

Appendix C

Exhibit 1: Executive Order 11988 Floodplain Management Review

NYU Langone Medical Center Facility Construction Executive Order 11988 – Floodplain Management Eight-Step Decision Making Process

Executive Order 11988 (Floodplain Management) requires federal agencies “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” FEMA’s implementing regulations are at 44 CFR Part 9, which includes an eight-step decision making process for compliance with this part.

This eight-step process is applied to the proposed projects at NYU Langone Medical Center (NYULMC) consisting of three components:

- Repair and replace damaged building components and equipment
- Implement the Campus Transformation Plan
- Construct a campus-wide floodwall

The NYULMC campus is located within the 100-year coastal floodplain of the East River. The steps in the decision making process are as follows:

Step 1 Determine if the proposed action is located in the Base Floodplain.

NYULMC is a world-class, patient-centered, integrated, academic medical center, specializing in clinical care, biomedical research and medical education. Approximately two-thirds of the medical campus is located within the floodplain.

All of the new buildings proposed under the Campus Transformation Plan, the expanded Emergency Department, Kimmel Pavilion, the Energy Building, and the Science Building are located within the 100-year floodplain (“Base Floodplain”) of the East River (according to Preliminary Workmaps released 06/11/2013). Buildings that would be modified with the inclusion of the campus-wide floodwall or receive recovery funding including Smilow, Tisch Hospital, Millhauser Labs, the Medical Science Building, Coles Student Labs, the Schwartz Lecture Hall and Health Care Center are also located in the Base Floodplain. A portion of Tisch Hospital is also located in the 500-year floodplain. The only building on the campus located fully outside of the Base Floodplain and 500-year floodplain is the Skirball Institute. As a public medical center, the action of repair, replacement and/or expansion of the NYULMC is considered a “critical action” under 44 CFR 9.5.

Step 2 Early public notice (Preliminary Notice).

A cumulative initial public notice was published in the New York Post on December 14, 2012. An additional Notice of Availability for the draft NEPA document will be published when the document is ready for public comment.

Step 3 Identify and evaluate alternatives to locating in the base floodplain.

Several alternatives have been considered for the recovery of NYULMC. A no action alternative has been identified as a baseline by which to evaluate other alternatives. Under this alternative, no FEMA funds would be made available to NYULMC for their recovery efforts. The facility would remain damaged from the flooding with compromised capability to provide emergency services to the public. The facility would also remain vulnerable to further flooding.

Alternative 2 considers the preferred project proposed by NYULMC consisting of the three components; recovery, implementation of the Campus Transformation Plan, and the construction of a campus-wide floodwall. The proposed project would include the repair of damaged buildings and the repair or replacement of interior components and equipment. Implementation of the Campus Transformation Plan will include the proposed construction of three new structures within existing campus boundaries. This will require the demolition of several existing structures currently sited on the proposed construction footprint. The proposed Kimmel Pavilion would function as a new inpatient hospital building replacing the Rusk Institute and Perelman Buildings and ancillary structures. The new Energy Building would be located on campus to the south of the proposed Kimmel Pavilion and would also be physically linked to and function with Tisch Hospital. The Energy Building will house a new natural gas combined heat and power plant among other functions. The new Science Building would be constructed at the southeast corner of the campus along East 30th Street and the FDR Drive Service Road, adjacent to the existing Smilow Research Center. Construction would require demolition of the existing structures on the site, including the Rubin Hall Dormitory, administrative office space, and a portion of the Schwartz Lecture Hall. The capacity will be comparable to the facilities to be replaced. The Emergency Department would be expanded adjacent to Tisch Hospital between First Avenue and the Amtrak ventilation tower immediately north of the Hospital. The new structures would be modified with design changes to strengthen the perimeter walls to function as components of the proposed floodwall system. Existing buildings would have the perimeter walls hardened to function as components in the floodwall system which would be tied into the new buildings and new free-standing floodwalls. The loading dock and roll-up garage doors adjacent to the Office of Chief Medical Examiner would be replaced with a solid masonry wall due to the relocation of its function to the new Science Building. The bulk oxygen storage tanks may be relocated to the previous loading dock location and enclosed with masonry walls with a metal gate facing East 30th Street. To complete comprehensive flood protection measures, new flood walls spanning between buildings would be constructed along with hardening of slabs to resist hydrostatic pressures, compartmentalizing interior components to buildings, and measures to prevent backflow through

existing utilities. Where openings are required during non-emergency times, deployable flood protection measures, such as removable flood walls would be incorporated.

