DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

October 8, 2021, Revised October 10, 2021

NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT STATEMENT

250 Water Street

Project Identification
CEQR No. 21DCP084M
ULURP Nos. C 210438 (A) ZSM; N 210439 ZRM;
N 210441 ZAM; M 210442 LDM;
C 210443 LDM; M 130053 BZSM;
N 210445 ZAM; C 210446 ZCM
SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online at https://www1.nyc.gov/site/planning/applicants/eis-documents.page. The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS was held on September 1, 2021, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. The Public Hearing also considered modifications to the proposed actions (the Modified Application, ULURP No. C 210438 (A) ZSM). Written comments on the DEIS were requested and were received by the Lead Agency through September 13, 2021. The FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS. The FEIS was revised on October 10, 2021 to include additional comments and responses.

A. INTRODUCTION

The Applicant, 250 Seaport District, LLC, seeks a special permit, modifications to a previously approved large-scale general development (LSGD), zoning text amendments, and authorizations

(the Proposed Actions) from the City Planning Commission (CPC) to facilitate the development of a mixed-use building containing market-rate and affordable housing, retail, office, and community facility spaces as well as parking at 250 Water Street (Block 98, Lot 1; the Development Site). Under the previously proposed project evaluated in the Draft Environmental Impact Statement (DEIS) and the Final Environmental Impact Statement (FEIS), the building would be up to 395 feet tall and include up to approximately 680,500 gross square feet (gsf).

On May 4, 2021, the New York City Landmarks Preservation Commission (LPC) voted to issue Certificates of Appropriateness for a modified design of the previously proposed building on the Development Site (Docket #: LPC-21-03235; Document #: COFA-21-03235) and the potential expansion of the Museum on the Museum Site (Docket #: LPC-21-04480; Document #: SUL-21-04480). On May 13, 2021, the New York City Landmarks Preservation Commission (LPC) issued a Certificate of Appropriateness (Design Approval, the "COFA") with respect to the modified design of the previously proposed building on the Development Site. The program and bulk of the approved designs are within the RWCDS (defined below) that is analyzed as the proposed development on the Development Site and potential expansion of the Museum on the Museum Site for purposes of the DEIS and FEIS. Since the publication of the DEIS, the Applicant has withdrawn the original application (C 210438 ZSM) for the proposed project (referred to in the FEIS as the "previously proposed project") and filed a modified application (ULURP No. C 210438(A) ZSM) reflecting changes to the project that result from the LPC approval. The amended application was analyzed in a technical memorandum issued on August 17, 2021, and is further described and analyzed as the "Reduced Impact Alternative" in the FEIS.

The previously proposed project would also facilitate the restoration, reopening, and potential expansion of the South Street Seaport Museum (the Museum) at 89-93 South Street, 2-4 Fulton Street, 167-175 John Street (Block 74, a portion of Lot 1; the Museum Site). The previously proposed project would additionally include operational changes to facilitate passenger drop off on the Pier 17 access drive as well as minor improvements to the Pier 17 access drive area and building, and may include streetscape, open space, or other improvements (e.g., planters) under the Proposed Actions within the Project Area. The Project Area is located in the South Street Seaport neighborhood in Lower Manhattan, Community District 1.

The Applicant seeks the following discretionary actions in connection with the development of the previously proposed project: (i) a special permit pursuant to Zoning Resolution (ZR) Section 74-743(a) to allow for bulk modifications within a LSGD to allow the distribution of total allowable floor area without regard to zoning lot lines or district boundaries, and the location of buildings without regard to applicable height, setback, or street wall regulations; (ii) modifications to the South Street Seaport/Pier 17 LSGD site plan, zoning calculations and boundaries; (iii) text amendments to the South Street Seaport Subdistrict zoning regulations; and (iv), authorizations to allow for a curb cut on Pearl Street (ZR Section 13-441) and security bollards within a pedestrian circulation path of a waterfront public access area (ZR Section 62-822[b]). In addition, the Applicant seeks certifications pursuant to ZR Section 91-95 to transfer development rights and pursuant to ZR Section 62-12(c) for design changes to the previously approved Pier 17 waterfront site plan. In conjunction with these actions, the Applicant is seeking a modification to the LSGD restrictive declaration to update the previously approved site plan and zoning calculations and to modify the Pier 17 Traffic Management Plan. Finally, the New York City Department of Small Business Services (SBS) is filing an application seeking approval of the disposition of leasehold and easement interests with respect to various City-owned properties located within the South Street Seaport area, which would allow for the renewal and extension of the term of an existing

lease for 99 years, until 2120 (The renewal and extension of the lease is a Type II action pursuant to 6 NYCRR Part 617.5(c)(32).). Collectively, these actions would enable a mixed-use development at the Development Site with affordable units and improvements to the existing South Street Seaport/Pier 17 LSGD.

Additional actions to facilitate the previously proposed project and effectuate other changes to the affected area may include disposition actions relating to the Museum Site and the distribution of floor area to the Development Site, funding decisions and grant of an Article XI Tax Incentive by the Department of Housing Preservation and Development (HPD). The New York City Department of City Planning (DCP), acting on behalf of CPC, will be the lead agency for environmental review. Based on the Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the previously proposed project has the potential to result in significant adverse environmental impacts, requiring that an Environmental Impact Statement (EIS) be prepared.

The project approvals would also include recordation of an (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the Museum Site (Block 74, Lot 1) for Hazardous Materials, Air Quality and Noise, and a Restrictive Declaration to codify commitments made related to the environmental review.

B. DESCRIPTION OF THE PROJECT AREA AND SURROUNDING AREA

PROJECT AREA

The Project Area includes the Development Site, the Museum Site, existing museum spaces located outside boundaries of the Museum Site, as well as several additional areas that may include streetscape, open space, or other improvements (e.g., planters) under the previously proposed project. The Project Area also includes the area of the Pier 17 LSGD, containing Pier 17 and the Tin Building.

