



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

NOTICE OF COMPLETION
FINAL ENVIRONMENTAL IMPACT STATEMENT
for
CONEY ISLAND REZONING

Lead Agency: Office of the Deputy Mayor for Economic Development

CEQR Number: 08DME007K

SEQR Classification: Type 1

Date Issued: June 5, 2009

Location: Area bounded generally by West 8th Street to the east, West 24th Street to the west, the Riegelmann Boardwalk to the south, and Mermaid Avenue to the north.

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and its implementing regulations found at Part 617 of 6NYCRR (SEQRA), a Draft Environmental Impact Statement (DEIS) has been prepared for the actions described below and is available for public inspection at the offices listed at the end of this notice. A draft Scope of Work for the EIS was issued and distributed in January 2008 and the formal public review process for the plan was initiated at a first public scoping meeting held on February 13, 2008. The scoping hearing was held at Abraham Lincoln High School, 2800 Ocean Parkway, Brooklyn, New York, to accept oral comments, and written comments were accepted until February 29, 2008. Subsequent to the initial public scoping meeting, the City remained engaged in dialogue with all stakeholders and reviewed and considered comments received during the process. In response to these comments, the City proposed modifications to the Coney Island Comprehensive Rezoning Plan and as a result, a revised Environmental Assessment Statement, revised Positive Declaration and revised Draft Scope of Work for an EIS was issued on May 22, 2008 and a second public scoping meeting was held on Tuesday, June 24, 2008, also at Abraham Lincoln High School. Comments were accepted until July 11, 2008. Comments made during the public comment periods for both scoping meetings are reflected in the Final Scope of Work that was issued on January 9, 2008.

A public hearing on the Draft Environmental Impact Statement (DEIS) was held on May 6, 2009 at Klitgord Auditorium at The New York City College of Technology, 285 Jay Street in Brooklyn. The

hearing was in conjunction with the City Planning Commission's public hearing pursuant to the Uniform Land Use Review Procedure (ULURP). Written comments on the DEIS were accepted until 5:00pm on May 18, 2009.

Since the issuance of the Draft EIS (DEIS), the DCP filed a modified application—ULURP No. 090273(A)ZRK—on April 9, 2009 for the Special Coney Island District text in response to community comments received during the public process. The modified application is under consideration by the New York City Planning Commission (CPC), is included in Appendix A of this Final EIS (FEIS), and has been analyzed in the FEIS.

1. PROJECT DESCRIPTION

The Office of the Deputy Mayor for Economic Development (ODMED), as Lead Agency, in coordination with the New York City Economic Development Corporation (NYCEDC), the New York City Department of City Planning (DCP), and the New York City Department of Housing Preservation and Development (HPD) proposes to rezone, obtain other land use approvals, and implement a comprehensive development plan for a 20-block portion of Coney Island, Brooklyn. The primary goal of the proposed actions is to safeguard and expand upon Coney Island's iconic amusements and to transform the area into an affordable, year-round urban amusement and entertainment destination while building upon the prime beachfront location to facilitate the development of new housing, including affordable housing, and retail uses outside the amusement area.

In total, the rezoning area encompasses 47 acres of developable land. The proposed Coney Island plan would facilitate the creation of a 27-acre amusement and entertainment district that would include a 9.39-acre mapped open amusement park as its centerpiece. The proposed rezoning and Special Coney Island District would govern the blocks located outside of the proposed mapped parkland and are anticipated to result in an incremental increase in development of approximately 584,664 square feet (sf) of amusement uses and amusement-enhancing uses like eating and drinking establishments, 606 hotel rooms, 2,408 residential units, of which 607 would be affordable units, 43,236 sf of small-scale accessory retail uses in the amusement and entertainment district (the Coney East subdistrict, defined below), 277,715 sf of general retail uses outside of the amusement and entertainment district, and 3,843 parking spaces, including 566 spaces for public parking, a portion of which will serve the Coney East subdistrict.

The plan includes the demapping of 9.30 acres of parkland currently used primarily as asphalt parking lots for KeySpan Park, a minor-league baseball stadium. The Abe Stark Rink is also located in the area to be demapped. The demapped parkland would be replaced by the mapping of two parks along the Riegelmann Boardwalk: a 9.39-acre open amusement park and a 1.41-acre neighborhood park for a total of 10.8 acres, resulting in the creation of an additional 1.5 acres of parkland in Coney Island. The relocation and replacement of the Abe Stark Rink would be required before the disposition and demolition of the existing facility. Demapping of parkland would require approval of alienation legislation by the New York State legislature.

The proposed rezoning area has been divided into four subdistricts: the Coney East, Coney North, Mermaid Avenue, and Coney West. The Coney East subdistrict comprises all or parts of seven blocks encompassing the historic amusement area located between Steeplechase Plaza and KeySpan Park to the west and the New York Aquarium to the east. It also includes a narrow strip of Block 8698 at the easternmost edge of the rezoning area. The Coney North subdistrict includes portions of five blocks between Mermaid and Surf Avenues, West 20th Street, and Stillwell Avenue. The portions of four blocks located between West 15th Street and West 20th street that are within 100 feet of Mermaid Avenue constitute the Mermaid Avenue subdistrict. The Coney West subdistrict includes full (or portions of) blocks located between KeySpan Park and West 22nd Street from the Riegelmann Boardwalk to Surf

Avenue. The rezoning plan also includes the New York City Department of Parks and Recreation (DPR) maintenance facility located between West 25th and West 27th Streets between Surf Avenue and the Boardwalk, which is located outside of the rezoning area proper but is expected to accommodate a portion of the parking demand generated by the proposed amusement park.

One fundamental goal of the rezoning is to create a vibrant new mixed-use destination in Coney Island that capitalizes on its beachfront location and historic amusement area. Coney Island's emergence as a world-renowned, one-of-a-kind amusement destination dates to the mid-19th century. Over the years, Coney Island has experienced the development and the destruction of some of the most well-known amusement parks in America, including Luna Park (1902-1946), Dreamland (1904-1911), and Steeplechase Park (1897-1964). In the 1930s, Coney Island contained sixty bathhouses, thirteen carousels, eleven roller coasters, two hundred restaurants and five hundred businesses ranging from newsstands to arcades and hotels.

The Great Depression of the 1930s, followed by the Second World War and the democratization of automobile ownership, which allowed New Yorkers to travel further from the City for recreation, made it more difficult for businesses in Coney Island to prosper. Robert Moses' plan to relocate the Boardwalk further north to enlarge the beach, cutting through existing amusements, also sent a strong message to the amusement community. With the proliferation of air conditioning in the 1950s, fewer people sought refuge at the seashore from the summer heat. Finally, New York City's economic decline beginning in the mid-1970s, combined with extensive urban renewal, changed the face of Coney Island from a vibrant and unique entertainment destination to a mix of residential uses and vast stretches of vacant land adjacent to a shrinking amusement area.

Currently, the amusement area consists of a few blocks of largely seasonal amusement attractions. In the last few years, real estate speculation has led to the closings of some of the last remaining open amusements. The land on which Astroland Amusement Park sits has been sold to a private developer and the amusement park permanently closed at the end of the summer 2008. As of the end of January 2009, the Astroland site was largely vacated.

Aside from Coney Island's few remaining historic icons and some residential and commercial buildings on Mermaid Avenue, much of the land throughout the proposed rezoning area is either vacant or underutilized. Most block frontages on both the north and south sides of Surf Avenue, the district's major east-west thoroughfare, are either vacant or used as parking lots.

The objectives of the Coney Island Rezoning include:

- *Updating the zoning* to allow the amusement area to grow and transform into a year-round vibrant entertainment and amusement destination.
- *Ensuring the long-term viability of the amusement district* by prohibiting residential and large-scale retail uses.
- *Preserving and growing amusement uses in Coney Island* by protecting 9.39 acres of land fronting on the Boardwalk in perpetuity through the mapping of parkland. The mapping action is the first step towards the development of an affordable world-class urban amusement park.
- *Ensuring a seamless transition between open and enclosed amusement and entertainment uses.* The amusement park and the rezoned area will both contain open and enclosed amusements as well as restaurants and amusement related small scale retail such as souvenir stores or galleries. Special District regulations will require ground-floors to be porous and active for developments fronting on the open amusements park.

- *Ensuring the existing icons* such as the Parachute Jump, the Cyclone, Wonder Wheel, Childs Restaurant building on the Boardwalk, and the Shore Theater are integral to the redevelopment effort.
- *Encouraging the development of entertainment uses on Surf Avenue and the Boardwalk* by mandating that a percentage of all frontages along Surf Avenue throughout the rezoning area contain specified entertainment and amusement uses and prohibiting residential uses on Boardwalk frontages.
- *Facilitating development that would connect the existing community to the beachfront* by creating new streets between Surf Avenue and the Boardwalk and limiting building heights on parcels directly adjoining the Boardwalk.
- *Promoting housing and retail opportunities* outside of the amusement district through the rezoning of vacant and underused land to a residential district with commercial overlays, facilitating the development of mixed-use apartment buildings and providing the existing community with a wider range of housing options and with much-needed neighborhood retail and amenities.
- *Facilitating the creation of affordable housing* via the establishment of an Inclusionary Housing zoning bonus in the newly rezoned residential blocks.
- *Addressing transitions to neighborhood context* by mapping new zoning districts and urban design controls through the Special District text.
- *Creating a network of Boardwalk recreational parks.* The mapping of a new 1.41-acre neighborhood park and a 9.39-acre open amusement park would establish a 44-acre recreational network of parks along the beachfront from the proposed “Highland View Park” to Asser Levy Park through the KeySpan Park and Steeplechase Plaza, the proposed amusement park and the Aquarium Park.
- *Fostering economic activity* that creates job opportunities for local residents by creating year-round activity and bringing new housing and retail services to the neighborhood.

It should be noted that nothing in the proposed rezoning precludes interim amusement uses in the proposed 27-acre amusement district. To ensure a vibrant Coney Island amusement area for years to come, the City encourages the use of temporary amusement (*e.g.* transportable carnival rides, games, and food stalls) in the Coney East subdistrict on an immediate interim basis.

2. PROPOSED ACTIONS

City Actions

The proposed actions require City Planning Commission (CPC) and City Council approvals pursuant to ULURP and City Charter Section 200, and include the following:

- Mapping Actions:
 - Mapping as parkland 9.39 acres of land fronting on the Boardwalk between the KeySpan Park and the Cyclone Park for the purpose of protecting open amusement uses in the historic amusement area, and for the development of an affordable, vibrant, open amusement park. Portions of West 10th Street, West 12th Street, Stillwell Avenue, and West 15th Street would be demapped as streets and mapped as parkland as part of the open amusement park. Private properties to be mapped as parkland would be acquired by the City through sale or land transfer or could be acquired through condemnation, as necessary.
 - Mapping as parkland 1.41 acres of land on the Boardwalk between West 22nd and West 23rd Streets for the purpose of creating a new neighborhood park, tentatively named “Highland View Park.” Highland View Avenue and portions of West 22nd Street would be demapped as streets and mapped as parkland as part of Highland View Park. Private properties to be mapped as

parkland would be acquired by the City through sale or land transfer or could be acquired through condemnation, as necessary.