Alternative 3 considers simply repairs to pre-disaster condition though this alternative was dismissed from further consideration. While a feasible alternative, this alternative would not be consistent with Executive Order 11988, would not provide any protection from additional flooding, and would be inconsistent with the capacity and capability improvements identified in the Campus Transformation Plan.

Alternative 4 considers the relocation of the facility outside of the Base Floodplain providing an opportunity to restore the natural and beneficial values served by the floodplain and avoid the risks associated with future flooding events. As Manhattan is a substantially developed and urbanized area, there are no viable alternative sites identified as available. Relocating the campus would not be socially or economically feasible given the effects on the community served through the facilities acute medical services or the costs of land acquisition and reconstruction.

Step 4 Identify impacts of the proposed action associated with occupancy or modification of the floodplain.

Impact on natural function of the floodplain

The proposed action supports continued occupancy within the floodplain by restoring flood damaged facilities and equipment, supporting the implementation of the Campus Transformation Plan, and constructing a campus-wide floodwall. As the site has been substantially developed prior to the disaster, the proposed project has no additional impact to the floodplain. As Manhattan is a heavily urbanized area, the proposed action does not itself induce further development within the floodplain. The proposed project with the changes to building footprints and the addition of a floodwall will remove only a small area serving as flood storage during a flooding event. As the project's footprint area as flood storage volume is such a negligible portion of the coastal storm surge floodplain, there will be no measurable change to flood elevations in the immediate vicinity or within the shared floodplain. There are no sources of riverine flooding that may affect the site or be affected by it.

Impact of flood water on the proposed facilities

With the inclusion of flood mitigation including the proposed floodwall, strengthening of slabs to resist hydrostatic pressures, compartmentalizing interior building components, and including backflow preventers, the facility is expected to resist inundation from future flooding events. There are no sources of riverine flooding that have the potential to affect NYULMC. The campus-wide floodwall will be constructed to protect the facility from the 500-year flood event at a minimum.

The Skirball Institute and Schwartz Health Care Center along 1st Avenue are located at a high enough elevation that the proposed floodwall will not eliminate ingress and egress to the facility. A preliminary schematic drawing shows the proposed floodwall system extending from the Office of the Medical Examiner along 30th Street, around the buildings along FDR Drive and 34th Street, and terminating at the Skirball Institute where it meets with the Emergency Department / Tisch Hospital. In the event

that the flood protection measures are compromised and the facility would need to be evacuated in a future event, there would still be access to the facility through the Skirball Institute and Schwartz Health Care Center from 1st Avenue; during Hurricane Sandy evacuation was conducted through the Skirball Institute.

Step 5 Design or modify the proposed action to minimize threats to life and property and preserve its natural and beneficial floodplain values.

The proposed action is designed to minimize floodplain impacts to life and property. Because the project would take place on a substantially developed urban parcel, there are no additional impacts to the natural and beneficial floodplain values. All work on the project site will be in accordance with local floodplain ordinances and applicable codes and standards. Any indirect development within the floodplain would be required to be compliant with New York City floodplain management requirements.

Step 6 Re-evaluate the proposed action.

The proposed action alternative is the most practicable alternative based on the review of the possible adverse effects on the floodplains and on community expectations. None of the alternatives preliminarily rejected are practicable. The existing location of the facility is the only practicable location and the incorporation of the floodwall system best mitigates against future flood related losses.

Step 7 Findings and Public Explanation (Final Notification).

A cumulative initial public notice was published in the New York Post on December 14, 2012. An additional Notice of Availability for the draft NEPA document will be published when the document is ready for public comment. Following the public comment period and consideration of any substantive comments received during the comment period, a Finding of No Significant Impact is anticipated.

Step 8 Implement the action.

Oversight responsibility shall be incorporated into existing processes and project completion in accordance with all applicable floodplain ordinances. Codes and standards and compliance with permits and project requirements as grant conditions will be verified at project closeout.