The Development Site on which the previously proposed project would be constructed, is located at 250 Water Street (Block 98, Lot 1). The approximately 48,000-square-foot (sf) Development Site is owned by the Applicant. It currently contains a surface parking lot with a kiosk and approximately 400 parking spaces. The Development Site occupies the full block bounded by Pearl Street, Water Street, Beekman Street, and Peck Slip. Low- and mid-rise buildings similar to the existing structures to the south and east were previously located on the Development Site, before being razed in the 1950s–1970s.

The Museum Site occupies a portion of the block located between John Street, South Street, Front Street, and Fulton Street (Block 74, a portion of Lot 1). The future renovation, reopening, and potential expansion of the Museum on the approximately 16,340-squre-foot (sf) Museum Site would be facilitated as a result of the previously proposed project. This includes existing spaces that would be renovated in the historic, approximately 200-year-old Schermerhorn Row buildings at the corner of Fulton and South Streets (91-93 South Street and 2-4 Fulton Street), the Museum's "Collections" spaces for which no work is proposed but which would reopen, located in the historic, approximately 170-year-old AA Low Building on John Street (167-171 John Street), and a vacant lot currently used for parking and storage at the corner of South Street and John Street (89 South Street/175 John Street) that would be the site of a potential future expansion of the Museum (the John Street Lot). The Museum first opened in 1967 and has been forced to close several times in the last two decades due to 9/11 in 2001, flooding from Hurricane Sandy in 2012,

and the COVID-19 pandemic in 2020.

The remainder of the Project Area consists of existing Museum spaces outside the boundaries of the Museum Site that would be vacated in the future as well additional areas that may include streetscape, open space, or other improvements (e.g., planters) under the previously proposed project. The Project Area also includes the area of the Pier 17 Large-Scale General Development, containing Pier 17 and the Tin Building.

SURROUNDING AREA

The ¼-mile area surrounding the Project Area includes the South Street Seaport neighborhood, which is located to the south of the Brooklyn Bridge on the East River waterfront, as well as portions of the Financial District, Civic Center, and Two Bridges neighborhoods.

All of Lower Manhattan south of Murray Street and the Brooklyn Bridge falls within the Special Lower Manhattan District. This area primarily consists of various C5 and C6 commercial zoning districts. The Development Site and much of the surrounding neighborhood are located within a commercial C6-2A district within the South Street Seaport Subdistrict of the Special Lower Manhattan District. The Museum Site and southern portion of the South Street Seaport neighborhood are located within a C5-3 district, and the waterfront is within a C4-6 district; these areas are also located within the South Street Seaport Subdistrict. Residential zoning districts near the Project Area include R7-2 and R8 residential districts, mapped in the Two Bridges neighborhood and at the Southbridge Towers, respectively. The Project Area and surrounding area of Lower Manhattan have good access to public transit, being located near numerous subway lines (the 1, 2, 3, 4, 5, 6, A, C, E, J, R, W, and Z), several bus lines, as well as the NYC and Staten Island Ferries.

The South Street Seaport neighborhood, which the Project Area is located within, includes a range of land uses and building types. Schermerhorn Row and the other buildings on the Museum Site's block include ground-floor retail uses and other commercial uses as well as space for the existing Museum. Other blocks in the neighborhood include low-rise buildings, many historic, with residential uses and ground-floor restaurant and retail uses. Other uses in the South Street Seaport neighborhood include hotel and community facility uses and a Con Edison substation along South Street between Peck Slip and Dover Street. Across from the Development Site are two schools, the Blue School and Public School (P.S.) 343. Along Fulton Street is the Fulton Market Building, with restaurant/retail and entertainment uses. The area along the waterfront across the FDR Drive contains the East River Esplanade open space and piers (Piers 16 and 17) that are used for recreational, cultural/entertainment, restaurant, and retail uses. Pier 15, to the south of Piers 16 and 17, has been reconstructed as publicly accessible open space containing pier-level pavilions and a rooftop open space.

The Two Bridges neighborhood is located to the northeast of the Project Area, the Civic Center neighborhood is located to the north, and the Financial District neighborhood is located to the west and northwest. The Two Bridges neighborhood is a residential neighborhood with several high-rise housing developments, community facility uses, and open spaces. New York City Housing Authority (NYCHA) Governor Alfred E. Smith Houses, a public housing project, is located in the Two Bridges neighborhood near the Project Area to the north of the Brooklyn Bridge. Open space (the Alfred E. Smith Playground) and a school (P.S. 126) are also located near the Project Area north of the Brooklyn Bridge. Several modern residential towers have also been constructed or are planned for construction in the northeastern portion of the Two Bridges neighborhood, more than

½-mile from the Project Area. The Civic Center neighborhood to the north of the Project Area features several prominent institutional uses including offices of the City of New York, Pace University, and New York Presbyterian Hospital, as well as residential, commercial, and open space uses. The portion of the Financial District north of Fulton Street and northwest of the Development Site contains Southbridge Towers, a large housing cooperative built under the Mitchell-Lama housing program that was completed in 1969 on a superblock between Gold and Pearl Streets. This portion of the neighborhood also contains the New York-Presbyterian/Lower Manhattan Hospital and the facilities of Pace University, both of which are located along Spruce Street west of Gold Street, as well as a modern residential tower with a school (P.S. 397) at 8 Spruce Street and other mid- and high-rise blocks with mixed uses further to the northwest including City agency offices at 100 Gold Street.