- Demapping of the portion of Bowery between West 15th Street and West 16th Street to facilitate the creation of a larger development block able to accommodate large-scale amusement uses.
- Mapping of new streets to facilitate the redevelopment of vacant and underutilized land through the creation of new block configurations, enhance the access to the Boardwalk and develop new connections between the residential community and the amusement area. The new proposed streets are the following: Wonder Wheel Way from West 10th Street to Steeplechase Plaza; West 16th Street from Surf Avenue to Wonder Wheel Way; West 20th Street from Surf Avenue to the Boardwalk; West 19th Street (a.k.a Parachute Way) from Surf Avenue to the proposed Ocean Way; Ocean Way from the proposed Parachute Way to West 22nd Street. Private properties to be mapped as streets would be acquired by the City through sale or land transfer or could be acquired through condemnation, as necessary.
- Raising the grades of the following existing streets to meet the elevations of the proposed new streets and to enable ground floor commercial space to be at, or close to, the 100-year floodplain elevation as defined by Federal Emergency Management Agency (FEMA) regulations: Surf Avenue between West 16th Street and West 21st Street, and segments of West 12th Street, West 15th Street, West 17th Street, West 19th Street, and West 20th Street, West 21st Street, Bowery, and Stillwell Avenue.
- Zoning map amendment:
 - A zoning map amendment to change the zoning in the affected areas from C7, R6 and R6/C1-2 districts to a Special Coney Island District that would define uses, density, bulk regulations and parking regulations for four subdistricts: Coney East, Coney West, Coney North and Mermaid Avenue.
 - In the Coney East subdistrict, the existing C7 zoning district regulations would be amended to include higher densities and a wider range of uses. The Coney West subdistrict would be rezoned from C7 to R7D/C2-4. The Coney North subdistrict would be rezoned from C7, R6 and R6/C1-2 to R7X/C2-4. The Mermaid Avenue subdistrict would be rezoned from R6/C1-2 to R7A/C2-4. Underlying rules for the proposed zoning districts would be superseded by the regulations created for the Special Coney Island District.
 - Portions of Blocks 7070 and 7071 between West 22nd Street and West 24th Street would not be part of the Special Coney Island District and would be rezoned from C7 to R5, extending the existing adjacent R5 district eastward.
- Zoning text amendment:
 - A zoning text amendment would establish a Special Coney Island District with the four subdistricts listed above. The Special Coney Island District would define uses, density, bulk regulations and parking regulations to facilitate the development of a year-round entertainment and amusement district as well as extensions of the existing residential community to the north and the west on long-time vacant land. Through urban design controls, the Special District would encourage varied building heights and control tower dimensions to respect, and transition new development to, the neighborhood context, and ensure that new development respects views to and from landmarked structures such as the Parachute Jump, the Wonder Wheel, the Cyclone roller-coaster, and the Childs Restaurant building on the Boardwalk.
 - As mentioned above, DCP filed a modified application for the zoning text amendment on April 9, 2009. The proposed modifications include: the subdivision of the amusement use group (Use Group A) into two subgroups and designating their applicability within the Coney East subdistrict; a reduction in the maximum capacity of arenas and auditoriums; the elimination of cigar and tobacco stores from the retail and service use group (Use Group C); changes to the base

height regulations for buildings fronting on Surf Avenue in the Coney East subdistrict; changes to the transition height regulations in the Coney West subdistrict; the introduction of a transition height in the Coney North subdistrict; the creation of a new tower form in the Coney North and Coney West subdistricts; and a modification to one of the tower top articulation options applicable to the Coney East, Coney West, and Coney North subdistricts.

- The Special Coney Island District would include the Coney North, Coney West, and Mermaid Avenue subdistricts within the Inclusionary Housing Program to facilitate the development of affordable housing.
- Acquisition of private property:
 - Acquisition of privately owned property by HPD on Block 7060 to be consolidated with existing City owned properties on the block.
 - Acquisition of privately owned property by the City through the Department of Citywide Administrative Services (DCAS) and the Department of Small Business Services (SBS) in the Coney East subdistrict (Blocks 7074, 8694, 8695, and 8696) to facilitate the development of a 27-acre amusement and entertainment district.
- Urban Development Action Area Program (UDAAP) designation and project approval:
 - UDAAP designation of HPD-owned property on Blocks 7060 and 7061 and project approval for the purpose of disposition and development pursuant to the proposed zoning.
- Disposition of City-owned property:
 - Disposition by HPD of the City-owned assemblage on Blocks 7060 and 7061 to private entities for development of residential buildings with ground-floor retail pursuant to the proposed zoning.
 - Disposition by DCAS of City-owned property in the Coney East subdistrict (Blocks 7074, 8694, 8695, and 8696) to facilitate the development of a 27-acre amusement and entertainment district.
 - Disposition of City-owned property to a private entity for development under proposed zoning on Block 7071 (Lot 142), and Block 7073 (portion of Lot 101) and Block 7071 (Lot 100), which are currently mapped parkland. The latter two parcels would need to be demapped as parkland in order to be rezoned and disposed.

State Approvals

The following require approval from the New York State legislature:

- Authorization to alienate 9.3 acres of parkland on Block 7073 and Block 7071. The two parcels, located in the Coney West subdistrict, are currently used as asphalt parking lots for KeySpan Park and the Abe Stark Rink. The parcels would be demapped, rezoned as part of the Coney West subdistrict in the Special Coney Island District, improved through the building of new streets, and disposed of to a private entity for development pursuant to the proposed zoning. This proposed development would necessitate the relocation and replacement of the Abe Stark Rink (to a location to be determined prior to redevelopment). The demapping of parkland would be accompanied by the replacement of an equivalent parkland area. The mapping of the 9.39-acre amusement park and the 1.41-acre Highland View Park, as described above under the City actions, would replace the currently mapped parkland, and would further result in the establishment of an additional 1.5 acres of mapped parkland in Coney Island.
- Authorization to enter into a long-term lease for the development and operation of the 9.39-acre mapped amusement park.

3. PROBABLE IMPACTS OF THE PROPOSED PROJECT

Land Use, Zoning and Public Policy

The FEIS analysis examined the proposed actions and their consistency with land use and development trends, zoning regulations, and public policies related to land use within the study area. A primary study area (which is coterminous with the rezoning area), where direct land use effects resulting from the proposed actions may occur, and a secondary study area, where indirect effects may result, were identified. For the purposes of this analysis, the secondary study area extends approximately ½-mile from the primary study area boundary.

This analysis identified the expected changes in land use, zoning, and public policy independent of the proposed actions by the 2019 analysis year, and then assessed any potential adverse impacts to land use, zoning, and public policy associated with the proposed actions. Several City public policies were reviewed including the 2005 Coney Island Development Corporation Strategic Plan, Urban Renewal Areas, Local Waterfront Revitalization Program, and PlaNYC.

The existing C7 zoning district, along with other contributing factors, has been ineffective in stimulating the development necessary to create a successful amusement area. Currently, most of the amusement area is vacant. The amusement, eating and drinking establishment, and hotel development likely to occur as a result of the proposed actions in Coney East would be consistent with the existing land uses in that subdistrict, and would be supportive of preserving, and improving, the amusement character of Coney Island for future generations.

The existing C7 district is also mapped in areas that are occupied by non-conforming uses, so a zoning change would enable these areas to conform to the surrounding area's zoning. The proposed changes would allow better transitions to adjacent residential districts and would provide more local commercial opportunities than the vacant or underutilized properties that exist under current zoning.

The residential, commercial, and mixed-use development expected as a result of the proposed actions in the Coney West, Coney North, and Mermaid Avenue subdistricts would constitute a substantial change from conditions in the future without the proposed actions. However, these developments would improve largely vacant or underutilized properties, revitalizing these neglected conditions with residential and commercial uses that are complementary to the existing residential and local commercial character of these subdistricts. The proposed zoning would employ regulations and incentives not available under the current zoning. These regulations are tailored to the distinct needs of the project subdistricts, and are consistent with the strategic plan for the larger Coney Island neighborhood.

The proposed zoning map and zoning text amendments would create the Special Coney Island District (and the Coney East, Coney West, Coney North, and Mermaid Avenue subdistricts), and change the zoning districts within the area by increasing maximum FARs and allowing and encouraging the development of a broader range of uses not currently permitted in C7 districts. However, the proposed actions would not have any significant adverse impacts on the rezoning area, as these changes would permit development consistent with the goals and objectives of the planning process for Coney Island.

The proposed changes to the City map to map new parkland would protect the open amusement uses in the historic amusement area, and provide for the development of an open amusement park. Street demappings on Highland Avenue and West 22nd Street would enable the development of a new neighborhood park. The City map changes would facilitate the creation of a larger block between West 15th and West 16th Streets, aiding the redevelopment of vacant land. The mapping of new streets would

create new block configurations that encourage access to the Riegelmann Boardwalk and develop new east-west connections south of Surf Avenue.

Overall, this analysis concludes that the proposed actions are compatible with surrounding land uses and zoning and would be consistent with public policy and development trends in the area. The redevelopment of these areas according to regulations set forth in a new Special Coney Island District would result in the transformation of underutilized land to a higher density, mixed-use neighborhood with amusement, residential, retail, and open space uses. The proposed actions would restore Coney Island as a premiere amusement destination while creating jobs and housing for local residents. The development projected to occur as a result of the proposed actions would be compatible with surrounding land uses including the existing residential, local commercial, and amusement uses. The proposed Special District regulations have been designed after careful consideration of the surrounding neighborhood fabric and remaining historic resources and would provide urban design controls to ensure a transition to the adjacent neighborhood context. The proposed actions directly address the land use and development goals of revitalizing Coney Island as set forth in the public policies applicable to the area. Therefore, no significant adverse impacts to land use, zoning, and public policy would occur as a result of the proposed actions.

Socioeconomic Conditions

The CEQR socioeconomic assessment considers the potential for significant adverse impacts with respect to the following five issues of concern: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. Direct displacement is defined as the displacement of residents, businesses, or institutions from the actual site of (or sites directly affected by) a proposed action. Since the occupants of a particular site are usually known, the disclosure of direct displacement focuses on specific businesses and employment, and an identifiable number of residents and workers. Indirect or secondary displacement is defined as the involuntary displacement of residents, businesses, or employees in an area adjacent or close to a project site that results from changes in socioeconomic conditions created by a proposed action. Even where actions do not directly or indirectly displace businesses, they may affect the operation of a major industry or commercial operation in the City. In these cases, CEQR review may assess the economic impacts of the action on the industry in question.

In accordance with *CEQR Technical Manual* guidelines, the exact boundaries of the ½-mile socioeconomic study area were modified to match the census tract boundaries that most closely delineate a ½-mile radius surrounding the rezoning area. Census tracts that straddled the ½-mile boundary were included or excluded depending on what proportion of the tract fell within the rezoning area. By conforming to census tract boundaries, the socioeconomic analysis more accurately applies census data to depict the demographic characteristics of the surrounding area.

Direct Residential Displacement

The RWCDs identified 10 projected development sites, 3 of which contain 15 residential units. According to DCP forecasts, all of the projected development sites with existing dwelling units would undergo complete redevelopment in the future without the proposed actions. Therefore, tenants on these sites would be displaced independent of the proposed actions. Given that the proposed actions would not directly displace any existing residential uses, there would be no significant adverse impacts resulting from direct displacement.

Indirect Residential Displacement

The proposed actions would add over 5,000 residents to the study area over future No Build conditions. Most of those residents would be living in market-rate units and would have higher incomes than most

households within the study area. The proposed actions would therefore introduce a substantial new population, and that population is expected to have different socioeconomic characteristics compared with the overall character of the study area population.

Currently there is an existing trend towards increased rents in the study area that is expected to accelerate in the future without the proposed actions. The study area already has experienced a noteworthy increase in the number of new market-rate housing, and will receive substantially more irrespective of the proposed actions. Nevertheless, there is the potential for the proposed actions to accelerate the study area's trend toward increased rents, resulting in a greater amount of indirect residential displacement than expected in the future without the proposed actions, especially if the study area contain population at risk.

There are an estimated 1,497 study area residents in 487 units that are potentially vulnerable to displacement, if their rents were to increase. While the potential displacement would be an adverse impact, it would not be a significant adverse impact requiring mitigation as defined under CEQR. The potentially displaced residential population (1,497 residents) represents only 3.2 percent of the estimated 2007 population in the study area. A population loss of this magnitude would not substantially alter the demographic composition of the study area. Within the study area there are over 4,000 New York City Housing Authority (NYCHA) owned dwelling units and approximately 780 other government-financed units that house low- to moderate-income families. These affordable units account for roughly a quarter of the entire housing stock in the study area (25.3 percent), and would maintain a wide range of incomes in the future with the proposed actions. In addition, the effects of potential displacement on study area demographics would be further offset by the proposed actions' introduction of approximately 607 new affordable housing units.

Direct Business Displacement

The proposed actions would not result in significant adverse impacts due to direct business and institutional displacement. A November 2008 survey revealed that there were 56 businesses located on the projected development sites within the rezoning area. Approximately 38 of these establishments (68 percent) are amusement businesses (i.e., amusement rides, games, souvenir shops and fast food restaurants) related to the Astroland Amusement Park and Deno's Wonderwheel Park. Approximately 3 businesses (5 percent) are eating and drinking places, which service residents as well as visitors to the amusement area.

The detailed business displacement analysis finds that the amusement-related businesses located on projected development sites collectively have a unique and substantial economic value to the City as defined under CEQR, and they are a defining element of neighborhood character from a socioeconomic perspective. However, the existing C7 zoning district has been ineffective in stimulating the development necessary to create a successful amusement area. As of November 2008, most of the amusement area consists of largely seasonal attractions and vacant land. In the last few years, many of the amusements have closed, the land on which Astroland sits has been sold and, as of site observations conducted in December 2008, its amusement uses are now permanently closed—only a handful of adjacent amusement-related uses remain. The proposed actions, by facilitating new development of active uses on projected development sites, are intended to provide better transitions to nearby residences and local commercial opportunities than the existing vacant or underutilized properties. Economic activities in the rezoning area historically have been defined in part by Coney Island amusement uses and visitation; with the proposed actions there would be new, year-round amusement-related uses and a substantial net increase in employment. In the future with the proposed actions the area would continue to be characterized by a high level of local, New York City, and out-of-City visitation, with substantial activities and employment within the arts, entertainment, and recreation industry sector.

