

BOARD OF STANDARDS AND APPEALS CEQR PROCEDURES

Required Information for CEQR Review

Upon making any application that requires an environmental review, applicants shall submit a completed EAS Form with the following attachments:

- Detailed Technical Analysis, which includes: (a) a description of the future no-build and future build scenarios (or proposed project), including the build-year; (b) a detailed narrative explaining the effects (if any) of the proposed project for every environmental impact category listed in item 23 of the EAS; and (c) any other necessary analysis or information that may screen any impact category;
- 400-foot radius land use diagram (applicants may submit one radius diagram with both a 200 ft. and a 400 ft. radius circle OR a radius diagram with a 200 ft. radius circle and a recent Sanborn land use map with a 400 ft. radius circle; and
- Zoning map.

For any application on a site within a manufacturing zone and/or that has identified as a site with potential contamination, immediately after the application has been filed and assigned a CEQR number, applicants shall submit to the BSA:

- three (3) copies of a Phase I Environmental Site Assessment Report; and
- three (3) copies of any other available reports (Phase II Investigations/Sampling Protocols/ Workplans, Tank Closure Reports, Geophysical Surveys, etc.) .

Interagency Review and Process

Items referred to DEP: The Board shall send the following application types to the Department of Environmental Protection (“DEP”), for review of potential hazardous materials, air quality and noise concerns:

- new residential and/or community facility construction, or residential and/or community facility conversions, on sites within manufacturing districts, or on sites that have or formerly had facilities containing underground or above-ground petroleum storage tanks;
- new construction of any kind on sites with identified or potential contamination; or
- proposals determined by the Board to require DEP review.

Items to be submitted to OEC: With a cover letter describing the contents of the submission, applicants shall submit to Robert Kulikowski, Ph.D., Director, NYC Office of Environmental Coordination (100 Gold Street, 2nd Floor, NY, NY 10038), a copy of all environmental documents and supporting materials, including, but not limited to:

- any Revised or Final EAS;
- responses to Notices of Objections; and
- technical reports (Phase I or II reports, etc.).

BSA Process

Calendaring for Public Hearing: Cases shall be calendared for Public Hearing only after the Board receives sign-offs from Interested City Review Agencies, such as DEP, as well as the Department of Transportation or the Landmarks Preservation Commission (depending on the application). In certain instances, the Board may permit cases to be calendared if an Interested Agency's written comments indicate measures for a conditional sign off. Where DEP determines that a restrictive declaration is required to address hazardous materials concerns, a draft declaration should be sent to Gary Heath, Director of DEP's Office of Environmental Planning and Assessment, 59-17 Junction Boulevard, 19th Floor, Flushing, New York 11373-5108.

BSA Decisions: The Board shall not grant an application until proper notification of any Conditional Negative Declaration has been completed, or an executed Restrictive Declaration has been submitted, depending upon the matter.

Questions about these procedures, or requests for deviations or exceptions, may be directed to the Board's Executive Director (212-788-8805). The CEQR Technical Manual also provides guidance on completing the Technical Analyses section. Thank you for your continued cooperation while the process is being fully implemented.