C. DESCRIPTION OF THE PREVIOUSLY PROPOSED PROJECT

The previously proposed project is an approximately 680,500-gsf mixed-use building that would include approximately 394,400 gsf of residential uses, 267,747 gsf of office uses, 13,353 gsf of retail uses, 5,000 gsf of community facility uses, and 108 parking spaces. The previously proposed project would include up to 394 dwelling units (DUs), of which approximately 25 percent (up to 99 DUs) would be affordable. The building would consist of a seven-story, full-block base occupying the entire Development Site with mixed uses (up to approximately 105 feet in height) on which a tower would be set. The tower, containing residential uses, would rise from the base to a total height of up to approximately 395 feet.

The previously proposed project would also facilitate the restoration, reopening, and potential expansion of the existing Museum on the Museum Site. Funding provided to the Museum would stabilize and strengthen its finances, setting the stage for its potential expansion. The restoration and reopening of the Museum would include approximately 27,996 gsf of renovated space for the Museum in several of the Schermerhorn Row Buildings at the corner of Fulton Street and South Street (91-93 South Street and 2-4 Fulton Street). The potential expansion of the Museum would result in a seven-story (approximately 62 feet in height), 32,383-gsf building to be constructed on the vacant John Street Lot at the corner of John Street and South Street (89 South Street/175 John Street). The expansion would contain additional exhibit and back office spaces for the Museum. The Museum's existing 26,312-gsf "Collections" building (167-171 John Street) would not be modified under the previously proposed project but would be reopened.

As part of the site plan modifications to the previously approved South Street Seaport/Pier 17 LSGD site plan, three guard booths would be installed, security bollards would be installed along South Street, the Pier 17 access drive would be slightly realigned, and a new skylight would be added to the top of the building on Pier 17. The previously proposed project would also include operational changes to facilitate passenger drop off on the Pier 17 access drive, and may include streetscape, open space, or other improvements (e.g., planters) under the Proposed Actions within the Project Area.

D. PROPOSED ACTIONS NECESSARY TO FACILITATE THE PREVIOUSLY PROPOSED PROJECT

The previously proposed project requires the following discretionary land use actions:

- A special permit pursuant to ZR Section 74-743(a) for bulk modifications within a LSGD to allow (i) the distribution of total allowable floor area without regard to zoning lot lines or

district boundaries, and (ii), the location of buildings without regard to applicable height, setback or streetwall regulations; and related adjustments to the boundaries of the South Street Seaport/Pier 17 LSGD;

- Modifications to the South Street Seaport/Pier 17 LSGD site plan, zoning calculations, and boundaries;

- Text amendments to the South Street Seaport Subdistrict regulations (ZR Article IX, Chapter 1); and

- Authorizations to allow: (i) a curb cut accessing an accessory off-street parking facility to be located on Pearl Street (ZR Section 13-441); and (ii) security bollards to be located within a pedestrian circulation path of a waterfront public access area (ZR Section 62-811) that exceed the maximum permitted height and provide less than the required minimum clearance between bollards.

In addition, other actions will include certifications pursuant to ZR Section 91-65 to transfer development rights and pursuant to ZR Section 62-12(c) for design changes to the previously approved Pier 17 waterfront site plan. In conjunction with these actions, the Applicant is seeking a modification to the LSGD restrictive declaration to update the previously approved site plan and zoning calculations and to modify the Pier 17 Traffic Management Plan. Although the New York City Department of Transportation (DOT) has not approved the proposed operational changes to the Pier 17 access drive, the potential effects of these changes are analyzed in the FEIS. DOT reserves the right to maintain or modify the Traffic Management Plan established in 2016. Finally, the SBS is filing an application seeking approval of the disposition of leasehold and easement interests with respect to various city-owned properties located within the South Street Seaport area, which would allow for the renewal and extension of the term of an existing lease for 99 years, until 2120. In addition, other actions may include, as necessary, disposition actions, funding decisions, and the grant of an Article XI Tax Incentive by HPD to facilitate the previously proposed project and effectuate other changes to the affected area.

Since the Project Area is located within the South Street Seaport Historic District, construction and design of the previously proposed building on the Development Site and proposed expansion on the Museum Site are also subject to LPC review and approval. Public hearings were held on January 5 and April 6, 2021, and on May 4, 2021, LPC voted to issue Certificates of Appropriateness for a modified design of the previously proposed building on the Development Site (Docket #: LPC-21-3235; Document #: COFA-21-03235) and the potential expansion of the Museum (LPC Docket #: LPC-21-04480; Document #: SUL-21-04480). On May 13, 2021, LPC issued a Certificate of Appropriateness (Design Approval, the "COFA") with respect to the modified design of the previously proposed building on the Development Site.

The Project Area is also located within the City's Coastal Zone and will require review by CPC, in its capacity as the City Coastal Commission, to determine consistency with the relevant Waterfront Revitalization Policies.

The project approvals would also include recordation of an (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the Museum Site (Block 74, Lot 1) for Hazardous Materials, Air Quality and Noise, and a Restrictive Declaration to codify commitments made related to the environmental review.

E. PURPOSE AND NEED

The previously proposed project would distribute unused floor area from the waterfront, helping to preserve and maintain its low-scale character, and facilitate the development of the previously proposed building further inland on the currently underutilized Development Site, introducing new mixed-uses and affordable housing on a previously contaminated site that would undergo remediation.

The distribution of development rights from the Pier 17/Tin Building zoning lot to the Development Site would support ongoing efforts to revitalize and activate the South Street Seaport area. The distribution of unused floor area away from the waterfront would help maintain the low-scale of the area's waterfront by moving new development inland near more similarly scaled buildings. The proposed bulk modifications sought in connection with the Special permit would allow for a building massing and design consistent with a Certificate of Appropriateness under consideration by LPC. The proposed mixed-use development would be consistent with existing commercial and residential towers to the south and west of the Development Site and would increase the amount of residential (including affordable units), office, retail, and community facility space in the South Street Seaport neighborhood. The introduction of new affordable units would create a more diverse mix of residents within the area and allow less affluent New Yorkers to live closer to job centers such as the nearby Financial District, furthering the De Blasio Administration's affordable housing goals detailed in *Housing New York* and *Housing New York 2.0*. Development of the previously proposed project would involve remediation of any contaminants on the Development Site, ensuring that any contaminants are safely addressed and allowing for future use of the site.