The analysis of direct business displacement also concluded that while the potentially displaced businesses contribute to the City's economy and therefore have economic value, neither the products nor services of the non-amusement businesses that would be displaced by the proposed actions contribute to

neighborhood character in a socioeconomic sense, and can be relocated without great difficulty. These businesses include a deli, two supermarkets, a gift and souvenir store, a pharmacy, one medical service center, three furniture stores, a dry cleaner, a check cashing service, a taxi and limousine service, one toy store, one flower shop and one real estate insurance office.

Indirect Business Displacement

The proposed actions would not result in significant adverse impacts due to indirect business and institutional displacement. While the proposed actions could result in the indirect displacement of some existing retail establishments in the immediate vicinity of the rezoning area due to rent increases, their dislocation would not constitute a significant adverse impact under CEQR. The stores that would be vulnerable to indirect displacement would not meet the *CEQR Technical Manual* criteria for significant displacement impact—i.e., collectively, they are not of substantial economic value to the City; they can be relocated elsewhere in the City; they are not subject to regulations or publicly adopted plans to preserve, enhance, or protect them; and they are not a defining element of neighborhood character.

The proposed actions would not offset positive trends in the study area, impede efforts to attract investment, or create a climate for disinvestment. To the contrary, the proposed actions would introduce new populations and generate new employment opportunities, create affordable housing units and enhance public open space in order to meet the growing demands of the neighborhood.

Adverse Effects on Specific Industries

The proposed actions would not result in significant adverse impacts on a specific industry in Coney Island or within the broader New York City economy. Amusement businesses in Coney Island accounted for a substantial portion of amusement-related uses in Brooklyn and the City, and historically have generated substantial economic activity. Based on the closings of most of the area's amusement-related businesses, the remaining businesses are not likely to remain viable in the future without the proposed actions. It is the intent of the proposed actions to retain, as well as enhance, amusement uses in the rezoning area, further attracting visitors from the Coney Island neighborhood and broader New York City metropolitan area. Thus, both new and enhanced establishments and attractions, as well as their associated employment, would add an additional consumer population that would contribute to the viability of the retail trade and arts, entertainment, recreation, accommodation and food services industries in the rezoning area.

Community Facilities and Services

The *City Environmental Quality Review (CEQR) Technical Manual* defines community facilities as public or publicly funded facilities, including public schools, libraries, day care, health care, and fire and police protection services. Direct effects may occur when a proposed project physically alters or displaces a community facility. Indirect effects may result from increases in residential, worker, or visitor population that place additional demands on community facility service delivery. Because the proposed rezoning would not directly displace existing community facilities, the focus of the analysis was on the potential for indirect effects.

The increase in residents, workers, and visitors to the rezoning area as a result of the RWCDs would increase demands on community facilities serving the area. Other than day care facilities, these increases would not result in significant adverse impacts. The conclusions of the analyses are as follows:

Public Schools

Although elementary schools serving the ½-mile study area would be 5 percent over capacity with the new students generated by the proposed actions, there is adequate capacity in CSD 21 as a whole to serve the new students. Further, this analysis conservatively includes the entire projected residential increment

(115 units) of the Brighton Beach Rezoning in the future without the proposed actions, although none of the Brighton Beach Rezoning projected development sites fall within the ½-mile study area for the proposed actions and children generated by development of those sites would likely go to PS 225 and PS 253, elementary schools that serve the Brighton Beach neighborhood. Intermediate schools serving the ½-mile study area have adequate capacity to serve the new students. Therefore, no significant adverse impacts on public elementary or intermediate schools would occur as a result of the proposed actions. The new high school students introduced also would not adversely affect high schools serving Brooklyn.

Libraries

The new population associated with the RWCDs would increase demand on the Coney Island Branch and Brighton Beach Branch of the Brooklyn Public Library. However, residents of the study area, like all Brooklyn residents, will have access to all circulating volumes within the entire Brooklyn Public Library system and, therefore, the increase in population would not impair library services and no significant adverse impact would occur.

Day Care Facilities

The introduction of day care eligible children associated with the affordable housing units included in the RWCDs would bring the day care facilities in the study area above their capacity. In addition, the increase in demand resulting from the proposed actions (322 children under age 6) would constitute an increase of 43.7 percent over the existing capacity of day care facilities in the study area. Therefore, the proposed actions would result in a significant adverse impact on publicly funded day care facilities warranting mitigation.

Health Care Facilities

The residents of the affordable housing units introduced by the proposed actions may increase demand on emergency rooms and outpatient health care services. However, given the tens of thousands of such visits in the study area currently, this additional low- to moderate-income population would generate a minimal change in demand over no action conditions (approximately 1 percent). Therefore, no significant adverse impacts to outpatient health care services are expected.

Police and Fire Departments

The proposed actions would not affect the physical operations of, or access to and from, a fire station or police precinct house and, therefore, the proposed actions would not have a significant adverse impact on police and fire services. It is the practice of the Police and Fire Departments to conduct ongoing evaluations of the need for personnel and equipment and make necessary adjustments to adequately serve the area. The FDNY has indicated that it would have no problem in supporting the expected development, but that the new residential units and increased visitor population resulting from the proposed actions would likely require allocation of additional EMS tours and fire resources.

Open Space

The adequacy of existing and future open space resources were assessed and analyzed for potential impacts from the proposed actions to affect their use. Direct and indirect effects were analyzed. A direct effect physically changes, diminishes, or eliminates an open space, or reduces its utilization or aesthetic value. An indirect effect occurs when the population generated by a proposed project or action could noticeably diminish the capacity of an area's open space to serve the future populations. Because the proposed actions are expected to introduce substantial numbers of both residents and workers to the area, two study areas were evaluated: a non-residential study area based on a ¼-mile distance from the rezoning area, and a residential study area based on a ½-mile distance from the rezoning area.

The proposed actions include the mapping of parkland in the current amusement area and the construction of a new public ¼ acre park, tentatively called Highland View Park. The proposed actions also include

the alienation of two parcels of parkland: one parcel housing a parking lot; and the second parcel including a parking lot, as well as the Abe Stark Rink. Development resulting from the proposed actions would also displace an open space in the form of a community garden. Therefore, the project has the potential to both directly and indirectly affect open space resources in Coney Island.

Direct Effects

The proposed actions would not result in any significant adverse direct impacts on public open space. Recreational facilities that would be displaced by the proposed actions, which include the community garden at West 22nd Street, the Abe Stark Rink, and Poseidon Playground, would be relocated. The creation of Highland View Park would provide new open space opportunities and the 9.39-acre Amusement Park area would ensure the longevity of a historic, recreational and amusement area within Coney Island. Overall, the proposed actions would not result in any significant adverse direct impacts on public open space.

Indirect Effects

Although the proposed actions would result in large declines in open space ratios in the ¼-mile non-residential study area, they would not cause the study area population to be underserved with respect to open space. Compared to other areas of Brooklyn and the City as a whole, Coney Island has a very high ratio of open space per population, due primarily to the beach and Riegelmann Boardwalk. The entire rezoning area is adjacent to and within three blocks of these open space resources. The new worker population introduced by the proposed actions would have easy access to them, and the non-residential study area would continue to be well served by passive open space. Therefore, the proposed actions would not result in any significant adverse impacts on the non-residential study area.

Within the ½-mile residential study area, the passive open space ratio for the total population (residents and workers) would remain above DCP guidelines in the future with the proposed actions. The active open space ratio for residents however, would continue to be below the DCP guideline of 2.0 acres per 1,000 residents. Therefore, the City acknowledges the need to provide additional active open space for the future population resulting from the proposed actions. This could include creating publicly accessible playgrounds in existing school yard sites, improvements to Kaiser Park, and adding additional year-round active recreation opportunities to the beach. The City will seek funding for these projects as the population increases due to the proposed action. In the interim however, the residential study area would continue to be generally well served with respect to both passive and active open space. As with the non-residential study area, the residential study area has a higher ratio of passive and active open space per population than most areas in the borough and the city as a whole due to the presence of the Beach and Boardwalk. Additionally, three large public parks totaling 143 acres—Kaiser, Six Diamonds, and Calvert Vaux (Dreir Offerman) Parks—lie just outside of the residential open space study area and offer a broad range of active recreational opportunities of which many residents in the study area would likely take advantage. Given the fact that open space ratios in the residential study area would remain relatively high, the proposed actions would not result in any significant adverse indirect impacts on open space within the residential study area.

Shadows

The proposed actions would result in the construction of buildings in the rezoning area with maximum heights which are taller than would otherwise be permitted absent the proposed actions, and thus shadow impacts of the buildings proposed in the RWCDS were assessed on publicly-accessible open spaces or other sun sensitive resources. The analysis also took into account shadows cast by existing buildings, as well as those cast by additional developments in the study area expected to be completed by the 2019 analysis year. It also compared shadows that would be cast by the RWCDS “Build” scenario, with those cast by the “No Build” scenario, or future without the proposed actions.

Following the guidelines of the *CEQR Technical Manual*, shadows were analyzed on four representative days of the year: March 21 (equivalent to September 21, the equinoxes); June 21, the summer solstice; May 6 (equivalent to August 6, the midpoints between the equinoxes and summer solstice); and December 21, the winter solstice. For the detailed analysis, shadows were modeled using the solar rendering capabilities of MicroStation V8 software. A three-dimensional model containing the RWCDs for the Build condition, projected site under the No Build condition, and existing buildings and topography around the rezoning site was developed.

The detailed shadow analysis found that the RWCDs would result in a total duration of 3 hours and 44 minutes of incremental shadow on the windows of Our Lady of Solace Roman Catholic Church, an architectural resource on Mermaid Avenue, on the December 21st analysis day.. The RWCDs would also result in a total duration of 3 hours and 48 minutes of incremental sunlight, due to the fact that as-of-right buildings that would likely be built on the projected sites absent the proposed action would no longer cast shadow on the church. Under the proposed actions, the cumulative extent of new shadows and new sunlight would be roughly equivalent over the course of the day, and a significant adverse impact would therefore not be expected to occur as a result of the Build RWCDs. No incremental shadow would reach the church during the spring, summer, or fall.

Some incremental shadow would fall on several publicly-accessible open spaces in and around the rezoning area at certain times of year, but in these cases the limited extent and duration of the new shadow would not result in any significant adverse impacts. The two new areas of parkland that would be mapped with the proposed actions would experience very little shadow in any season.

Neighborhood Character

Aside from Coney Island's few remaining historic icons, a few active frontages on Surf Avenue and some residential and commercial buildings on Mermaid Avenue, much of the land throughout the proposed rezoning area is currently either vacant or underutilized. The proposed actions would safeguard and expand upon Coney Island's iconic amusements, while building upon the prime beachfront location to create a vibrant mixed-use community that includes new market-rate and affordable housing as well as retail and neighborhood services.

Land uses introduced by the proposed actions would be consistent with existing land uses and would improve upon existing conditions and conditions in the future without the proposed actions. The amusement, eating and drinking establishments, and hotel development would be consistent with existing development in Coney East and would be supportive of preserving and growing the amusement character of Coney Island. The residential, commercial, and mixed-use development expected to occur in the other subdistricts would serve to revitalize areas that are largely vacant or underutilized. The proposed actions would not be expected to affect land use patterns in neighborhoods surrounding the rezoning area, which are predominantly built out. However, future development resulting from the proposed actions would have the beneficial effect of strengthening the connection between neighborhoods to the north and west of the rezoning area and the amusement district, the beach, and Riegelmann Boardwalk.

Although the proposed actions would introduce a substantial new population and could result in limited indirect residential displacement, the mix of market-rate and affordable housing introduced by the proposed actions, in combination with the existing NYCHA and other government-financed housing, would ensure that the rezoning area and surrounding neighborhoods would maintain a wide range of incomes. In addition, the proposed actions would introduce to the rezoning area an additional consumer population that would contribute to the viability of existing businesses in the rezoning area, thereby

helping to retain and enhance the historical amusement component of the rezoning area's economic character.