Exhibit 2: Coastal Management Program Federal Consistency Review



FEMA

U.S. Department of Homeland Security
FEMA-4085-DR-NY
Joint Field Office, Forest Hills Tower
118-35 Queens Blvd. 6th Floor, EHP
Forest Hills, NY 11375

May 15, 2013

Coastal Resource Specialist
Consistency Review and Analysis
New York Coastal Management Program
New York Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Re: CMP Federal Consistency Review
New York University Langone Medical Center Campus
550 First Avenue, New York, NY 10016

Dear Sir/Madam:

The Department of Homeland Security-Federal Emergency Management Agency (FEMA) is proposing to provide federal funding from its Public Assistance Program to assist New York University Langone Medical Center (NYULMC) recover from the impacts of Hurricane Sandy, increase capacity, and construct a new flood barrier.

The scope of work for this project consists of three primary components; repair and replace damaged building components, contents, and equipment, implement the Campus Transformation Plan, and construct a campus-wide floodwall. Implementation of the Campus Transformation Plan will include the proposed construction of three (3) new structures within existing campus boundaries. This will require the demolition of several existing structures currently sited on the proposed construction footprint. The proposed Kimmel Pavilion would function as a new inpatient hospital building with a gross floor area of approximately 925,000 square feet and would be physically linked to and function with the existing Tisch Hospital. The existing Rusk Institute for Rehabilitative Medicine, the Perelman Building, the Auxiliary Pavilion, the Greenhouse, Horizon House and the Visitors' Pavilion would be demolished and replaced with the new Kimmel Pavilion. The new Energy Building would be located on campus to the south of the proposed Kimmel Pavilion and would also be physically linked to and function with Tisch Hospital. It would have a gross floor area of approximately 95,000 square feet. The Energy Building will house a new natural gas combined heat and power plant among other

functions. Also included in the Campus Transformation Plan is the proposed construction of a 443,474 gross square foot new neuroscience science building within campus boundaries. The new Science Building would be constructed at the southeast corner of the campus along East 30th Street and the FDR Drive Service Road, adjacent to the existing Smilow Research Center (Block 962, Lots 1001-1107). Construction would require demolition of the existing structures on the site, including the Rubin Hall Dormitory, administrative office space, and a portion of Schwartz Hall. The capacity will be comparable to the facilities to be replaced.

The floodwall would be incorporated into the perimeter walls of the new buildings during construction and would involve the modification of buildings remaining on the site. New floodwall segments spanning between buildings would be necessary between Smilow Research Center and the Science Building and between the Science Building and the New York State Medical Examiner Building. In areas where a means of ingress/egress are required, removable flood panel systems would be installed. The flood protection system also includes the hardening of slabs to resist hydrostatic pressure, backflow preventers, and the compartmentalization of interior portions of the buildings.

State Coastal Policies 1 through 44 has been reviewed with respect to their applicability to the work performed under the disaster recovery operations. Based on this review, FEMA certifies that the above-referenced activities that will result from the proposed grant project are consistent with the policies of the NYS Coastal Management Program (CMP) and will not hinder the achievement of those policies. A summary of the proposed project's consistency with State Coastal Policies is included as an attachment.

FEMA is seeking the New York State Department of State's (NYSDS) concurrence with our Federal Coastal Zone Consistency Determination, in accordance with the requirement of the Coastal Zone Management Act of 1972 (15 CFR Part 930), prior to the release of funds by FEMA to grant recipient.

We look forward to your office's feedback within 30 days of receipt, and will assume concurrence with our Federal Coastal Zone Consistency Review determination if a reply is not received from your office. If you have any questions, please contact John Dawson at 571-205-2412 or john.dawson@fema.dhs.gov.