In addition, the previously proposed project would also facilitate the restoration, reopening, and potential expansion of the Museum on the Museum Site. The Museum, a key part of the South Street Seaport neighborhood, first opened in 1967. The Museum has experienced recent financial hardships, including several closures (in 2001 due to 9/11, in 2012 due to flooding from Hurricane Sandy, and in 2020 due to the COVID-19 pandemic). The previously proposed project would facilitate the Museum's restoration, reopening, and potential expansion and ensure its continued role as a key part of the neighborhood and draw for tourists, furthering the preservation and revitalization of the neighborhood.

F. ANALYTICAL FRAMEWORK

The previously proposed project would change the regulatory controls governing development within the Project Area. The *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential impacts to the environment. The lead agency is required to take a "hard look" at the environmental impacts of previously proposed project and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An EIS is a comprehensive document used to systematically consider environmental effects, evaluate reasonable alternatives, and identify and mitigate, to the maximum extent practicable, any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

ANALYSIS YEAR

The previously proposed project would be constructed on the Development Site in a single phase and is anticipated to begin construction in early 2022. Construction is anticipated to be completed by 2026. Construction of the previously proposed building on the Development Site would consist of the following stages: excavation and foundation (approximately 13 months), superstructure (approximately 11 months), exteriors (approximately 12 months), interiors and finishing (approximately 18 months), and site work (approximately 4 months). The total anticipated construction duration is approximately 36 months.

The restoration, reopening, and potential expansion of the Museum is also expected to be completed by the 2026 analysis year and would occur in two phases. The first phase would consist of the renovation of existing Schermerhorn Row buildings to contain Museum uses (11 months). Although no work would occur on them, the Museum's "Collections" spaces would also be assumed to reopen upon completion of the renovations. The second phase, the potential expansion of the Museum, would include the following stages: excavation and foundation (approximately 3 months), superstructure (approximately 4 months), exteriors (approximately 6 months) and interiors and finishing (approximately 12 months). The total anticipated construction duration for the renovation and potential expansion of the Museum is approximately 31 months.

As the previously proposed project would be complete and operational in 2026, the environmental setting for analysis is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess the current conditions and forecast these conditions to the 2026 Analysis Year for the purposes of determining potential impacts. The FEIS provides a description of the Existing Condition and assessment of conditions in the future without the previously proposed project (the No Action condition) and the future with the previously proposed project (the With Action condition).

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed to compare the future without the previously proposed project (the No Action condition) to the future with the previously proposed project (the With Action condition). The incremental difference between the future No Action condition and future With Action condition serves as the basis for identifying potential environmental impacts, as described below. The requested Special Permit would require the submission of drawings reflecting the previously proposed project's development program to CPC. Therefore, the previously proposed project would represent the upper bounds of potential development and its impact would be no worse than those assessed in the FEIS.

DEVELOPMENT ASSUMPTIONS

The RWCDS assumes that no new development is anticipated to occur as a result of the Proposed Actions outside of the Development Site and, potentially, the Museum Site; no sites within the Project Area meet the *CEQR Technical Manual's* criteria for soft sites (i.e., substantially underbuilt buildings and lots larger than 5,000 sf). While the future of the Museum remains uncertain, for purposes of analysis, it is conservatively assumed that absent the previously proposed project, the Museum would be forced to close. The proposed program for the Development Site in the No Action condition is assumed to maximize the potential development program that can be constructed as-of-right on the Development Site. An average unit size of 1,000 gsf of residential space per DU was assumed in both the With Action condition and No Action

condition. The previously proposed project would include affordable DUs, and, for purposes of environmental review, it is assumed that up to 99 DUs would be affordable, approximately 25 percent of the 394 DUs being evaluated. (While the Applicant intends to construct larger DUs resulting in a lower DU count, a higher DU count is being conservatively analyzed for the purposes of environmental review in order to most fully assess the potential impacts of a larger residential population. Similarly, the environmental review will assess a higher affordable DU count than planned in order to assess the potential impacts of a larger residential population living in affordable DUs that may impose new burdens on technical areas such as City-funded childcare services). No affordable units would be provided in the No Action condition.

FUTURE WITHOUT THE PREVIOUSLY PROPOSED PROJECT (NO ACTION CONDITION)

In the No Action condition, the Development Site is anticipated to be redeveloped with a new as-of-right building that would not require any discretionary approvals requiring environmental review. Development under the No Action condition would be a 120-foot-tall, approximately 327,400-gsf building containing approximately 302,670 gsf of residential uses (approximately 302 DU, all market-rate), 19,730 gsf of retail uses, 5,000 gsf of community facility uses, and 65 parking spaces.

While the future of the Museum remains uncertain, for purposes of analysis, it is conservatively assumed that absent the previously proposed project, the Museum would permanently close. As such, there would be no renovated spaces for the Museum, nor would there be a potential expansion of the Museum.

FUTURE WITH THE PREVIOUSLY PROPOSED PROJECT (WITH ACTION CONDITION)

The With Action condition would see the construction of the previously proposed project on the Development Site. As described above, the previously proposed project would consist of an approximately 680,500-gsf building including approximately 394,400 gsf of residential uses (in order to ensure a conservative analysis, the environmental review assumes approximately 394 total DU, of which approximately 25 percent, or 99 DU, are assumed to be affordable), 267,747 gsf of office uses, 13,353 gsf of retail uses, 5,000 gsf of community facility uses, and 108 parking spaces in an underground garage. The building would consist of a seven-story, full-block base with mixed-uses (up to approximately 105 feet in height) on which a tower would be set. The tower, containing residential uses, would rise from the base to reach a total height of up to approximately 395 feet.