The proposed actions would substantially change the urban design and visual character of the proposed rezoning area, which would in turn have a positive effect on neighborhood character in the rezoning area. Largely vacant and underutilized land would be redeveloped, and the proposed Special District would improve the streetscape and create a cohesive, coordinated design for the area. The existing topography, street pattern, and block shapes of the rezoning area would be altered, enhancing views and improving pedestrian and traffic circulation. Buildings constructed in the rezoning area would be taller and bulkier than those constructed in the future without the proposed actions, but building heights and forms would be regulated through the special district zoning text to preserve the prominence of existing historic and visual resources, and the new buildings would be consistent with the tall residential developments in surrounding neighborhoods. Overall, the proposed actions would not result in any significant adverse impacts to neighborhood character.

Historic Resources

The historic resources chapter considered the potential of the proposed actions to affect historic resources, both archaeological and architectural. In accordance with CEQR guidelines, the analysis identified all designated historic resources or resources determined to meet the eligibility requirements for local, state, or national designation; it also identified properties that may meet such eligibility requirements.

Archaeological Resources

Archaeological resources are physical remains, usually buried, of past activities on a site. They can include remains from Native American people who used or occupied a site, including tools, refuse from tool-making activities, habitation sites, etc. Archaeological resources in developed areas may have been disturbed or destroyed by grading, excavation, and infrastructure installation and improvements. However, some resources do survive in an urban environment. In the summer of 2007, the New York City Landmarks Preservation Commission (LPC) was contacted for its preliminary evaluation of the rezoning area's archaeological sensitivity. The LPC reviewed the City blocks and tax lots within the rezoning area for the purpose of identifying lots with the potential to contain archaeological resources. LPC determined that none of the lots within the rezoning area or the proposed parking garage site on West 25th Street possess any archaeological significance. Therefore, no further consideration of archaeological resources is warranted.

Architectural Resources

Architectural resources are defined as properties or districts listed on the State and National Registers of Historic Places (S/NR) or determined eligible for such listing, National Historic Landmarks (NHLs), New York City Landmarks (NYCLs) and Historic Districts, and properties that have been found by the LPC to appear eligible for designation, considered for designation ("heard") by LPC at a public hearing, or calendared for consideration at such a hearing (these are "pending" NYCLs). To account for potential physical and contextual impacts, the architectural resources study area for the Coney Island Rezoning project is defined as the rezoning area and the area within approximately 400 feet of the rezoning area boundary.

In addition to identifying architectural resources officially recognized in the study area, an inventory was compiled of potential architectural resources within the rezoning area and the 400-foot study area. The inventory of twenty-eight potential resources was submitted to LPC for their evaluation and determination of eligibility. LPC reviewed the inventory and determined that six of the potential resources appear to meet the eligibility criteria for NYCL designation and/or S/NR listing. The remaining twenty-two resources do not appear eligible for NYCL designation or S/NR listing. Once the architectural resources

in the study area were identified, the proposed actions were assessed for both direct physical impacts and indirect visual and contextual impacts on architectural resources.

There is one architectural resource that could be redeveloped under the RWCDs for the proposed actions. Nathan's Famous restaurant at 1308 Surf Avenue is located on a potential development site in the Coney East subdistrict and is assumed to be either replaced under the proposed actions with a new building containing hotel, amusement, retail, and enhancing uses or enlarged with additional bulk and uses. In the absence of NYCL designation for this resource located on a development site, and as the site is privately owned, there are no procedures in place that would ensure pre-construction design review or preventative measures to minimize effects of construction and potential demolition or enlargement. Therefore, the potential development identified on the site containing Nathan's Famous would result in direct significant adverse impacts to this S/NR-eligible resource through demolition or potential alteration. It should be noted that Nathan's Famous is located on a potential development site, which is considered less likely to be redeveloped than a projected development site.

There are two additional known architectural resources located on development sites, but they are expected to remain under the RWCDs for the proposed actions. The Childs restaurant at 1208 Surf Avenue is located on a potential development site in the Coney East subdistrict. This building was recently purchased with assistance from the City of New York on condition that it be preserved for continued amusement and cultural uses, and it is currently being restored; therefore, significant adverse impacts from demolition or other physical alterations under the RWCDs for the proposed actions are not anticipated. The Childs restaurant on the boardwalk is also located on a projected development site in the Coney West subdistrict. Under the RWCDs for the proposed actions, it is assumed that the architectural resource would be enlarged with a 10,000-square-foot rooftop addition and reused with a commercial use. However, there would be no significant adverse impacts to this NYCL, because no demolition or exterior changes can be made to it without LPC approval.

Development in the rezoning area pursuant to the proposed actions could have adverse physical impacts on seven architectural resources that are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. Although the seven resources could potentially experience adverse direct impacts, they would be provided some protection from accidental construction damage through DOB controls that govern the protection of any adjacent properties from construction activities.

Potential Visual and Contextual Impacts

For the most part, it is not expected that the proposed actions would have adverse visual or contextual impacts on the majority of architectural resources, because new development pursuant to the proposed actions would not eliminate or screen publicly accessible views of a resource, or introduce an incompatible visual, audible, or atmospheric element to a resource's setting. However, development pursuant to the proposed actions could potentially result in significant adverse visual and contextual impacts to the Shore Theater (NYCL-eligible, S/NR-eligible) by diminishing its visual prominence on Surf Avenue.

Urban Design and Visual Resources

Urban Design

The *CEQR Technical Manual* states the urban design components and visual resources determine the "look" of a neighborhood – its physical appearance, size and shape of buildings, their arrangement on blocks, street pattern, and noteworthy views. Urban design regulations set forth in the new Special Coney Island District zoning text would create a cohesive, coordinated design for the rezoning area that would

include mandatory streetwall requirements, restrictions to building heights, specific use-groups, new east-west and north-south vehicular and pedestrian routes, and ground floor transparency requirements. Required active ground floor uses and glazing and transparency requirements for these ground floor uses would provide street-level visual interest, pedestrian activity, and neighborhood amenities on Surf and Mermaid Avenues and portions of the cross streets. Urban design improvements that would enliven the streetscape throughout the rezoning area including two new public access corridors through the rezoning area to the boardwalk, a community park on the boardwalk between West 22nd and 23rd Streets, and streetwall requirements on Surf Avenue and portions of the cross streets.

The proposed actions would alter the existing topography, street pattern, and block shapes of the rezoning area through the regrading of new and existing streets, mapping of new streets and demapping of existing streets in the Coney East and Coney West subdistricts. The grade changes would alter the topography of the Coney East and West subdistricts to meet the elevation of Riegelmann Boardwalk, which would enhance views throughout the rezoning area by increasing views to Coney Island Beach and the Atlantic Ocean. The new mapped sections of West 16th, 19th, and 20th Streets south of Surf Avenue would break up several existing superblocks in the rezoning area and result in regularly shaped block forms. The extension of pedestrian corridors—Jones Walk and Bowery— would further improve pedestrian access in Coney East and provide additional connections to the open amusement area.

The proposed Special District would alter existing building arrangements in the Coney East, West, and North subdistricts. In Coney East, north of the new Wonder Wheel Way, the existing mix of attached buildings with small footprints would be replaced with freestanding buildings with large footprints. In Coney West and North, the numerous vacant lots and parking lots that are interspersed with several attached buildings with small footprints would be replaced with freestanding buildings with large footprints. In the Mermaid Avenue subdistrict, vacant parcels of land would be replaced by attached buildings with small footprints to match the existing building arrangements along the avenue. These changes would not result in any significant adverse impacts.

Buildings constructed in the Coney East, Coney West, and Coney North subdistricts would be taller and bulkier than existing buildings in the rezoning area and buildings that would be constructed in the future without the proposed actions. They would also have tower on a base forms that would differ from the typical form of the high-rise buildings in the study area and of the two buildings that would be constructed in the Coney North subdistrict in the future without the proposed actions. The heights of new buildings and the placement of towers, however, would be regulated to defer to the height of the Parachute Jump, mandate low-rise buildings along Wonder Wheel Way adjacent to the new mapped amusement park and along the boardwalk in the Coney West subdistrict, and step down in height toward the Cyclone, the boardwalk and beach, and the low-rise residential neighborhood along, and north of, Mermaid Avenue.

Visual Resources

The proposed actions are not expected to have any significant adverse impacts on the other visual resources in the rezoning area—the Parachute Jump, the Cyclone, the Wonder Wheel, Coney Island Beach, and the Atlantic Ocean. Views of Coney Island Beach and the Atlantic Ocean would be enhanced by the proposed grade changes in the Coney East and Coney West subdistricts, which would elevate views to the level of the boardwalk, thus providing views of these two visual resources. The creation of Wonder Wheel Way in Coney East would provide unobstructed views to the historic visual resources in the subdistrict — the Wonder Wheel, Cyclone, and Parachute Jump. Further, the extension of West 19th Street south of Surf Avenue would provide direct views to the Parachute Jump. Although the visual prominence of the Stillwell Avenue Station and the Shore Theater would be somewhat diminished under the proposed actions, they would still be prominently visible from the intersection of Surf and Stillwell Avenues and there would be no significant adverse visual impacts to these two visual resources.

Natural Resources

The FEIS analyzed floodplains, wetlands, existing terrestrial and aquatic flora and fauna, threatened or endangered species, and water quality within the natural resources study area, and assessed whether the proposed actions could result in significant adverse impacts on natural resources.

Specifically, the analysis described the regulatory programs that protect floodplains, wildlife, threatened or endangered species, aquatic resources, or other natural resources within and in the vicinity of the project site; described the current condition of natural resources; assessed floodplain, water quality, and natural resources conditions in the future without the proposed actions; assessed the potential impacts of the proposed project on floodplain, water quality, and natural resources; and, discussed the measures that would be developed, as necessary, to reduce any of the proposed actions' potential significant adverse effects on natural resources and floodplains.

Groundwater

Significant adverse impacts to groundwater are not expected to occur as a result of construction or operation of the RWCDs. Further environmental investigation would be required prior to development, by placing E-designations (for privately-owned land) or LDA or MOU (for City-owned land). Additionally, construction-phase health and safety plans are required to address known concerns and contingencies should unexpected contamination be encountered. With the implementation of these measures, the projected developments that would occur as a result of the proposed actions would not result in significant adverse impacts to groundwater resources.

Floodplains and Wetlands

The entire project site is within the 100-year floodplain. Construction of new structures as a result of the proposed actions and the discharge of stormwater generated within the project site would not exacerbate flooding conditions within this portion of Coney Island because the floodplain within and adjacent to the project site is affected by coastal flooding rather than fluvial or local flooding.

The majority of the project site is covered by impervious surfaces, such as buildings and paved parking lots. Stormwater runoff discharged to the separate DEP storm sewer from the project site would be treated to ensure compliance with NYSDEC standards, including post-construction stormwater management practices. Implementation of erosion and sediment control measures, and stormwater management measures would minimize potential impacts to tidal wetlands within Coney Island Creek from the discharge of stormwater runoff generated within the project site during construction of the proposed actions. The proposed actions would not result in long-term significant adverse impacts to existing NYSDEC-designated littoral zone and coastal shoals and mudflats within Coney Island Creek or adversely affect tidal wetlands within Shell Bank Creek.

Terrestrial Resources

Most of the plant communities present within undeveloped portions of the project site are common to urban vacant land and are primarily populated by introduced, invasive, and urban tolerant species. The construction of proposed actions would impact these terrestrial resources from activities such as grading, land clearing, excavation, and removal of the existing urban structure exterior habitat. However, the wildlife species expected to occur within this area are common to urban areas, and the loss of some individuals would not result in a significant adverse impact on wildlife resources of the New York City metropolitan region.

Aquatic Resources

Incrementally over time, potential benefits to water quality may result from the implementation of on-site stormwater best management practices by specific development projects. Over the long term, area-wide investment in new infrastructure associated with new streets or large-scale development may also require infrastructure upgrades that may have a beneficial effect on water quality associated with stormwater management when combined with additional stormwater quality and quantity controls. Ultimately, with or without the proposed Coney Island Rezoning, the City is currently preparing an area-wide Amended Drainage Plan (ADP) that comprehensively addresses both sanitary and stormwater demand on Coney Island.

Endangered, Threatened, and Special Concern Species

The endangered, threatened, and candidate species with the potential to occur within the rezoning area are likely to be limited to transient individuals. The project site does not contain habitat required to support threatened and endangered species listed for the area that depend on beach habitat. A peregrine falcon individual was observed within the site in 2007 and 2009, during both overwintering and breeding seasons. Because peregrine falcons are accustomed to the intensely developed habitats of New York City, construction of the proposed actions would not be expected to result in significant adverse impacts to individuals foraging within the project site.

