



NYC Parks

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September 4, 2018

Mr. Donald Burns, AICP  
Federal Transit Administration  
One Bowling Green, Room 428  
New York, NY 10004

Re: Section 4(f) *de minimis* Concurrence  
Canarsie Tunnel Project/ North 5<sup>th</sup> Street Pier and Park

Dear Mr. Burns:

The New York City Department of Parks and Recreation (NYC Parks) was informed by FTA of its intent to make a Section 4(f) *de minimis* impact finding for the temporary use of the North 5<sup>th</sup> Street Pier and Park, a NYC Parks property.

New York City Transit (NYCT) has coordinated with the NYC Parks and New York City Economic Development Corporation regarding NYCT's plans to construct a temporary ferry landing and operate temporary ferry service on the existing Empire Pier in Brooklyn, NY, a city-owned facility that will be under NYC Parks jurisdiction in the near future. The proposed ferry service is part of the Alternate Service Plan (ASP), which is proposed as part of the Canarsie Tunnel Project. Ferry passengers will have to walk through the North 5<sup>th</sup> Street Pier and Park to access the proposed ferry landing.

#### PROJECT SCOPE & IMPACTS

The temporary ferry services are proposed to operate for approximately 15 months. During this timeframe, a total of approximately 68 square feet will be temporarily impacted by the ferry landing connection to Empire Pier (40 square feet) and ticket machines (28 square feet). Please note that while the July 2018 Supplemental Environmental Assessment and Section 4(f) review (SEA) for the Canarsie Tunnel Project identified the North 5<sup>th</sup> Street Pier and Park as 1.17 acres (or 51,000 square feet), the correct figure is 47,026 square feet (37,026 square feet of existing parkland plus approximately 10,000 square feet for the Empire Pier, which will be under NYC Parks jurisdiction in the near future).

Temporary modifications on the North 5<sup>th</sup> Street Pier and Park include temporary installation of seven ticket machines with a total area of 28 square feet. Other temporary impacts include a ferry service with a minimum capacity of 1,192 patrons for each peak hour accessing the park to use the ferry, a cut in the existing guard rail on the Empire Pier to accommodate the ferry landing connection, and an extension of park access for ferry service customers to pass through when taking the ferry after normal park hours.

The proposed area to be modified will be small in comparison to the overall size of North 5<sup>th</sup> Street Pier and Park. All temporary infrastructure will be removed at the end of the proposed ASP, and the site will be restored to an agreed-upon condition with photo documentation of conditions of park to be done by NYCT before the commencement of the operations. Estimated start date of temporary service is April 2019.



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During the operation of the ferry service, best management practices will be utilized to limit temporary impacts. Noise and vibration impacts will be limited by local laws. NYCT will also be providing \$498,862 in funds to NYC Parks to enable the addition of NYC Parks personnel at the North 5<sup>th</sup> Street Pier and Park to manage the increase in usership and provide for necessary security due to the increase in the park hours during the ferry service operations. NYCT will continue to work with NYC Parks regarding customer queuing impacts, ticket machine placement, and should additional costs associated for security and maintenance at the site be deemed necessary.

#### STAKEHOLDER COORDINATION

NYCT has successfully coordinated with NYC Parks regarding any impacts to North 5<sup>th</sup> Street Pier and Park. Public notice and an opportunity for public review and comment concerning the effects on the park was made available as part of the public review of the SEA between July 20, 2018 and August 19, 2018. No comments about the potential impacts to the park were received during the public comment period.

Therefore, based on the temporary and minor nature of the impacts to North 5<sup>th</sup> Street Pier and Park, the funding assistance to NYC Parks for the addition of NYC Parks personnel, and no public comments received on impacts to this park, NYC Parks states that a *de minimis* impact finding is appropriate regarding the North 5<sup>th</sup> Street Pier and Park. If you have any immediate questions, please contact Brendan Shera, in NYC Parks's Interagency Coordination Unit at 718-760-6622 or [Brendan.Shera@parks.nyc.gov](mailto:Brendan.Shera@parks.nyc.gov).

Sincerely,

Alyssa Cobb Konon

Deputy Commissioner for Planning and Development