The With Action condition would also include the restoration and reopening of the existing Museum on the Museum Site, as well as the potential development of a new Museum expansion. The restoration and reopening of the Museum would consolidate its spaces within approximately 27,996 gsf of renovated space at the corner of Fulton Street and South Street (91-93 South Street and 2-4 Fulton Street) and provide a new, more prominent entrance at the street corner. No work would occur in the approximately 26,312-gsf AA Low Building at 167-171 John Street, but the Museum's "Collections" spaces located within would also reopen in the With Action condition. The potential expansion of the Museum would result in a seven-story, approximately 62-foot-tall, 32,383-gsf building on the John Street Lot that would be integrated with other museum areas and include gallery spaces and a multi-use auditorium space on the ground level. The Museum is an important part of the neighborhood, and its continued operation educating the public about the City's maritime history would be of great benefit to the neighborhood, City, and region.

As part of the site plan modifications to the previously approved South Street Seaport/Pier 17

LSGD site plan, three guard booths would be installed, the Pier 17 access drive would be slightly realigned, and a new skylight would be added to the top of the building on Pier 17. Operational changes would be made to the Pier 17 access drive to facilitate passenger drop off in the With Action condition, and additional streetscape, open space, or other improvements (e.g., planters) may also occur in the remainder of the Project Area under the With Action condition (see **Table 1**). Although the New York City Department of Transportation (DOT) has not approved the proposed operational changes to the Pier 17 access drive, the potential effects of these changes are analyzed in the FEIS. DOT reserves the right to maintain or modify the Traffic Management Plan established in 2016.

Table 1
Reasonable Worst Case Development Scenario

Use	Existing Condition	No Action Condition	With Action Condition	Increment
Development Site				
Residential (gsf)	0	302,670	394,400	+ 91,730
DU	0	302	394	+ 92
Affordable DU	0	0	99	+ 99
Office (gsf)	0	0	267,747	+ 267,747
Retail (gsf)	0	19,730	13,353	- 6,377
Community Facility (gsf)	0	5,000	5,000	0
Parking Spaces	400	65	108	+ 43
Development Site Totals (gsf)	*0*	*327,400*	*680,500*	*+ 353,100*
Museum Site				
Potential Museum Expansion (gsf)	0	0	32,383	+ 32,383
Existing/Renovated Space for Museum (gsf)	44,231	0[1]	27,996	+ 27,996
"Collections" Space (gsf)	26,312	0[1]	26,312	+ 26,312
Museum Site Totals (gsf)	*66,543*	*0[1]*	*86,691*	*+86,691*

Notes:
[1] While the existing Museum buildings would remain in the No Action condition, it is conservatively assumed that the Museum spaces themselves would be closed in the No Action condition.
[2] Large mechanical spaces (e.g., bulkheads and mechanical rooms) are not included in the total GSF provided above.
[3] In both the No Action and With Action conditions, the cellar of the Development Site building would include 46,895 gsf of accessory residential space and 1,025 gsf of accessory commercial space.
Source: Skidmore, Owings, & Merrill (SOM)

G. PROBABLE IMPACTS OF THE PREVIOUSLY PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

A detailed assessment determined that the previously proposed project would not result in significant adverse impacts on land use, zoning, or public policy.

The previously proposed project would not result in significant adverse impacts on land use, zoning, or public policy. The FEIS's assessment of land use, zoning, and public policy, concludes that the previously proposed project would be compatible with existing land uses in the surrounding area and would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with

surrounding land uses, zoning, or public policies. As discussed above, the previously proposed project would introduce up to 394 DUs on the Development Site, of which up to approximately 99 DUs would be affordable. It would also introduce approximately 267,747 gsf of office uses, 13,353 gsf of retail uses, 5,000 gsf of community facility uses, and 108 parking spaces, as well as facilitating the restoration, reopening, and potential expansion of the Museum.

The new uses introduced by the previously proposed project would be compatible with and enhance the surrounding area, which already includes similar uses, and the previously proposed building would be of a comparable scale to other buildings in the study area while being respectful of smaller-scale buildings nearby. The continued operation and potential expansion of the Museum in the With Action condition would be of great benefit to the neighborhood, City, and region. Overall, the previously proposed project would not result in any significant adverse land use impacts.

The previously proposed project would distribute unused floor area from the waterfront, helping to preserve and maintain its low-scale character, and facilitate the development of the previously proposed building on the currently underutilized Development Site, introducing new mixed-uses and affordable housing on a previously contaminated site that is undergoing remediation. The Proposed Actions would only modify the zoning regulations applicable to the Development Site and Project Area and would not affect zoning regulations applicable to the remainder of the study area. The previously proposed project would not adversely affect zoning policies or regulations in the study area, and it would be consistent with the residential and commercial zoning districts in the study area. Overall, the previously proposed project would not result in significant adverse zoning impacts.

The previously proposed project would be consistent with, and support of, the public policies applicable to the Project Area and the study area including *Housing New York* and *Housing New York 2.0*, OneNYC/PlaNYC, New York Works, Vision Zero, the New York City Landmarks Law, and the Waterfront Revitalization Program. Overall, the previously proposed project would not result in any significant adverse impacts to public policy.

SOCIOECONOMIC CONDITIONS

A preliminary assessment determined that the previously proposed project would not result in significant adverse socioeconomic impacts.