Essential Fish Habitats

The proposed actions would not result in significant adverse impacts on fish listed by NMFS as having essential fish habitat (EFH) for the Lower New York Harbor and Coney Island Creek. The proposed actions would not result in significant adverse impacts to water quality, nor would they adversely affect aquatic habitat within the vicinity of stormwater outfalls receiving stormwater runoff generated within the project site. Implementation of stormwater management measures that would occur as a result of this project may result in water quality improvements that would benefit aquatic biota of Lower New York Harbor and Coney Island Creek.

Hazardous Materials

The *CEQR Technical Manual* calls for the evaluation of hazardous materials in order to determine whether a proposed action could lead to increased exposure of people or the environment to hazardous materials, and whether the increased exposure could potentially result in significant health impacts or environmental damage. Environmental conditions resulting from previous and existing uses, both on-site and in the surrounding area, were assessed through visual inspection of the rezoning area from public rights-of way, conducted on November 26, 2007, and a review of federal, State, and local regulatory databases; New York City Fire Department (FDNY) and Buildings Department (DOB) databases; U.S. Geological Service maps; and historical Sanborn maps.

The Hazardous Materials Assessment identified potential historical and present sources of contamination in portions of the rezoning area. These Recognized Environmental Conditions (“RECs”) included the past or present existence of gasoline stations, dry cleaners, and/or petroleum storage tanks in portions of the rezoning area, as well as off-site releases from underground petroleum storage tanks with a potential of affecting the rezoning area. To reduce the potential of adverse impacts associated with potential new construction resulting from the proposed actions, further environmental investigation will be required at sites where potential hazardous materials conditions were identified. Mechanisms to ensure that these actions occur differ for privately-owned sites and for City-owned sites, and include the establishment of E-designations, Land Disposition Agreements, and Memoranda of Understanding.

These E-designations, Land Disposition Agreements, and Memoranda of Understanding require the owner of the property to conduct a Phase I ESA in accordance with ASTM E1527-05, prepare and

implement a soil and groundwater testing protocol, prepare a Phase II ESI report where potential contamination is identified and conduct remediation where appropriate, to the satisfaction of DEP before development-related building permits can be issued by the Department of Buildings. Additionally, construction-phase health and safety plans, which must also be approved by DEP, are required that include procedures to address both any known concerns as well as contingencies should unexpected contamination be encountered. The implementation of these measures would reduce or avoid the potential that significant adverse impacts due to hazardous materials would result from potential construction in the rezoning area. Following such construction, there would be no potential for significant adverse impacts from hazardous materials.

Waterfront Revitalization Program/Coastal Zone Consistency

The proposed project is located within New York City's coastal zone boundary as defined by the New York City Department of City Planning (DCP). The New York City Waterfront Revitalization Program (WRP) is the City's principal coastal zone management tool. New York City's WRP includes 10 principle policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives.

WRP policies were reviewed in the FEIS and it was determined that the proposed actions would be consistent with the WRP program. Specifically the project is consistent with policies of supporting and facilitating residential and commercial development where appropriate; protecting and improving water quality in the coastal area; avoiding adverse effects to the coastal area as a result of solid waste and hazardous substances; providing public access to and along the City's coastal waters; protecting scenic resources that contribute to the visual quality of New York City; and avoiding adverse effects to historic and cultural resources. Policies that are not applicable to the proposed actions or where the proposed actions would have no adverse impact include policies regarding maintaining commercial boating; a working waterfront; and protecting coastal ecological systems.

Infrastructure

The visitors and residents expected from the projected development as a result of the proposed actions would create new demands for drinking water and wastewater treatment. The FEIS infrastructure analysis examines short-term development opportunities based on the proposed rezoning and existing infrastructure, intermediate development potential based on the proposed rezoning and incremental infrastructure improvements within the rezoning area, and long-term development potential based on the proposed rezoning and area-wide infrastructure improvements through the implementation of an amended drainage plan (ADP).

The projected development that would likely result from the proposed actions would create new demands for water and wastewater treatment. With the proposed actions, an ADP is being developed and will be instituted for the rezoning area, and a new separate sewer system will be constructed to divert storm flows from the Atlantic Ocean to Coney Island Creek, provide storm sewers beneath streets that currently do not provide storm sewers, provide necessary sanitary sewer capacity to support the proposed rezoning, and provide sanitary and storm sewers beneath proposed streets that are to be constructed as part of the proposed actions. Stormwater attenuation and treatment mechanisms would be included in the City's design of streets, parks, and open spaces within the rezoning area and the designs of these systems would be guided by the City's sustainability initiatives described in PlaNYC and the Mayor's Office's Sustainable Stormwater Management Plan, NYSDEC regulatory requirements and Stormwater Management Design Manual, and DEP's detention requirements and guidance documents. Additionally, all development would be required to manage site-developed stormwater through detention facilities and stormwater best management practices ("BMPs") that would meet DEP's detention requirements.

Through the use of detention facilities and stormwater BMPs, the peak stormwater discharge rate would be reduced and new development would not exacerbate the surcharged storm sewer system.

Absent the proposed ADP improvements, development is anticipated to occur over a short-term and interim period. Development that would occur during the short-term period (immediately) would occur on sites with frontage to both sanitary and storm sewers, provided that the adjacent sanitary sewer and all downstream segments have adequate capacity to accommodate wastewater flows generated by the development and that developed site stormwater would be managed through feasible detention facilities and stormwater BMPs, according to DEP sizing and rate requirements so the surcharged storm sewer system will be not be exacerbated.

Absent the proposed ADP improvements, incremental infrastructure improvements would allow for sites that are fronting an existing storm sewer or a sanitary sewer with inadequate capacity to be developed during the interim period prior to the implementation of an ADP. If a site's fronting sanitary sewer and any downstream segments do not have adequate capacity to accommodate wastewater flows generated by the development, the developer would be required to upgrade critical sewer segments to ensure satisfactory operations of the sanitary sewer system (provided that developed site storm flow from this area can be adequately addressed with detention facilities and stormwater BMPs without exacerbating the surcharged storm sewer system). If the site is not located adjacent to an existing sanitary/storm sewer, the developer would be required to obtain approval from DEP and construct a private sewer/drain system that would connect to an existing sanitary/storm sewer. They would also be required to provide stormwater detention facilities and BMPs and discharge at a rate that would not exacerbate the surcharged condition of the downstream storm sewers.

Finally, long-term development includes the full build out of the rezoning area in conjunction with the implementation of an ADP. With the appropriate phasing of development, adequate interim measures, and sewers constructed according to the ADP, the local stormwater and wastewater collection systems would have the capacity to meet the expected demand. Therefore, no significant adverse impacts on these services are expected to result.

Solid Waste and Sanitation

In New York City, the New York City Department of Sanitation (DSNY) is the agency responsible for the collection and disposal of solid waste and recyclable materials generated by residences, some nonprofit institutions, tax-exempt properties, and City agencies. DSNY also collects waste from street litter baskets, parks, street-sweeping operations, and lot cleaning activities. Commercial operations handle solid waste from other uses, e.g., commercial retail, office, and industrial operations.

It is estimated that the incremental development on the projected development sites and the active portion of the mapped amusement park would generate 479,243 pounds (or 240 tons) of solid waste per week in the future with the proposed actions. The solid waste generated by residential uses in the future with the proposed actions would be equivalent to approximately 50 tons per week (or 8.3 tons per day). According to the *CEQR Technical Manual*, the typical DSNY collection truck for residential refuse carries approximately 12.5 tons of waste material. Therefore, the new residential uses developed under the proposed actions on the projected development sites would be expected to generate solid waste equivalent to less than one truck load per day. This minimal increase is not expected to overburden the DSNY's solid waste handling services. Thus, the proposed actions would not have a significant adverse impact on the City's solid waste and sanitation services.

The non-residential solid waste (generated by the retail uses, hotel use, enhancing uses, and amusements) would be collected by private contractors. The total amount of this waste would be 378,943 pounds (189

tons) per week in 2019. Given that the typical collection truck averages a 12.5-ton capacity, the RWCDs under the proposed actions would require up to 2.5 private contractor truckloads per day, assuming a six-day work week. This is not a significant increase in demand and would be met by private-sector response to the increase in service needs.

Thus, the proposed actions would not cause any significant adverse impacts on solid waste and sanitation services. DSNY, which collects solid waste and recyclables, currently provides municipal solid waste and sanitation services to the rezoning area. Private carters also provide these services to non-residential users. The proposed actions would increase the volumes of solid waste and recyclables, but would not affect the delivery of these services or place a significant burden on the City's solid waste management services (both public and private).

Energy

While present uses on the projected development sites create some demand for energy, new development resulting from the proposed actions would place an increased overall demand on energy services. Although the development of the projected development sites and the mapped amusement park would create substantial new energy demands, this increase is not large enough to result in significant adverse impacts on energy systems.

It is estimated that the net development on the projected development sites and in the mapped amusement park would use approximately 530,670 million BTUs (or 155,485 MW) of energy annually in the future with the proposed actions. This annual net consumption would be small, compared with the existing energy demands of New York City (170.75 trillion BTUs annually), the total peak energy demand in 2017 (13,360 MWs), the latest year for which forecasts are available, and a total peak energy demand in the 2019 Build year (13,899 MW), based on a continued 2 percent annual increase in demand.

The proposed actions would increase demands on electricity and gas. However, any new development resulting from the proposed actions would be required to comply with the New York State Conservation Construction Code, which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, the buildings to be constructed on all development sites must incorporate the required energy conservation measures, including meeting code requirements relating to energy efficiency and combined thermal transmittance. In addition, the NYCEDC and DCP will coordinate with Con Ed to determine if any service upgrades are needed to better serve the Coney Island community in light of the growth expected under the proposed actions.

The proposed actions would not have a significant adverse impact on energy systems and services. The proposed actions would increase demands on electricity and gas; however, relative to the capacity of these systems and the current levels of service within New York City, the increases in demand would be insignificant.

Traffic and Parking

Primary access to the project site is provided by the Belt Parkway via exits at Cropsey Avenue/Stillwell Avenue and Shell Road as well as via Ocean Parkway and other roadways that lead into and through the Coney Island peninsula. Access to the development parcels within the Coney Island peninsula is provided by Surf Avenue, Mermaid Avenue and Neptune Avenue. The roadways within the study area carry low to moderate traffic and are typically not congested. However, during minor league baseball games at KeySpan Park during the peak summer weekend periods, traffic and pedestrian activities are higher than that of "regular" conditions. The overall traffic study area addressed in the FEIS encompasses 30

intersections generally bounded by the Belt Parkway to the north, Ocean Parkway to the east, Surf Avenue to the south, and West 30th Street to the west.

To estimate the volume of traffic generated by the proposed actions during the peak traffic hours, a detailed trip generation analysis was performed. The volume of vehicular traffic generated by the RWCDs was assigned to the roadway network. Auto trips to and from the Coney North and Coney West sections of the proposed actions were assigned to parking facilities within their respective sections. Auto trips to Coney East were distributed to one on-site parking facility (located south of Surf Avenue bounded by West 15th Street to the east and West 16th Street to the west) and several off-site parking facilities—the New York Aquarium (which would expand its parking facilities to accommodate Coney East trips), new parking facilities in the Coney North section, and a parking facility on Stillwell Avenue. An additional off-site parking facility would be built at Surf Avenue and West 25th Street to accommodate any additional parking demand associated with the entertainment uses. Taxi pick-ups and drop-offs for all land uses were distributed mostly to local streets for the Coney North and Coney West sections. Taxi trips to Coney East would circulate through the redesigned roadway network within this subdistrict. Delivery trips for all land uses were assigned to NYCDOT-designated truck routes.

As part of the proposed actions, the roadway network would be redesigned to accommodate the proposed developments in Coney West and Coney East. As part of the proposed roadway network, two new east-west roadways would be constructed south of Surf Avenue—Ocean Way (two-way) in Coney West, and Wonder Wheel Way (one-way eastbound) in Coney East. Several existing roadways would have operational and geometric changes south of Surf Avenue including curb-to-curb roadway width reductions or widenings, some street demappings, roadway length reduction or extensions and changes in street directions. As a result of the redesigned street network, the flow of existing traffic and vehicle trips generated by No Build background developments south of Surf Avenue would be altered.

The majority of the 30 study area locations analyzed for the future with the proposed actions in the weekday AM, midday, PM, Saturday midday, and Saturday PM peak hours would either not be significantly impacted or could be mitigated with traffic improvement measures, including: Signal phasing and/or timing changes, parking regulation changes to gain a travel lane at key intersections, intersection or street channelization improvements, lane markings and signage, and/or installation of traffic signal at one currently unsignalized intersection.