Sincerely,

April Cummings
Environmental/Historic Preservation Advisor
FEMA EHP; DR-4085

AB/jd

Encl: Location map, NYS Coastal Zone Atlas Map, Existing Campus Layout, Proposed Project, Advisory Base Flood Elevation Map, and Summary Table for Project's Consistency with Coastal Policies

Figure 1: Location map



Figure 2: NYS Coastal Zone Atlas Map

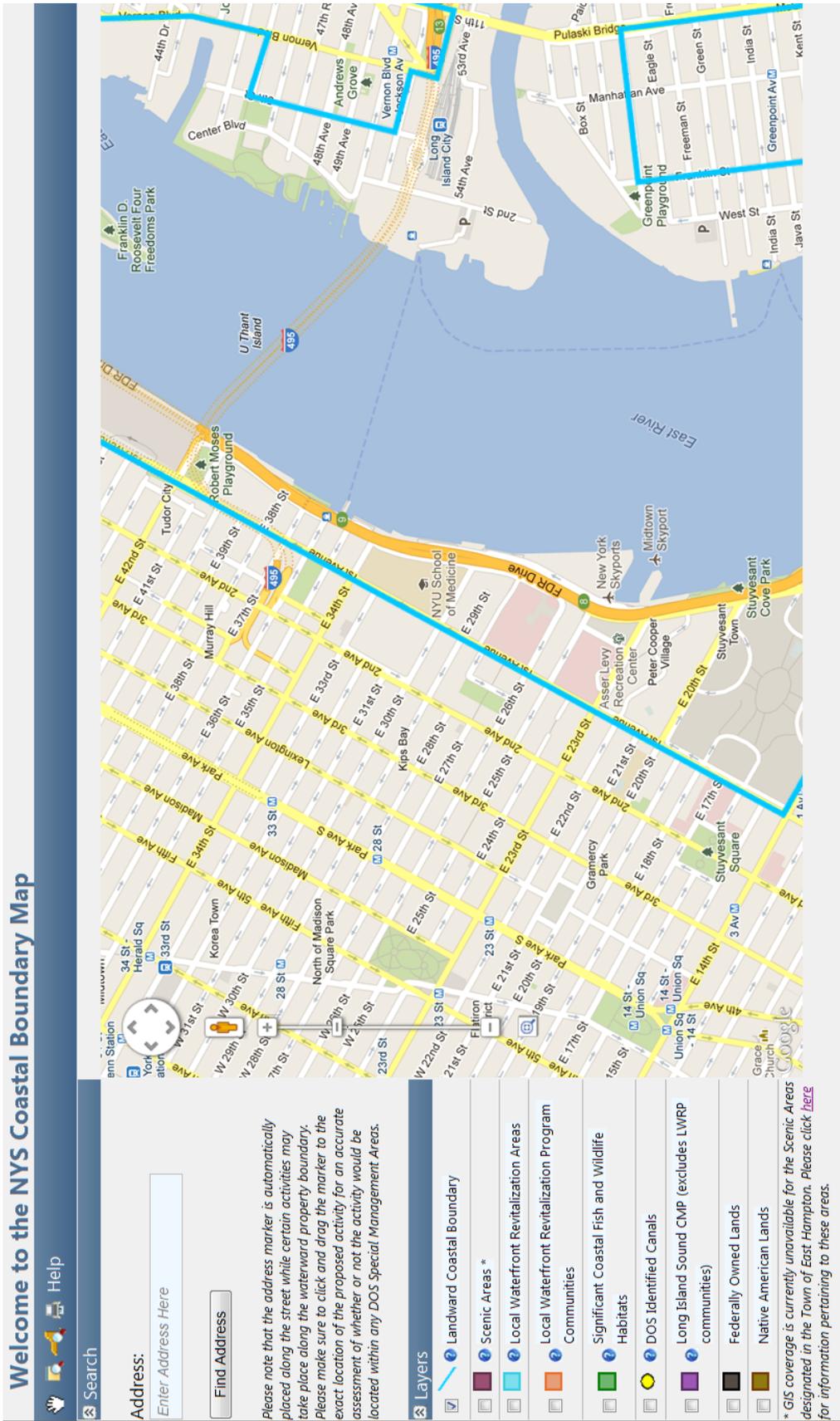


Figure 3: Existing Campus Layout

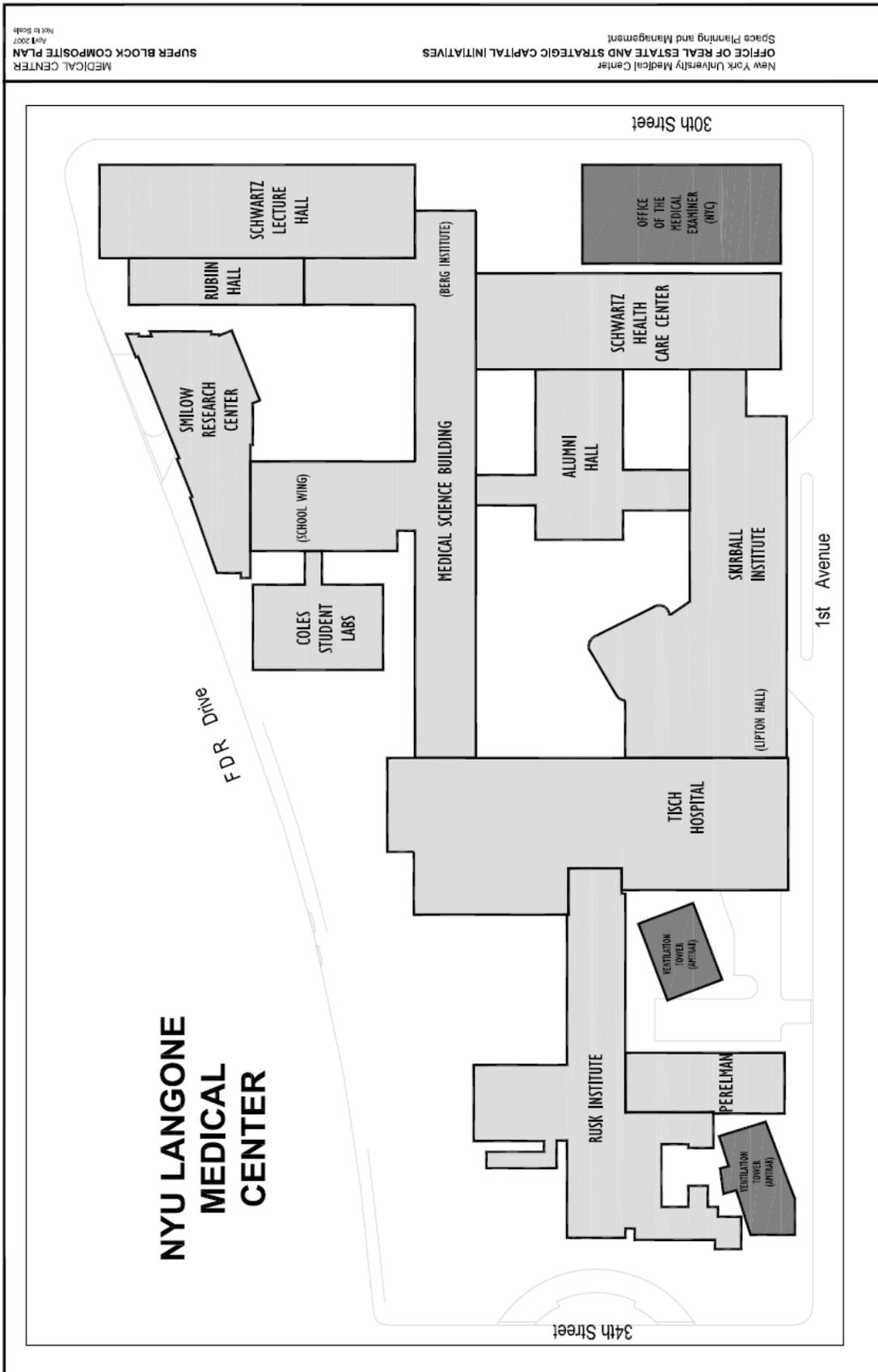


Figure 4: Proposed Project

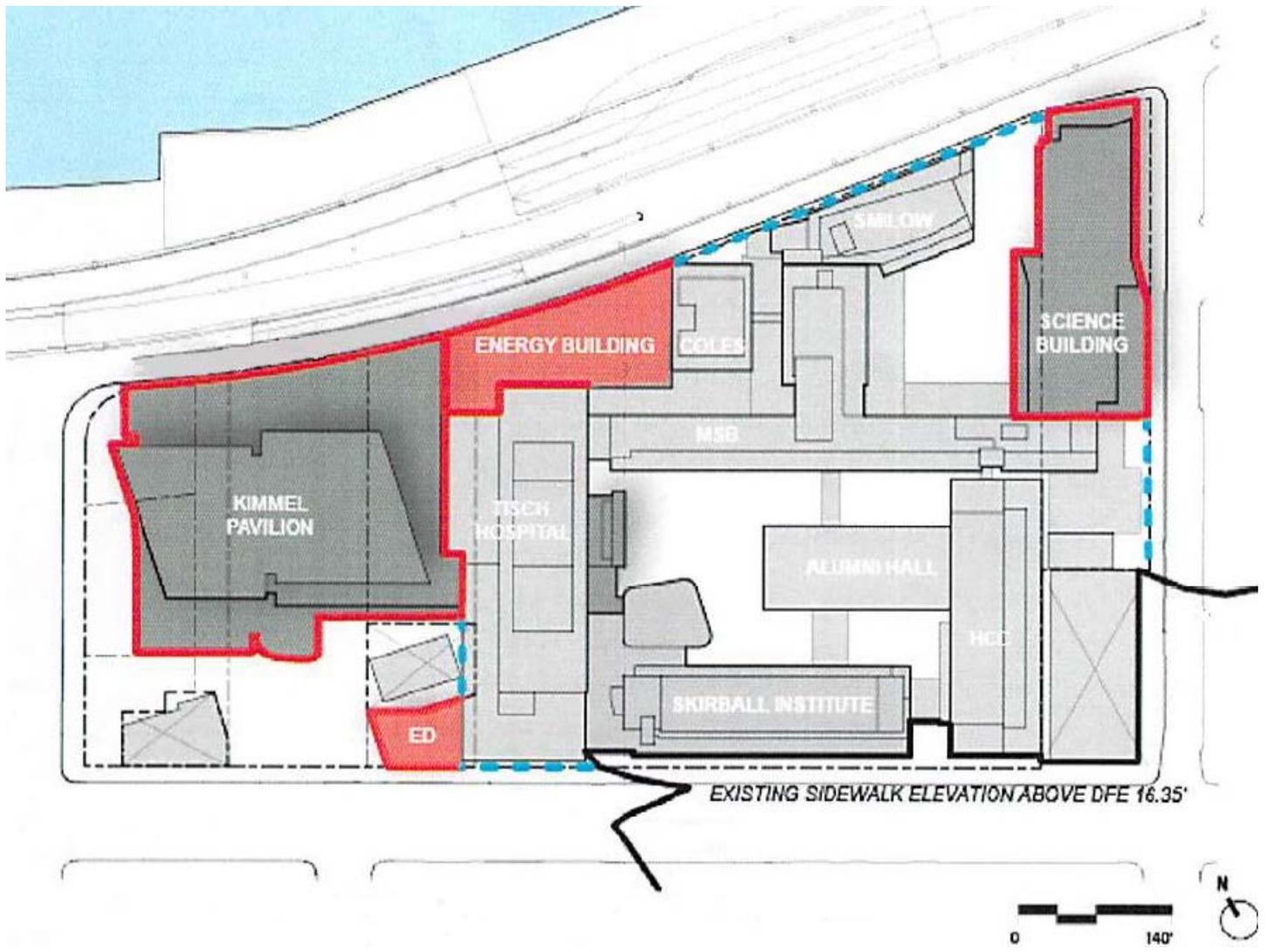


Figure 5: Advisory Base Flood Elevation Map



Source: <http://www.region2coastal.com/sandy/abfe>

Policy 1

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

Project maintains existing land-use of site with capacity expansions compatible with surrounding land-uses, scale, architectural style, density, and intensity of use.

Policy 2

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

The project maintains the existing land-use of the site, but is not otherwise a water-dependent use. The project is consistent with the area zoning and is not located in a zone favoring water-dependent uses.

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 project is not a port and does not interfere with area ports; the project maintains existing land-uses of the site.

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.

The project is not a port and does not interfere with area ports; the project maintains existing land-uses of the site.

Policy 5

Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Project is located in Manhattan among significantly developed infrastructure including utilities, public transportation, emergency services, and residential areas.

Policy 6

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

FEMA requests NYSDOS response to Federal Coastal Zone Consistency Review within 30 days to expedite processing of the grant for this disaster recovery project.