INDIRECT RESIDENTIAL DISPLACEMENT

A preliminary assessment of indirect residential displacement finds that the previously proposed project would not result in significant adverse impacts due to indirect residential displacement. The previously proposed project would not introduce a population that could substantively alter local real estate market conditions. The previously proposed project's population would represent less than one percent of the future study area population, and the incomes of the project population would be similar to and less than the study area's existing average household income. The average household income in the study area is very high ($182,313 in 2018); the previously proposed project's market rate units would rent to households whose incomes are similar to this study area average. The previously proposed project would also introduce up to 79 affordable units that would be available to families with incomes well below the study area average. (For purposes of the socioeconomic assessment, it is assumed that 79 DUs would be affordable, 20 percent of the 394 DUs being evaluated under the RWCDS. This is less than the 25 percent used elsewhere in the

environmental review because a lower amount of affordable housing is more conservative for the purposes of the socioeconomic assessment. No affordable units would be provided in the No Action condition.) In the aggregate, the previously proposed project would introduce an average household income below the average for the study area, and in providing permanently affordable housing, would serve to maintain a broader demographic in an area that has experienced increasing incomes and rents over time.

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the previously proposed project would not result in significant adverse impacts due to indirect business displacement. While the previously proposed project would introduce large residential, commercial office, and museum space increments, the study area already has well-established residential and commercial office markets, and commercial rents (retail and office) are already influenced by the presence of the existing South Street Seaport Museum and other study area attractions. The previously proposed project would not add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend or to alter existing patterns. The previously proposed project would not directly or indirectly displace residents or businesses that directly support businesses in the study area or bring people to the area that form a customer base for local businesses. Rather, the previously proposed project would introduce new residents and workers who would grow the customer base for local businesses, and would maintain and grow the existing South Street Seaport Museum use, which attracts visitors to the study area who form a customer base for local businesses.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment finds that the previously proposed project would not adversely affect any specific industries. The previously proposed project would not directly displace any businesses, and would not indirectly substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

OPEN SPACE

An open space assessment determined that the previously proposed project would not result significant adverse indirect impacts to open space. The previously proposed project would, however, result in a in a significant adverse shadows impact to one open space resource (the Southbridge Towers complex open spaces) resulting from new shadow cast by the previously proposed project.

DIRECT EFFECTS

The previously proposed project would result in a significant adverse direct impact to one open space resource resulting from new shadow cast by the previously proposed project. The Development Site's shadow would pass across portions of the Southbridge Towers complex open spaces from early to late morning in the spring, summer, and fall, covering large areas at times, and significantly altering the use of the spaces for users seeking sun, and potentially impacting the health of the trees and plantings in one limited area.

The previously proposed project would not result in any direct impacts to open space in the technical areas of air quality, noise, and construction air quality, nor would it result in direct impacts as a result of open space displacement. Two open space resources, the Pearl Street Playground and the Imagination Playground, located near the Development Site and Museum Site

respectively, would experience temporary disruptions from construction noise. Construction could produce noise level increases that would be noticeable and potentially intrusive during the most noise-intensive nearby construction activities and would produce noticeable increases over the course of construction, and the effects of construction noise would constitute a significant adverse impact as per the *CEQR Technical Manual*.

INDIRECT EFFECTS

The previously proposed project would increase utilization of study area resources due to the introduction of new residential and worker populations. In both the "No Action" condition and the "With Action" condition, the total open space ratio in the residential open space study area would remain below the City's median of 1.5 acres of total open space per 1,000 residents and the City's planning goal of 2.5 acres of total open space per 1,000 residents.

With the previously proposed project, as compared to the No Action condition, the residential study area's total, active, and passive open space ratios would all decrease by approximately 0.3 percent; the total open space ratio (0.87 acres per 1,000 residents) and active open space ratio (0.219 acres per 1,000 residents) would remain below the City's goals, while the passive open space ratio (0.652 acres per 1,000 residents) would continue to meet the City's goal. In the non-residential study area, the passive open space ratio within the study area would decrease in the With Action condition compared with the No Action condition by approximately one percent. However, the With Action condition passive open space ratio of 0.175 acres per 1,000 non-residents would continue to meet the City's planning goal of 0.15 acres of passive open space per 1,000 non-residents.

According to the *CEQR Technical Manual*, an action may result in a significant adverse open space impact if it would reduce the open space ratio by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. Therefore, as there would be a less than 5 percent decrease in the total, active, and passive open space ratios in the With Action condition compared with that of the No Action condition, the previously proposed project would not result in a significant adverse indirect impact to open space and a detailed open space analysis is not required.

SHADOWS

The detailed shadows analysis determined that the previously proposed project would result in a significant adverse impact related to shadows.

While the previously proposed project would cast incremental shadows on 14 sunlight-sensitive open spaces and one sunlight-sensitive natural resource in one or more seasons, in most cases the new shadow would be limited in extent and duration and would not substantially affect the use of the spaces or the health of trees and plantings. In the case of the Southbridge Towers complex open spaces, the Development Site's shadow would pass across portions of the open space areas in the complex from early to late morning in the spring, summer, and fall, covering large areas at times, and significantly altering the use of the spaces for users seeking sun, and potentially impacting the health of the trees and plantings in one limited area.

HISTORIC AND CULTURAL RESOURCES

The previously proposed project would not result in significant adverse impacts to historic and cultural resources with respect to archaeological resources, however, the previously proposed

project would result in significant adverse impacts for architectural resources.

ARCHAEOLOGICAL RESOURCES

A Topic Intensive Archaeological Documentary Study (the Study) has been prepared to identify areas of archaeological sensitivity and to refine sensitivity determinations that were made in previous archaeological investigations. Pursuant to CEQR, consultation with LPC was initiated regarding the potential archaeological significance of the study area. LPC reviewed the blocks and lots included within the study area and in a comment letter dated November 10, 2020 identified several locations within the Project Area as potentially archaeologically significant. The study area for archaeological resources includes the area that would be disturbed for project construction, i.e., the Development Site and the Museum Site. In addition, although no in ground disturbance is anticipated with respect to Titanic Park, Pier 16, and the streetbeds that are included within the Project Area, these areas have been conservatively included within the study area for the archaeological resource analysis. The Study also examined the entire footprint of Block 74, Lot 1, including areas surrounding the Museum Site.

