City Jail Building, the North Yonkers Pump Station, Glenwood Train Station, Yonkers Train Station, 33 Ashburton Avenue, 218 Warburton Avenue, and 5 Philipes Road. All sites on the State and National Registers in the vicinity of the waterfront area and those that are eligible for listing on the State and National Registers are discussed in Chapter 13, “Cultural and Historic Resources.” As concluded in Chapter 13, the Proposed Action would not have an adverse impact on historic resources.

Also as discussed in Chapter 13, the Proposed Project could impact potential archaeological resources on a limited portion of the Alexander Street. Individual applicants for developing these archaeologically sensitive areas would be required to conduct adequate investigations in conjunction with SHPO to determine if archaeological resources may be affected, and to take appropriate measures to avoid or mitigate any potential impacts.

Policy 24: *Prevent impairment of scenic resources of statewide significance, as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geological forms, the destruction or removal of vegetation, the destruction or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.*

No designated scenic resources of statewide significance would be impaired with the Proposed Action. The project would be visible from the New Jersey Palisades, designated a National Natural Landmark. However, due to expansive view range from this vantage, combined with the over one-half mile distance of this vantage point from the Alexander Street waterfront, the rising topographic backdrop of the site, and the overall scale of the project, the Proposed Action would not significantly alter the view from the Palisades or the Hudson River. Potential visual impacts are described in Chapter 3, “Visual Character.”

Policy 25: *Protect, restore, or enhance natural and manmade resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.*

The Hudson River in combination with the urbanized Yonkers landscape comprises the primary scenic resource in the Alexander Street waterfront area. By providing new and overall enhanced public access to the waterfront, the Proposed Action would allow the natural beauty of the Palisades and Hudson River to be appreciated by a greater number of Yonkers residents and visitors than the waterfront’s present condition permits. It is the enhanced access to these visual resources that would add value to the City of Yonkers and encourage use of the recreational, commercial, and residential amenities proposed.

AGRICULTURAL LANDS POLICY

Policy 26: *To conserve and protect agricultural lands in the State’s coastal area, and action shall not result in a loss, nor impair the productivity, of important agricultural lands, as identified on the coastal area map, if that loss or impairment would adversely affect the viability*

of agriculture in an agricultural district, or if there is no agricultural district in the area surrounding such lands.

The Alexander Street waterfront area does not include agricultural lands, and this policy is not applicable.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27: *Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment and the facility's need for a shorefront location.*

The Proposed Action does not include major energy facilities, and the policy is not applicable.

Policy 28: *Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.*

The Proposed Action does not include ice management practices, and this policy is not applicable.

Policy 29: *Encourage the development of energy resources on the Outer Continental Shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.*

The Proposed Action does not include development of energy resources, and this policy is not applicable.

WATER AND AIR RESOURCES POLICIES

Policy 30: *Municipal, industrial, and commercial discharge of pollutants, including, but not limited to, toxic and hazardous substances, into coastal waters will conform to State water quality standards.*

The Proposed Action would not involve the discharge of toxic and hazardous pollutants into coastal waters. As discussed in Chapter 12, "Utilities, Infrastructure, and Stormwater," the Proposed Action would not cause violations of New York State water quality standards. Individual project applicants under this Action would be required to ensure that runoff from development sites would be separated from the sanitary flows and would not lead to Combined Sewer Overflows (CSO) discharges. Stormwater drainage plan would be developed by individual project sponsors under this Proposed Action.

Policy 31: *State coastal area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.*

The waters of the Hudson River in the vicinity of the Yonkers waterfront are classified as SB, which indicates that the water is saline and suitable for primary contact, including swimming. This classification does not represent a development a constraint for future development that would occur in conformance with the Proposed Action.

Policy 32: *Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.*

This policy is not applicable to the Proposed Action.

Policy 33: *Best management practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.*

Project applicants under this Proposed Action would be required to implement New York State Best Management Practices to control stormwater runoff from site development. Due to its location adjacent to the tidally influenced Hudson River, it is anticipated that stormwater would be discharged without detention. However, to the extent possible, individual development site planning under this Action would be encouraged to incorporate stormwater detention facilities to the extent possible. During construction, individual project applicants would be required to prepare stormwater pollution prevention plans in conformance with the NYSDEC General Permit to prevent sediment transport offsite during storm events.

Policy 34: *Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.*

Marinas sited along the Alexander Street waterfront and the marina at JFK Marina Park would be required to incorporate pump-out facilities for boats so they would not discharge into the waters. The Proposed Action would not affect significant fish and wildlife habitats.

Policy 35: *Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.*

Dredging for installation of marina facilities would be undertaken by individual project applicants in conformance with all local, State and federal laws. All required permits would be obtained by project sponsors prior to any dredging.

Policy 36: *Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.*

The Proposed Action does not involve shipment or storage of petroleum, and this policy is not applicable.

Policy 37: *Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.*

Project applicants under this Proposed Action would be required to implement New York State Best Management Practices to minimize non-point discharge of excess nutrients, organics, and eroded soils. The new open space park areas along the Hudson River shoreline would be designed and managed to minimize discharge of nutrients and to prevent erosion.

Policy 38: *The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.*

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There are no sole source aquifers under the Alexander Street waterfront area, therefore this policy is not applicable to the Proposed Action.

Policy 39: *The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.*

Residential solid waste from the Proposed Action would be collected by the Yonkers Department of Public Works. It is anticipated that commercial wastes would be collected and disposed of by private haulers. No hazardous wastes would be generated by the Proposed Action.

Policy 40: *Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.*

The project does not involve major generating or industrial facilities. Thus, this policy is not applicable.

Policy 41: *Land use or development in the coastal area will not cause national or State air quality standards to be violated.*

As discussed in Chapter 9, "Air Quality and Noise," the Proposed Action would not cause air quality violations.

Policy 42: *Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.*

Not applicable.

Policy 43: *Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.*

The Proposed Action would not generate significant amounts of nitrates and sulfates above those typical of residential and commercial developments and associated increases in traffic. Air quality impacts of the project are addressed in Chapter 9, "Air Quality and Noise" and found to be in compliance with federal standards.

Policy 44: *Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

Certain waters of the Hudson River in the vicinity of the Alexander Street waterfront are classified littoral zone, a Tidal Wetlands designation. Prior to any construction in the water, individual project applicants would be required to obtain Tidal Wetlands permits from NYSDEC. *