



July 18, 2017

BY EMAIL

Rocco Morelli
City of Long Beach
1 West Chester Street
Long Beach, NY 11561
(516) 431-1003
gkalnitsky@longbeachny.gov

Re: Scope of Environmental Impact Statement for proposed 126 unit multifamily condominium building at 530 West Broadway, Long Beach, New York

Dear Mr. Morelli:

We would like to offer the following comments on the City of Long Beach Zoning Board of Appeals' announcement of an environmental impact assessment for the proposed condominium building at 530 West Broadway (the Project). Please include us on the mailing list for notices about subsequent stages in the State Environmental Quality Review Act (SEQRA) process.

That Project's location is already subject to flooding and threatened by storm surges. Specifically, it is located in the floodplain and seaward of the Limit of Moderate Wave Action line, as those designations are defined by the Federal Emergency Management Agency. It is also located in the storm surge zone for a Category 1 hurricane. As sea levels rise, its location will become subject to even greater flood risks.

As you are no doubt aware, pursuant to the Community Risk and Resiliency Act (CRRA),¹ New York's Department of Environmental Conservation (DEC) has adopted projections of sea level rise for the Long Island region.² We strongly encourage you to make use of those projections in the SEQRA process and we look forward to seeing your analysis of sea level rise-related impacts on the Project. We also encourage you to make reference to DEC's draft amendments to SEQRA's implementing regulations,³ which provide useful guidance on the integration of sea level-related considerations into environmental reviews like the one you are undertaking.

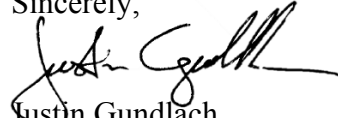
¹ N.Y. Env'tl. Conserv. Law § 3-0319 (McKinney); *see also* New York Department of Environmental Conservation, Community Risk and Resiliency Act (CRRA) Provisions: CRRA Summary, <http://www.dec.ny.gov/energy/104113.html> (accessed July 17, 2017).

² 6 NYCRR pt. 490.

³ An amended version of SEQRA's implementing regulations, codified at 6 NYCRR pt. 617, is available here: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/drft617exptm.pdf.

For your reference, a New York Law Journal column is attached. It discusses DEC's sea level rise projections and some of their implications for projects in New York State.⁴

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Gundlach", with a stylized, flowing script.

Justin Gundlach
Climate Law Fellow
Sabin Center for Climate Change Law
jgundlach@law.columbia.edu
(212) 854-0106

⁴ Michael B. Gerrard & Edward McTiernan, *New York's New Sea Level Rise Projections Will Affect Land Use, Infrastructure*, New York Law Journal, March 8, 2017, <http://bit.ly/2tjeDWK>.