Many of the locations within the Project Area have been the subject of previous archaeological inquiry, including both documentary research studies and field investigations involving either monitoring or testing. The Study summarized these previous investigations and combined their findings with new research to reevaluate previous determinations of archaeological sensitivity. All components of the Project Area were determined to have archaeological sensitivity at various depths:

- Development Site (Block 98, Lot 1): Highly sensitive for archaeological resources associated with landfill and landfill-retaining structures at depths greater than 8 feet below the current ground surface;
- Museum Site (Block 74, portion of Lot 1): Highly sensitive for archaeological resources associated with landfill and landfill-retaining structures and 18th-19th century shaft features at varying depths below existing basement and utility disturbance;
- Titanic Park (Block 95, Lot 101): Low sensitivity for 19th century shaft features and high sensitivity for resources associated with landfill and landfill-retaining structures below depth of 5 feet below ground surface;
- Pier 16 (Block 73, Lot 8): Low sensitivity for archaeological resources of any type;
- Project Area Streetbeds: Undisturbed areas within each of the Project Area streetbeds possess moderate to high sensitivity for archaeological resources associated with landfilling activities and 18th and 19th century artifact deposits or features.

For any areas that have been identified as archaeologically sensitive that could potentially be impacted by the previously proposed project, additional archaeological analysis in the form of Phase 1B testing before construction and/or monitoring during construction will be required in consultation with LPC. Upon the finalization of the project design, the project plans and specific depths of impacts would be reviewed by a qualified archaeologist to determine if the previously proposed project would impact archaeologically sensitive soil levels. For any areas that would require additional archaeological analysis in the form of either archaeological monitoring or archaeological testing, a Work Plan describing the protocols that would be followed during the Phase 1B field effort would be submitted to LPC for review and concurrence prior to the start of the Phase 1B field effort. In the event that potentially significant archaeological resources are encountered during the Phase 1B work, then additional archaeological analysis in the form of a

Phase 2 archaeological survey/evaluation and possibly Phase 3 data recovery/mitigation would be required. With the completion of all necessary phases of work, and continued consultation with LPC—including the review and approval of all submitted work plans and final technical reports—the previously proposed project would not result in significant adverse impacts on archaeological resources.

ARCHITECTURAL RESOURCES

A new building on the Development Site that would be developed to the maximum building envelope (e.g., up to a maximum height of 395 feet) would result in significant adverse contextual impacts to historic resources.

Since the Project Area is located within the New York City Landmark (NYCL) South Street Seaport Historic District, construction and design of the previously proposed building on the Development Site and the potential expansion on the Museum Site are subject to LPC review and approval. Public hearings were held on January 5 and April 6, 2021, and on May 4, 2021, LPC voted to issue Certificates of Appropriateness for a modified design of the previously proposed building on the Development Site (Docket #: LPC-21-3235; Document #: COFA-21-03235) and the potential expansion of the Museum (LPC Docket #: LPC-21-04480; Document #: SUL-21-04480). On May 13, 2021, LPC issued a Certificate of Appropriateness (Design Approval, the "COFA") with respect to the modified design of the previously proposed building on the Development Site. The program and bulk of the approved designs are within the RWCDS that is analyzed in the DEIS and FEIS for the previously proposed building on the Development Site and the potential expansion of the Museum.

For the purposes of the FEIS, a new building on the Development Site that would be developed to the maximum building envelope (e.g., up to a maximum height of 395 feet) would have the potential to result in significant adverse contextual impacts to historic resources. The Applicant submitted a revised Land Use Application (Application Number C 210438(A) ZSM; the "A-Application") consistent with the LPC-approved designs between the publication of the DEIS and this FEIS, which is considered in the FEIS. The previously proposed project would not cast significant new shadow on or obstruct views to any architectural resource. To avoid adverse physical impacts on architectural resources located close enough to project construction (within 90 feet), i.e., to potentially experience inadvertent construction damage due to ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery, the previously proposed project would develop and implement construction protection plans in consultation with LPC.

URBAN DESIGN AND VISUAL RESOURCES

A detailed urban design and visual resources assessment concluded that the previously proposed project would not result in any significant adverse impacts to urban design and visual resources.

URBAN DESIGN

It is expected that the previously proposed project would not result in adverse impacts on the urban design of the study area, but instead would provide numerous improvements to the pedestrian experience.

The previously proposed building on the Development Site, like the No Action building, would have beneficial effects on the pedestrian experience by redeveloping the large parking lot on the site with a new building that includes active ground floor retail, community facility, and residential

uses. Those uses, along with the proposed office uses, would be compatible with the mix of uses that characterize the densely developed study area. Further, the previously proposed building, like the No Action building, would fill a large gap within the boundaries of the South Street Seaport Historic District. While the previously proposed building on the Development Site would be larger and taller than the No Action building, it would be compatible in terms of scale, height, massing, and materials with the urban design of the study area.

Unlike the No Action condition, the previously proposed project would further enhance the pedestrian experience and urban design of the study area by restoring existing buildings on the Museum Site for continued Museum use, and by potentially redeveloping the vacant lot at the corner of John Street and South Street with an expansion to the Museum. The seven-story expansion building would be compatible with the scale, massing, and materials of the Schermerhorn Row block and with the historic district as a whole. It would create a consistent streetwall with the existing buildings on John and South Streets, and it would fill the existing gap in the Schermerhorn Block created by the vacant lot. The replacement of the vacant lot, which is currently used for parking and storage, with a museum use would also have beneficial effects on the adjacent Imagination Playground.

VISUAL RESOURCES

The previously proposed project would not be expected to result in significant adverse impacts on visual resources. The restoration of the buildings on the Museum Site and the potential expansion, which would not occur in the No Action condition, would enhance the visual character of the Schermerhorn Row block, which is a visual resource, and study area views on Fulton, South, and John Streets around the Museum Site.