Policy 7

Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Construction of the building will be within previously disturbed area of the Port that is urbanized and does not support significant coastal fish and wildlife habitat.

Policy 8

Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

The project will be constructed using Construction Best Management Practices. An Underground Storage Tank will be removed following procedures required by all applicable local, state or federal law or regulations. The project is not anticipated to have any adverse impact on fish and wildlife resources.

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.

N/A. Policy is not project's purpose.

Policy 10

Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.

N/A. Policy is not project's purpose.

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 project is located in the 100-year floodplain and incorporates new flood barriers to protect the facility to the 500-year flood event at a minimum.

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.

Construction best management practices will be used for the project. The project is not located near beaches, dunes, barrier islands or bluffs.

Policy 13

The construction or reconstruction of 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.

N/A. Policy is not project's purpose.

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.

The project is not anticipated to increase erosion. The site is located within a developed floodplain location and will not increase flood risks to others.

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 land.

N/A. Policy is not project's purpose.

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.

N/A. Policy is not project's purpose.

Policy 17

Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Project is structural; however is not anticipated to damage natural resources nor cause any erosion. The project includes the construction of a flood barrier to protect the facility to the 500-year event, at a minimum.

Policy 18

To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.

The project protects the economic and social interests of the state and its citizens by restoring, adding capacity, and floodproofing the facility.

Policy 19

Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

The project does not change existing access to public water-related recreation resources or facilities.

Policy 20

Access to the 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 shall be provided in a manner compatible with adjoining uses.

The project does not change existing access to public water-related recreation resources or facilities.

Policy 21

Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related used along the coast.

N/A. Policy is not project's purpose.

Policy 22

Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

N/A. Project is located near but not adjacent to the shore.

Policy 23

Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.

FEMA will be conducting consultation with the State Historic Preservation Officer per Section 106 of the National Historic Preservation Office to address proposed ground disturbing activities and impacts to historic structures in the area once design plans and materials are identified. At this time, the project is anticipated to have no adverse effect to historic properties, to be confirmed through the 106 process.

Policy 24

Prevent impairment of scenic resources of statewide significance.

No known scenic resources of statewide significance would be impacted by the proposed project.

Policy 25

Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

N/A. Policy is not project's purpose.

Policy 26

Conserve and protect agricultural lands in the state's coastal area.

N/A. No agricultural land is present in the vicinity of the project.

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.

N/A. Policy is not project's purpose.

Policy 28

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

N/A. Policy is not project's purpose.

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.

N/A. Policy is not project's purpose.

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 and national water quality standards.

Project is required to prepare Storm Water Pollution Prevention Plan (SWPPP) and obtain National Pollution Discharge Elimination System (NPDES) permit for ground disturbing activities, as appropriate. If dewatering of site during construction is necessary, project will be required to obtain appropriate water quality and discharge permits and comply with all local, state, and federal discharge requirements.

Policy 31

State coastal area policies and management objectives of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

Project is required to prepare Storm Water Pollution Prevention Plan (SWPPP) and obtain National Pollution Discharge Elimination System (NPDES) permit for ground disturbing activities, as appropriate. If dewatering of site during construction is necessary, project will be required to obtain appropriate water quality and discharge permits and comply with all local, state, and federal discharge requirements.

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.

Project is required to prepare Storm Water Pollution Prevention Plan (SWPPP) and obtain National Pollution Discharge Elimination System (NPDES) permit for ground disturbing activities, as appropriate. If dewatering of site during construction is necessary, project will be required to obtain appropriate water quality and discharge permits and comply with all local, state, and federal discharge requirements.

Policy 33

Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

Construction best management practices will be used for the project to control stormwater runoff. The project will tie into existing utilities.

Policy 34

Discharge of waste materials into coastal waters from vessels subject to state jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

N/A. Policy is not project's purpose or function.

Policy 35

Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

N/A. Policy is not project's purpose or function.

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.

N/A. Policy is not project's purpose or function.

Policy 37

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

Construction best management practices will be used for the project to control stormwater runoff. The project will tie into existing utilities.

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.

N/A. Policy is not project's purpose or function.

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 land, and scenic resources.

The project will be constructed using Construction Best Management Practices. An Underground Storage Tank will be removed following procedures required by all applicable local, state or federal law or regulations. The project is not anticipated to have any adverse impact on fish and wildlife resources, groundwater supply, recreation areas, scenic resources or agricultural land.