Significant adverse traffic impacts that would result from the proposed actions could not be fully mitigated at several locations. The traffic mitigation measures needed for each intersection are detailed in the FEIS. Each of the traffic capacity improvements described in the FEIS fall within the jurisdiction of NYCDOT for implementation. The implementation of these measures would result in the loss of approximately 101 to 148 parking or “standing” spaces during various times of the day and days of the week, including approximately 27 to 55 metered parking spaces. No designated truck loading/unloading zones or bus layover space would be affected by the proposed parking modifications for mitigation.

Parking

The Coney North and Coney West sections of the proposed actions would provide sufficient off-street parking within their respective sections to accommodate parking demand for developments proposed for each section. The parking associated with development on the Coney East section would be distributed to one on-site parking facility (which would provide 200 spaces), and several off-site parking facilities—the New York Aquarium (which would expand its parking facilities by 400 spaces to accommodate Coney East trips), new parking facilities in the Coney North section (300 spaces), and the parking facility (200 spaces) on Stillwell Avenue. An additional off-site parking facility would be built at Surf Avenue and West 25th Street to accommodate any additional parking demand associated with the Coney East amusement uses.

In addition to the off-street parking spaces provided as part of the proposed actions, approximately 180 new spaces would be created on-street as part of the proposed roadway network to be constructed south of Surf Avenue (between West 22nd Street and West 10th Street). Parking demand generated from the proposed actions would be fully accommodated by the off-street parking facilities. The proposed actions would provide a total of 3,843 off-street parking spaces during weekday and 3,504 off-street spaces during Saturdays within or in close proximity to the rezoning district.

Transit and Pedestrians

Mass transit options serving the rezoning area and the surrounding neighborhood include the New York City Transit (NYCT) D, F, N, and Q subway lines and the X28, X29, X38, B36, B64, B68, B74, and B82 bus routes. The transit analyses include quantified assessments of control areas and circulation elements for the two subway stations closest to the rezoning area: Stillwell Avenue station (served by the D, F, N, and Q trains) and West 8th Street station (served by the F and Q trains). Bus line haul levels for the above bus routes were also analyzed. Significant adverse impacts were identified for the B36, B68, B74, B82, and X38 bus routes during the weekday analysis peak periods and for the B36 bus route during the Saturday analysis peak periods. While the MTA and NYCT routinely monitors changes in bus ridership and would make the necessary service adjustments where warranted, these service adjustments are subject to the agencies' fiscal and operational constraints and, if implemented, are expected to take place over time.

The evaluation of pedestrian flow includes the analysis of the sidewalks, corner reservoirs, and crosswalks along Surf Avenue at West 8th, West 12th, West 15th, West 16th, and West 17th Streets, and Stillwell Avenue, and along Mermaid Avenue at Stillwell Avenue and West 17th Street. Significant adverse impacts were also identified for the east and west crosswalks at the Stillwell Avenue and Surf Avenue intersection during the weekday and Saturday analysis peak periods. The proposed traffic mitigation measures at this intersection would provide additional crossing time for the east and west crosswalks but reduce the crossing time currently available at the north crosswalk. In addition, the bulb-out proposed at the southeast corner of the intersection along Surf Avenue would effectively reduce the crossing distance of the east crosswalk by approximately 8 feet. As a result, the pedestrian impacts identified for the east and west crosswalks would be mitigated with the implementation of the proposed traffic mitigation measures. But the shortened crossing time at the north crosswalk would result in a new significant adverse crosswalk impact at this location. Restriping the width of the north crosswalk from its existing width of 16 to 18.5 feet would mitigate this projected significant adverse crosswalk impact.

Air Quality

Ambient air quality is affected by numerous sources and activities that introduce air pollutants into the atmosphere. A comprehensive assessment of potential air quality impacts from the proposed actions was performed. Ambient air quality is affected by air pollutants produced by both motor vehicles and stationary sources. Emissions from motor vehicles are referred to as mobile source emissions, while emissions from fixed facilities are referred to as stationary source emissions. Ambient concentrations of carbon monoxide (CO) are predominantly influenced by mobile source emissions. Particulate matter (PM), volatile organic compounds (VOCs), and nitrogen oxides (NO and NO₂, collectively referred to as NO_x) are emitted from both mobile and stationary sources. Fine PM is also formed when emissions of NO_x, sulfur oxides (SO_x), ammonia, organic compounds, and other gases react or condense in the atmosphere. Emissions of sulfur dioxide (SO₂) are associated mainly with stationary sources, and sources utilizing non-road diesel such as diesel trains, marine engines, and non-road vehicles (e.g., construction engines). On-road diesel vehicles currently contribute very little to SO₂ emissions since the sulfur content

of on-road diesel fuel, which is federally regulated, is extremely low. Ozone is formed in the atmosphere by complex photochemical processes that include NO_x and VOCs.

Based on the analyses conducted, the proposed actions would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and the proposed actions would not be adversely affected by existing sources of air emissions in the study area. The traffic that would be generated by the proposed actions would not have the potential for significant adverse impacts on air quality. Carbon monoxide (CO) and fine particulate matter less than 10 microns in diameter (PM₁₀) concentrations in the future with the proposed actions would not result in violations of National Ambient Air Quality Standards (NAAQS). It was also determined that CO impacts would not exceed CEQR *de minimis* criteria, while increments of fine particulate matter less than 2.5 microns in diameter (PM_{2.5}) would not exceed the City's interim guidance criteria. In addition, an analysis of projected parking garages determined that the parking facilities under the proposed actions would not cause any significant adverse air quality impacts.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from HVAC systems at the projected and potential development sites. At certain sites, to preclude the potential for impacts from HVAC systems at certain potential and projected development sites, an air quality E-designation would be mapped as part of the proposed zoning or a Memorandum of Understanding would be established for city-owned parcels with a subsequent Restrictive Declaration for land disposed of by the City. With these in place, there would be no potential for any significant air quality impacts from HVAC system emissions.

Noise

The proposed actions would result in significant adverse noise impacts at sensitive noise receptors at two locations—at receptor site 6 outside of the rezoning area on West 17th Street between Neptune Avenue and Mermaid Avenue, and at receptor site 11 within the Coney East subdistrict on Stillwell Avenue between Surf Avenue and the Boardwalk.

At receptor site 6, the proposed actions would result in increases in noise levels between the No Build and Build conditions of more than 3 dBA for the weekday midday peak period at 38 residential buildings, three church convent buildings, and one commercial building on West 17th Street between Mermaid and Neptune Avenues, which would exceed the CEQR threshold for a significant adverse impact. The exceedance of the 3 dBA CEQR impact criteria would be due principally to noise generated by the large incremental traffic volumes on West 17th Street. Potential significant adverse impacts at buildings at additional receptor sites A1 to A5 and A8 could be mitigated with double-glazed or storm windows with good sealing properties, and air-conditioning units. At the locations where significant adverse impacts are predicted to occur, the City would make these measures available, at no cost, to owners of properties where these measures do not currently exist. With these measures, the project noise impacts would be fully mitigated.

At receptor site 11, which is located within the Coney East subdistrict, the proposed actions would result in increases in noise levels between the No Build and Build conditions of more than 10 dBA for all analysis peak periods, except for the weekday AM peak period. These increases in noise levels would exceed the CEQR impact criteria and would constitute a significant adverse noise impact. The exceedances of the CEQR impact criteria at this receptor site would be due principally to noise generated by the activities in the proposed amusement park. However, no existing noise-sensitive uses were identified in the vicinity of this receptor site, and the increases in noise levels at this location would only impact pedestrians at ground level within the proposed 27-acre entertainment and amusement district. There are no feasible mitigation measures that could be implemented to eliminate the significant noise impacts for

pedestrians at this location, and therefore, a significant noise impact is identified in this FEIS as an unavoidable adverse impact. While amusement noise would significantly increase ambient noise levels at this location within the proposed entertainment and amusement district, it is not expected to result in noise impacts to residential areas and other sensitive uses outside of the Coney East subdistrict.

In addition, noise levels within the new mapped park (Highland View Park) on the Boardwalk between West 22nd and West 23rd Streets would be above the *CEQR Technical Manual* noise exposure guideline of 55 dBA L₁₀₍₁₎ for outdoor areas requiring serenity and quiet. Although noise levels in the new mapped park would be above the CEQR guideline, they would be comparable to noise levels in portions of other public open spaces in Coney Island that are also located adjacent to trafficked roadways, including Asser Levy Park, Luna Park, and Carey Gardens, and would not result in a significant adverse noise impact.

Construction Impacts

The FEIS analyzed the RWCDS anticipated for the projected development sites as a result of the proposed actions. Construction on the potential development sites is also considered for individual sites, but is not analyzed cumulatively. The analysis sets forth a construction schedule, phasing, and activities that can reasonably be expected for the RWCDS.

Construction of the various components of the RWCDS conceptual development plan would occur over a 10-year period, with construction activities and intensities varying, depending on what components of the overall development are under way at any given time. Private development market forces and budget funding for New York City costs would govern the timing of the development. The schedule for the construction impact analysis is conservative because it compresses the timing, which increases the intensity of the construction activities.

Development is expected to begin on the central and eastern blocks of the Coney North and Mermaid Avenue subdistricts. Then the western two blocks of the Coney North and Mermaid Avenue subdistricts (Phase 2) are expected to be developed. The amusement park facilities (Phase 4) would be developed in Coney East, followed by the residential development on the Coney West subdistrict's projected and potential development sites (Phase 3). The order of development may vary depending on future circumstances. In particular, it is noted that interim amusement uses in Coney East are likely to occur earlier than the full development of the RWCDS. It is expected that temporary amusements (transportable carnival rides, games, and food stalls) would be set up in the Coney East subdistrict on an immediate interim basis; they would not generate extensive infrastructure construction activities.

Land Use and Neighborhood Character

Potential impacts on land use and neighborhood character during construction of the proposed actions could occur as a consequence of disruptive and noticeable increases in traffic, noise, and air quality emissions or if community activities are disrupted. Construction activities would affect land use on the projected development sites and the proposed, mapped open amusement park and Highland View Park sites but would not alter surrounding land uses. Construction staging activities for the proposed actions would occur within the parcels or within portions of the sidewalks and curb lanes of the street system adjacent to the projected development sites. Moreover, although the project anticipates a 10-year construction schedule, the level of activity would vary and move throughout the rezoning area, and no one area would experience the effects of the project's construction activities for the full 10-year duration. In sum, combined construction effects at the project sites are not expected to result in potential significant adverse impacts to land use and neighborhood character.

Socioeconomic Conditions

Construction would create major direct benefits resulting from expenditures on labor, materials, and services, as well as substantial indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. The direct benefits would accrue to the construction companies, workers, and suppliers; the indirect benefits would accrue to local merchants, service workers, and firms that provide goods to the construction workers. Construction would also contribute to increased tax revenues for the City and State, including those from personal income taxes. Overall, there would be no significant adverse impacts on socioeconomic conditions due to construction.

Historic Resources

There are eight architectural resources located in the proposed rezoning area. In addition, there are two architectural resources located within 400 feet of the rezoning area. The potential impacts on these resources are analyzed in the FEIS. There is one architectural resource that could be redeveloped under the RWCDs. Nathan's Famous restaurant at 1308 Surf Avenue is located on a potential development site in the Coney East subdistrict and is assumed to be replaced under the proposed actions. In the absence of New York City Landmark designation for this resource located on a development site, and as the site is privately owned, there are no procedures in place that would ensure pre-construction design review or preventative measures to minimize effects of construction and potential demolition. Therefore, potential development on the site containing Nathan's Famous would result in direct significant adverse impacts to this resource through demolition or potential alteration. It should be noted that Nathan's Famous is located on a potential development site, which is considered less likely to be redeveloped than a projected development site.

Two mechanisms protect buildings in New York City from potential damage caused by adjacent construction. All buildings are provided some protection from accidental damage through DOB controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). The second protective measure applies to New York City Landmarks, properties within New York City Historic Districts, and National Register-listed properties. For these structures, DOB *Technical Policy and Procedure Notice (TPPN) #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and National Register-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. With these required measures, significant adverse construction-related impacts would not occur to the Parachute Jump, the Cyclone roller coaster, the Wonder Wheel, or the Childs restaurant on the boardwalk.