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.

N/A. Policy is not project's purpose or function.

Policy 41

Land use or development in the coastal area will not cause national or state air quality standards to be violated.

Project will not impact state or national air quality standards. Construction equipment emissions would be below de minimus levels for air quality pollutants. An air quality permit will be required and project is consistent with New York City PlaNYC greenhouse gas reduction goals. The project is considered to be compliant with the State Implementation Plan for Air Quality.

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.

Coastal management policies have been considered.

Policy 43

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

Project is not anticipated to cause acid rain precursors.

Policy 44

Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

N/A. Policy is not project's purpose or function.

Exhibit 3: OPRHP No Archaeological Concerns Letter



New York State Office of Parks, Recreation and Historic Preservation

Andrew M. Cuomo
Governor

Andy Beers
Acting Commissioner

Historic Preservation Field Services Bureau
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

February 11, 2011

Claudia Cooney
AKRF
440 Park Avenue South
7th Floor
New York, New York 10016

Re: INFO REQ
NYU Langone Neuroscience Institute
NYU Langone Medical
Complex/MANHATTAN, New York County
11PR01044

Dear Ms. Cooney:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, OPRHP had no archaeological concerns for your project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. Please contact me at extension 3291, or by e-mail at douglas.mackey@oprhp.state.ny.us, if you have any questions regarding these comments.

Sincerely

Douglas P. Mackey
Historic Preservation Program Analyst
Archaeology

Cc: Amanda Sutphin, LPC (email)

Exhibit 4: SHPO Email Regarding NYULMC Complex Listing Eligibility

Claudia Cooney

From: Howe, Kathy (PEB) [Kathy.Howe@oprhp.state.ny.us]
Sent: Wednesday, December 22, 2010 11:42 AM
To: Claudia Cooney
Subject: NYU Langone Medical Center

Claudia,

The SHPO previously determined that the entire NYU Langone Medical Center complex, bounded by First Ave, the FDR, 30th and 34th streets, does not meet the criteria for listing to the National Register.

Best,

Kathleen A. Howe
Historic Preservation Program Analyst
NYS OPRHP
P.O. Box 189
Peebles Island
Waterford, NY 12188
518-237-8643, extension 3266
kathy.howe@oprhp.state.ny.us

Exhibit 5: Coastal Zone Management Act General Concurrence Letter



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

August 12, 2013

April Cummings
Environmental/ Historic Preservation Advisor
FEMA EHP; DR-4085-DR-NY
U.S. Department of Homeland Security
Joint Field Office, Forest Hills Tower
118-35 Queens Blvd., 6th Floor, EHP
Forest Hills, New York 11375

Re: **F-2013-0640(FA)**
Department of Homeland Security- Federal
Emergency Management Agency (FEMA)
-- Funding through FEMA - Public Assistance
Program to assist New York University Langone
Medical Center (NYULMC) recovery from impacts of
Hurricane Sandy, increase capacity, and construct a
new, campus-wide flood barrier
General Concurrence - No Objection to Funding

Dear Ms. Cummings:

The Department of State has received the information regarding the above proposed funding assistance (letter dated 8/08/13) and has completed its review. The Department of State has determined that this proposal meets the Department's general concurrence criteria for consistency with the policies and purposes of the New York State Coastal Management Program (NYSCMP). Therefore, the Department of State has no objection to the use of FEMA funds for this financial assistance activity.

This concurrence pertains to the financial assistance activity for this project only. For specific activities which require a federal permit or other form of federal agency authorization, the Department of State will conduct a separate review. At the time federal permit authorization is sought, please forward a copy of the federal application, a completed Consistency Assessment Form (CAF) pursuant to the New York City Waterfront Revitalization Program (WRP), together with all of the project details and supporting information to both the Department of State and to the New York City Department of City Planning, attention to Jessica Fain. The CAF may be located on the New York City Department of City Planning's website.

Sincerely,

Jeffrey Zappieri, Manager of Consistency Review
Division of Coastal Resources

JZ/ts

Cc: John Dawson - FEMA

WWW.DOS.NY.GOV • E-MAIL: INFO@DOS.NY.GOV