Hazardous Materials

In areas to be excavated or disturbed under the proposed actions, there is the potential to encounter lead-based paint and/or asbestos-containing building materials as well as contaminated materials. In order to identify portions of the rezoning area with a significant likelihood of potentially hazardous conditions from past or present, on- or off-site uses, a variety of information sources were reviewed. Although the proposed actions could result in more construction activities that could increase pathways for human exposure, the possibility of impacts would be reduced by a series of enforcement mechanisms, under which each projected and potential site would be researched, sampled and tested if needed, and mitigation measures to prevent exposures to hazardous and contaminated materials would be developed. With these measures, no significant adverse impacts from hazardous materials are expected.

Natural Resources

Construction activities in the rezoning area would have the potential to affect natural resources and water quality. Specifically, construction activities would result in the loss of potential habitat for plants and

wildlife. The construction would impact terrestrial resources from land clearing and excavation. As the project is constructed, the plant communities within the currently undeveloped lots would be removed, to be replaced by development. The majority of plant communities occurring within the rezoning area are not particularly diverse or unique. Most of the plant communities present within undeveloped portions of the project site are common to urban vacant land. The loss of such urban-adapted flora would not result in a significant adverse impact to plant communities in the region. The reduction in terrestrial habitat as a result of the construction would displace some wildlife, the majority being urban-adapted or transient species, which currently occur within the project site at some point during the year. The loss of terrestrial habitat would have the potential to adversely affect some individual birds and other wildlife currently using the limited wildlife habitat. However, the wildlife species within this area are common to urban areas, and the loss of some individuals would not result in a significant adverse impact on wildlife communities of the region. The entire project site is within the 100-year floodplain. The floodplain within and adjacent to the rezoning area is affected by coastal flooding, which is influenced by astronomic tide and meteorological forces (e.g., northeasters and hurricanes), and, therefore, would not be affected by development of the projected development sites. Any development that would occur within the rezoning area would be consistent with the New York City Building Code (Title 27, Subchapter 4, Article 10).

Traffic and Parking

Construction activity would extend from the end of 2009 to 2019 and would generate construction worker and truck traffic. Because of the lengthy duration of these activities, an evaluation of construction sequencing and worker/truck projections was undertaken to assess potential traffic-related impacts. The projected construction activities would yield less total traffic than projected for the proposed actions except for the weekday AM construction peak hour where projected construction vehicle trips would be comparable to the proposed action vehicle trips. Construction activities would result in maximum combined auto and truck traffic of 1,102 and 768 vehicle trips during the 6-7 AM and 3-4 PM peak hours for the third quarter of 2017. Construction trucks would be required to use New York City Department of Transportation-(NYCDOT) designated truck routes, including Croysey Avenue, McDonald Avenue, Coney Island Avenue, and Neptune Avenue.

Maintenance and protection of traffic plans would be developed for curb lane and sidewalk closures. Approval of these plans and implementation of all temporary sidewalk and curb lane closures during construction would be coordinated with NYCDOT's Office of Construction Mitigation and Coordination (OCMC). The construction activities would generate a maximum daily parking demand of up to 960 spaces for the third quarter of 2017. This parking demand would likely be accommodated within vacant lots available for construction staging and parking. The projected construction activities are not expected to result in significant adverse transit and pedestrian impacts.

Air Quality

During construction of the RWCDs, air pollutants would be emitted from off-site mobile sources (i.e., worker vehicles and trucks on public roadways) and on-site non-road construction equipment and trucks. Several measures would be included in the City-controlled construction contract documents to generally reduce emissions, and specifically to substantially reduce diesel particulate matter (DPM) emissions from construction engines. Because these measures have become common, contractors have the equipment, and the measures have little cost implications, the measures are used on many private construction projects. In addition, in order to reduce the resulting concentration increments at sensitive locations, large emissions sources and activities, such as concrete trucks and pumps, would be located away from residential buildings, playing fields, and parks, to the extent practicable with special attention given to any sources within 50 feet of such locations. Based on this analysis, construction activities associated with the proposed actions would not result in significant adverse air quality impacts from stationary and non-road sources. Based on the construction traffic volumes during the peak construction period and the expected use of diesel particulate filters (DPF) in concrete trucks, which would constitute a large portion

of the construction trucks, significant adverse impacts on air quality from on-road construction sources would not be expected.

Noise

Impacts on community noise levels during construction can result from construction equipment operation, and from construction vehicles and delivery vehicles traveling to and from the site. Noise levels caused by construction activities would vary widely, depending on the phase of construction and the location of the construction activities relative to noise sensitive receptor locations. Noise sensitive receptors in the vicinity of the rezoning area include the Aquarium, Asser Levy Park, Coney Island Beach, and nearby residences. In addition, as buildings are constructed and occupied on the project sites, these buildings would be noise-sensitive receptors.

As part of the New York City Noise Control Code, a noise mitigation plan is to be developed and implemented that would include required source controls, path controls, and receptor controls. While increases exceeding the CEQR impact criteria for less than two consecutive years may be noisy and intrusive, they are not considered to be significant adverse noise impacts. The noisiest activities would take place for a limited period of time. The construction period for the noisiest activities (excavation, foundations, and superstructure) on the largest buildings is estimated to be less than 18 consecutive months. When pile driving activities are occurring, interior noise levels at noise sensitive locations, in close proximity and with a direct line-of-sight to the pile driving activities, may exceed 45 dBA L₁₀₍₁₎, but this would be expected to occur for a relatively short time. In addition, little night work is expected (if the required permits for night work are authorized), and any exceedances of the CEQR criteria at noise sensitive locations would occur during the day. Therefore, no long-term, significant adverse noise impacts on the adjacent noise sensitive receptors are expected from construction activities.

Public Health

In determining whether a public health assessment is appropriate, the following has been considered: whether increased vehicular traffic or emissions from stationary sources would result in significant air quality impacts, whether there is an increased potential for exposure to contaminants in soil or dust during construction, whether the proposed actions could result in solid waste management practices that could attract vermin and result in an increase in pest populations (e.g., rats, mice, cockroaches, and mosquitoes), whether new odor sources would be created, whether the proposed actions would result in potentially significant adverse impacts to sensitive receptors from noise, and whether potential impacts of the proposed actions would result in exceedances of accepted federal, state, or local standards.

Based on an analysis of the foregoing potential impacts and the measures that would be implemented as part of the proposed actions, it is concluded a full assessment of the proposed actions' potential impacts on public health is not necessary, and no significant adverse impacts are expected as a result of the proposed actions.

4. ALTERNATIVES

CEQR requires that alternatives to a proposed action be identified and evaluated in an EIS. Alternatives considered should reduce or eliminate impacts of the proposed action while substantially meeting the goals and objectives of the action. For the Coney Island Rezoning four alternatives have been considered: (1) No Action Alternative; (2) Lesser Density Alternative; (3) 15-Acre Mapped Amusement Parkland Alternative; and (4) No Demapping and Mapping Action Alternative.

No Action Alternative

The No Action Alternative has been discussed as the “future without the proposed actions” in the technical chapters of this FEIS. It assumes only modest growth in residential and commercial uses within the proposed rezoning area, with most of the projected growth expected to include further development of local retail space and residential development in existing low-density residential communities. Consistent with recent development trends, and in stark contrast to the proposed actions, there is no anticipated reinvestment in the active amusement uses. The Coney East subdistrict is not expected to undergo any development under the No Action Alternative.

With little new investment and development, and no preservation or expected development of amusement uses, the No Action Alternative does not achieve the principal goals and objectives that define the proposed actions. Compared with the proposed actions, the No Action Alternative does not: develop a year round amusement and entertainment district with open and enclosed amusements, eating and drinking establishments, hotels, and other related uses; provide an opportunity to preserve open amusement areas by creating an integrated and protected network of mapped parkland; or provide any neighborhood revitalization or local economic development opportunities.

Lesser Density Alternative

The Lesser Density Alternative assumes a redevelopment plan similar to that of the proposed actions but with considerably less development. While reduced in overall density, the likely parcels to be developed under this Alternative are considered to be the same Projected Development Sites set forth in the reasonable worst-case development scenario (RWCDs) for the proposed actions. The Lesser Density Alternative would include the same mapping and demapping actions contemplated under the proposed actions. Unlike the proposed actions, the Lesser Density Alternative would not create a Special Coney Island District. However, the alternative would involve certain changes to the existing zoning. Because the Lesser Density Alternative would not create a Special Coney Island District, the Inclusionary Housing Program would not be applied to the Coney North, Mermaid Avenue, and Coney West subdistricts, as envisioned under the proposed actions. Without the FAR bonus that is available through the Inclusionary Housing Program, it can not be assumed that the 1,033 residential units projected under the Lesser Density Alternative would include affordable units.

The Lesser Density Alternative provides substantially less opportunity to achieve the goals and objectives established for the proposed actions. Most notably, it is less certain that this alternative can generate the investment interest in new development that is key to creating a revitalized and vibrant Coney Island that would attract year-round visitors. Without the creation of the Special Coney Island District and significant revision of the underlying C7 use and bulk regulations, a broader range of enclosed amusement and entertainment uses and hotels would not be permitted in Coney East, therefore limiting the potential for this area to become a year-round amusement and entertainment destination. This alternative would not be subject to the Inclusionary Housing Program and would not help to meet the City’s initiatives for creating affordable housing units. Finally, the Lesser Density Alternative would provide fewer job opportunities for local residents and provide fewer housing and retail services compared with the proposed actions.

15-Acre Mapped Amusement Parkland Alternative

The 15-Acre Mapped Amusement Parkland Alternative would create a 15-acre mapped open amusement park rather than the 9.39-acre park envisioned under the proposed actions which would result in more outdoor amusement space and less enclosed amusements and entertainment uses than the proposed actions. Like the proposed actions, the 15-Acre Mapped Amusement Parkland Alternative would involve

the creation of a Special Coney Island District. However, the zoning designations for some of the subdistricts would be different.

The 15-Acre Mapped Amusement Parkland Alternative is less likely to achieve the balance of goals and objectives established for the proposed Coney Island Rezoning. Most notably, with less land available in Coney East dedicated to private investment in the development of enclosed amusements, restaurants, and entertainment uses, it would be less likely that the district would grow to realize its full potential as a year-round destination. Further, because there would be less land available in Coney East for private development under this alternative, the footprints for private development would be smaller compared with the proposed actions. With smaller footprints, it is possible that redevelopment would be less economically viable compared with larger footprints under the proposed actions, and could possibly hinder the area's redevelopment into a year-round destination. Under this alternative, the amusement district is likely to be seasonal because many of the uses that are so vital in making Coney Island a year-round destination would be precluded. Because it is expected that there would be less enclosed amusements, restaurants, entertainment venues and amusement-enhancing uses compared with the proposed actions, the 15-Acre Mapped Amusement Parkland Alternative would provide fewer jobs and tax revenue sources compared with the proposed actions.

No Demapping and Mapping Action Alternative

The No Demapping and Mapping Action Alternative would develop the rezoning area with uses that are similar to those described for the proposed actions, but without mapping or demapping any streets or parkland, City acquisition of private property, or state legislative action. Under this alternative, the 9.39-acre amusement park and the 1.41-acre Highland View Park would not be mapped, and the mapped parkland comprising the Abe Stark Rink and the two asphalt parking lots west of KeySpan Park would not be demapped. Street segments would no longer be demapped (portions of Highland View Avenue, West 22nd Street, Bowery, West 15th Street, Stilwell Avenue, West 12th Street, and West 10th Street) under the alternative, and no new streets would be mapped. Thus, under the No Demapping and Mapping Action Alternative, new development would occur under the existing block configuration only. The public access corridors that would be mapped under the proposed actions at West 16th and West 19th Streets from Surf Avenue to Boardwalk and along West 22nd Street would not be created under the No Demapping and Mapping Action Alternative.

As with the proposed actions, the No Demapping and Mapping Action Alternative would include the creation of a Special Coney Island District. The special district text would be similar to that text developed under the proposed actions, with the exception of the Coney East subdistrict. Under this alternative, the proposed Coney East subdistrict would remain under the existing C7 zoning (with only a change of use only to allow for eating and drinking establishments without limitation), which would not allow the range of uses or densities as established in the proposed actions. If, under this alternative, the existing C7 zoning was not maintained for the entire Coney East subdistrict, the remaining Coney Island amusement venues would be more susceptible to displacement, and the demand for a wider array of amusement and related uses as contemplated in the proposed actions would be diminished. Consequently, the allowable FAR in Coney East would remain at 2.0 rather than being increased to range from 2.6 to 4.5 under the proposed actions.

Because the No Demapping and Mapping Action Alternative would retain the existing block forms, the rezoning area would have fewer feasible or optimal development sites and new development would have to follow the physical setting that has resulted in little or new investment in Coney Island over the past several decades. This is especially an issue in Coney West where the absence of the new street mapping and parkland demapping actions will significantly alter the capacity of the non-parkland sites to be developed. As a result, the projected development program would be less than under the proposed actions

and provides substantially less opportunity to achieve the balanced goals and objectives established for the proposed actions.

The No Demapping and Mapping Action Alternative would facilitate the creation of affordable housing units. It would create the Special Coney Island District which would define development patterns and urban design controls. However, under the No Demapping and Mapping Action Alternative, no new parkland would be created and this alternative would not establish a network of Boardwalk recreational parks. Furthermore, open amusement uses would not be protected in perpetuity through the mapping of parkland. It would not create new streets that would promote connectivity between the existing community and the beachfront. This alternative would not provide hotel rooms or amusements, and there would be significantly less eating and drinking establishments or enhancing uses. Thus, fewer amenities would be provided in the No Mapping Action Alternative compared with the proposed actions and this alternative falls short of achieving the ultimate goal of providing for a year round amusement and entertainment activity essential to revitalizing the Coney East amusement district.

5. UNAVOIDABLE ADVERSE IMPACTS

A number of the potential impacts identified for the proposed action could be mitigated; however, in some cases, project impacts would not be fully mitigated. Unavoidable significant adverse impacts are defined as those that meet the following two criteria: 1) there are no reasonably practicable mitigation measures to eliminate the impacts; and 2) there are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts. For the proposed project, unmitigated adverse impacts could remain in the areas of community facilities (day care), historic resources, traffic, and noise.

Community Facilities

The introduction of day care eligible children associated with the proposed project would cause a 43.7 percent increase in demand over the existing capacity of day care facilities in the study area. Therefore, the proposed actions would result in a significant adverse impact on publicly funded day care facilities warranting consideration of mitigation. This potential increase in demand could be offset by a number of factors, including use of private day care facilities and day care centers outside of the study area; absorption of students by some Family Day Care Networks; and development of new capacity as part of the New York City Administration for Children's Services' public-private partnership initiatives. However, if none of these measures are taken, then the proposed actions would result in an unmitigated adverse day care impact.

Historic Resources

The building containing Nathan's Famous (S/NR-eligible) is located on a potential development site and therefore is assumed to be redeveloped under the proposed actions. However, it is noted that redevelopment of this potential site is less likely to occur than with the projected sites identified on adjacent parcels. In the absence of NYCL designation for this resource, and as the site is privately owned, there are no procedures in place that would ensure pre-construction design review or preventative measures to minimize effects of construction and potential demolition or enlargement. Therefore, the potential development identified on the site containing Nathan's Famous would result in direct significant adverse impacts that would not be mitigated. However, it should be noted that Nathan's Famous is located on a potential development site, which is considered less likely to be redeveloped than a projected development site.

The proposed actions would have the potential to result in significant adverse visual and contextual impacts to the Shore Theater (NYCL-eligible, S/NR-eligible) by diminishing its visual prominence from the west on Surf Avenue. Base heights along the north side of Surf Avenue would be 80 feet in deference

to the Shore Theater, which is approximately 80 feet tall, and the placement of towers to the west of the Shore Theater would be regulated to the site's southwest and northeast corners, away from the theater. However, the Shore Theater would no longer be the tallest building in the rezoning area and its visual prominence along Surf Avenue from the west could be diminished. If this were to occur, there would be no feasible mitigation for the potential impact.

Traffic

The proposed actions would result in significant adverse traffic impacts at locations within the traffic study areas analyzed in the FEIS pursuant to the methodologies contained within the CEQR Technical Manual. Most of the locations that would be significantly impacted could be mitigated using traffic improvements such as new traffic signals, modifying existing signal timing/phasing plans, parking regulation changes, intersection or street channelization improvements, and lane markings and signage.

Under the proposed actions, a maximum of 11 intersections would experience unmitigatable impacts in the 2019 Build year (but not in all peak hours); of these, six intersections could be partially mitigated. The five intersections that would remain unmitigated are the intersections of Mermaid Avenue with West 17th Street (unmitigated in the weekday PM peak hour; partially mitigated in the weekday AM peak hour and the Saturday midday and PM peak hours); Neptune Avenue with West 17th Street/Cropsey Avenue (unmitigated in all five traffic analysis hours); and Ocean Parkway with Neptune Avenue (unmitigated in all five traffic analysis hours), Shore Parkway South (unmitigated in the weekday PM peak hour), and Shore Parkway North (unmitigated in the weekday PM peak hour and the Saturday PM peak hour; partially mitigated in the Saturday midday peak hour). The six intersections where significant traffic impacts could be partially mitigated include Surf Avenue with West 17th Street (Saturday midday peak hour) and West 8th Street (Saturday PM peak hour); Neptune Avenue with Stillwell Avenue (Saturday midday peak hour) and with West 8th Street/Shell Road (four of the five peak traffic analysis hours); and Cropsey Avenue with Bay 50th Street (Saturday midday peak hour) and with Bay 52nd Street (weekday PM peak hour and Saturday midday and PM peak hours). At these intersections, traffic improvements would be able to mitigate one or more—but not all—approaches that would be significantly impacted.

Noise

The proposed actions would result in a significant adverse noise impact at sensitive noise receptors at two locations—at receptor site 6 outside of the rezoning area on West 17th Street between Neptune Avenue and Mermaid Avenue, and at receptor site 11 within the Coney East subdistrict on Stillwell Avenue between Surf Avenue and the Boardwalk. The significant adverse impacts at receptor site 6 could be fully mitigated with double-glazed or storm windows with good sealing properties, and air-conditioning units. However, absent the implementation of such measures, the proposed actions would result in unavoidable adverse impacts at receptor site 6.

At receptor site 11, which is located within the Coney East subdistrict, the proposed actions would result in increases in noise levels between the No Build and Build conditions of more than 10 dBA for all analysis peak periods, except for the weekday AM peak period. This increase in noise levels would exceed the CEQR impact criteria and would constitute a significant adverse noise impact. The exceedances of the CEQR impact criteria at this receptor site would be due principally to noise generated by the activities in the proposed amusement park. There are no feasible mitigation measures that could be implemented to eliminate the significant noise impacts for pedestrians at this location and, therefore, the significant adverse noise impacts are identified in this FEIS as an unavoidable adverse impact.

6. MITIGATION

In accordance with the *CEQR Technical Manual*, mitigation measures are examined to minimize or eliminate these impacts as described below.

Community Facilities

As noted previously, the introduction of day care eligible children associated with the proposed project would cause a 43.7 percent increase in demand over the existing capacity of day care facilities in the study area. Therefore, the proposed actions would result in a significant adverse impact on publicly funded day care facilities warranting consideration of mitigation. This potential increase in demand could be offset by a number of factors. Private day care facilities and day care centers outside of the study area (e.g., closer to parent's place of work) are not included in this analysis. Some of the increased day care demand would likely be offset by parents who choose to take their children to day care centers outside of the study area (e.g., closer to work). Some of the Family Day Care Networks serve children residing in the study area and could potentially absorb some of the demand. This new demand would also be considered in future planning for contracted services. Finally, new capacity could potentially be developed as part of the New York City Administration for Children's Services' public-private partnership initiatives. Children's Services will monitor the demand and need for additional capacity and implement change to the extent practicable and no further mitigation is required.

Traffic and Parking

The proposed actions would result in significant adverse traffic impacts at a number of locations in the traffic study area. The major overall finding of the traffic mitigation analysis is that the majority of the 30 study area locations analyzed for the future with the proposed actions in the weekday AM, midday, PM, Saturday midday, and Saturday PM peak hours would either not be significantly impacted or could be mitigated with traffic improvement measures, including: Signal phasing and/or timing changes, parking regulation changes to gain a travel lane at key intersections, intersection or street channelization improvements, lane markings and signage, and/or installation of traffic signal at one currently unsignalized intersection

Significant adverse traffic impacts that would result from the proposed actions could not be fully mitigated at several locations. The traffic mitigation measures needed for each intersection are detailed in the FEIS. Each of the traffic capacity improvements described in the FEIS fall within the jurisdiction of NYCDOT for implementation. The implementation of these measures would result in the loss of approximately 101 to 148 parking or "standing" spaces during various times of the day and days of the week, including approximately 27 to 55 metered parking spaces. No designated truck loading/unloading zones or bus layover space would be affected by the proposed parking modifications for mitigation.

Transit and Pedestrians

The proposed actions would result in significant adverse impacts to the B36, B68, B74, B82, and X38 bus routes during weekday analysis peak periods and to the B36 bus route during Saturday analysis peak periods. Significant adverse impacts were also identified for the east and west crosswalks at the Stillwell Avenue and Surf Avenue intersection during the weekday and Saturday analysis peak periods. Potential measures to mitigate these impacts are described in the FEIS. While the MTA and NYCT routinely monitors changes in bus ridership and would make the necessary service adjustments where warranted, these service adjustments are subject to the agencies' fiscal and operational constraints and, if implemented, are expected to take place over time.

Significant adverse pedestrian impacts were identified for the east and west crosswalks at the Stillwell Avenue and Surf Avenue. The proposed traffic mitigation measures at this intersection would provide

additional crossing time for the east and west crosswalks but reduce the crossing time currently available at the north crosswalk. In addition, the bulb-out proposed at the southeast corner of the intersection along Surf Avenue would effectively reduce the crossing distance of the east crosswalk by approximately 8 feet. As a result, the pedestrian impacts identified for the east and west crosswalks would be mitigated with the implementation of the proposed traffic mitigation measures. But the shortened crossing time at the north crosswalk would result in a new significant adverse crosswalk impact at this location. Restriping the width of the north crosswalk from its existing width of 16 to 18.5 feet would mitigate this projected significant adverse crosswalk impact.

Air Quality

The results of an analysis of the proposed traffic mitigation measures shows that, as with the build condition, future concentrations of CO with the proposed actions would be below the National Ambient Air Quality Standards (NAAQS) and would not result in any significant adverse air quality impacts using the *de minimis* criteria for CO impacts.

Noise

The proposed actions would result in a significant adverse noise impacts at two receptor locations—at receptor site 6 outside of the rezoning area on West 17th Street between Neptune Avenue and Mermaid Avenue, and at receptor site 11 within the Coney East subdistrict on Stillwell Avenue between Surf Avenue and the Boardwalk.

At receptor site 6, the proposed actions would result in increases in noise levels between the No Build and Build conditions of more than 3 dBA for the weekday midday peak period at 38 residential buildings, three church convent buildings, and one commercial building on West 17th Street between Mermaid and Neptune Avenues, which would exceed the CEQR threshold for a significant adverse impact. The exceedance of the 3 dBA CEQR impact criteria would be due principally to noise generated by the large incremental traffic volumes on West 17th Street. Potential significant adverse impacts at buildings at additional receptor sites A1 to A5 and A8 could be mitigated with acoustical treatments such as sealing and caulking of windows, double-glazed or storm windows with good sealing properties, and air-conditioning units. At the locations where significant adverse impacts are predicted to occur, the City would make these measures available, at no cost, to owners of properties where these measures do not currently exist. With these mitigation measures in place, there would be no significant adverse noise impacts at receptor site 6. However, absent the implementation of such measures the proposed actions would result in significant unmitigated noise impacts at this location.

At receptor site 11, which is located within the Coney East subdistrict, the proposed actions would result in increases in noise levels between the No Build and Build conditions of more than 10 dBA for all analysis peak periods, except for the weekday AM peak period. This increase in noise levels would exceed the CEQR impact criteria and would constitute a significant adverse noise impact. The exceedances of the CEQR impact criteria at this receptor site would be due principally to noise generated by the activities in the proposed amusement park. However, no existing noise-sensitive uses were identified in the vicinity of this receptor site, the increase in noise levels at this location would only impact pedestrians at ground level within the proposed 27-acre entertainment and amusement district, and noise levels within this area would be in the range typically expected in an entertainment and amusement area. There are no feasible mitigation measures that could be implemented to eliminate the significant noise impact for pedestrians at this location and, therefore, the significant noise impact is identified as an unavoidable adverse impact (see Chapter 24, “Unavoidable Significant Adverse Impacts”). While amusement noise would significantly increase ambient noise levels at this location within the proposed entertainment and amusement district, it is not expected to result in noise impacts to residential areas and other sensitive uses outside of the Coney East subdistrict.

7. NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the Final Environmental Impact Statement for the Coney Island Rezoning project has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

8. CONTACT

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The FEIS is also available on the New York City Office of Environmental Coordination website:
<http://www.nyc.gov/oec>



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
On behalf of the Deputy Mayor
for Economic Development

June 5, 2009
Date