Constructed on an existing block and built to the lot lines, the previously proposed building on the Development Site, like the No Action building, would not block the view corridors along Pearl Street, Water Street, Beekman Street, or Peck Slip. Neither the previously proposed building on the Development Site nor the No Action building would block views toward the waterfront, of the lighthouse in Titanic Park, or of the Brooklyn Bridge. While the previously proposed building would block views from Pearl Street of historic district buildings on Water Street, Beekman Street, and Peck Slip, the No Action building would block those same views. Compared to the No Action building, the previously proposed building would partially block views west along Peck Slip of the New York by Gehry Building at 8 Spruce Street; however, views west of that building would continue to be unaffected on Beekman Street and views of the visual resource would continue to be available from other locations in the study area. On Peck Slip at South Street, the previously proposed building, compared to the No Action building, would block views west of the upper floors of One World Trade Center; however, those blocked views from a limited location in the study area would not result in a significant adverse impact, as One World Trade Center would continue to be visible from other locations in the study area.

The previously proposed building on the Development Site would be visible from Pier 17 and the Brooklyn Bridge. While the No Action building would also be visible from those locations, the taller previously proposed building would be more prominent, but it would not result in adverse effects on those views. From both locations, it would be seen in the background of the low-rise buildings comprising the South Street Seaport neighborhood, and it would fit in with the surrounding context of tall buildings in the Financial District and Civic Center. In addition, in comparison to those existing buildings, the shorter previously proposed building would appear as a transition building from the waterfront to the Financial District.

NATURAL RESOURCES

A site-specific natural resources assessment concluded that the previously proposed project would not result in significant adverse impacts to floodplains and natural resources, including threatened or endangered species.

FLOODPLAINS

The previously proposed project would partially occur within the 1 percent annual chance (100-year) and 0.2 percent annual chance (500-year) floodplains. Because these coastal floodplains are affected by coastal flooding rather than local or fluvial flooding, the construction and operation of the previously proposed project would not exacerbate flooding conditions on or near the Project Area. The previously proposed project would also not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwater within the Project Area or the surrounding area.

GROUNDWATER

The permanent placement of the below-grade structures associated with the previously proposed project would not adversely affect the overall direction of groundwater flow. Proper handling of hazardous materials would be ensured, including any contaminated groundwater encountered. Any groundwater recovered during dewatering will be treated in accordance to New York City Department of Environmental Protection (DEP) requirements prior to discharge to the sewer system. With these measures in place, construction of the previously proposed project would not have the potential to result in significant adverse impacts to groundwater.

AQUATIC RESOURCES

The previously proposed project would not result in any in-water work within the East River. The only potential for the With Action condition to affect aquatic resources within the East River is the discharge of combined sewer overflow (CSO). The previously proposed project would require site connection from DEP, and sanitary and stormwater source control best management practices (BMPs) would be implemented to reduce sanitary volume and peak stormwater runoff volumes to the combined sewer system. With these measures in place, the previously proposed project would not have the potential to result in significant adverse impacts to aquatic resources.

TERRESTRIAL RESOURCES

The Development Site is currently a surface parking lot, and the Museum Site comprises existing buildings and a fenced vacant lot used for vehicle parking and storage. The remainder of the study area is similarly developed. As such, vegetation is limited and there is minimal habitat to support native wildlife. The previously proposed project would not displace quality ecological communities. Conditions for wildlife in the With Action condition would continue to support the same disturbance-tolerant wildlife species. The new buildings would comply with New York City Building Code requirements for the use "bird-friendly glass," and as such, would not increase the potential for daytime bird collisions. Any removal of street trees would be conducted in accordance with local New York City regulations. Therefore, the previously proposed project would not have the potential to result in significant adverse impacts to terrestrial resources.

THREATENED, ENDANGERED, AND SPECIAL CONCERN SPECIES

The peregrine falcon (*Falco peregrinus*, state-listed endangered) is the only listed species that has the potential to occur in the study area. The previously proposed project is at least 0.2 miles (1,056 feet) away from the closest known peregrine falcon nesting sites (the buildings at 55 Water Street and 48 Wall Street and on the Williamsburg Bridge) and would not have the potential to affect nesting success at these locations. Similarly, the previously proposed project would have no effect

on the abundance of pigeons or other birds in the Project Area, and therefore would have no potential to affect the prey base of the peregrine falcons associated with these nesting territories. Therefore, the previously proposed project would not have the potential to result in significant adverse impacts to threatened, endangered, or special concern species.

HAZARDOUS MATERIALS

The previously proposed project would not result in significant adverse impacts related to hazardous materials with the placement of an (E) Designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the Museum Site (Block 74, Lot 1).

Based on the hazardous materials assessment, the potential for significant adverse impacts related to hazardous materials resulting from the previously proposed project would be avoided through compliance with existing regulatory requirements and conforming to New York State Department of Environmental Conservation (DEC) Brownfield Cleanup Program (BCP) requirements: in particular the already completed Remedial Investigation (RI) and the implementation of an approved Remedial Action Work Plan (RAWP) and Construction Health and Safety Plan (CHASP) during project construction. Since the BCP is a voluntary program, should the developer not perform the remediation under the BCP (due to program withdrawal or other reasons), the developer would be required, through the (E) Designation (E-621) for hazardous materials that would be placed on the Development Site (Block 98, Lot 1), to perform these activities (including preparation and implementation of a RAWP/CHASP) under the oversight of the New York City Office of Environmental Remediation (OER).

For the Museum Site, AKRF, Inc. prepared a Phase I Environmental Site Assessment (ESA) in February 2021 that determined that a subsurface investigation (Phase II) would need to be conducted in advance of any new construction on the existing vacant lot (the John Street Lot) because it had once included a gasoline filling station. Because the site is subject to a DEC Stipulation Agreement (due to the failure to remove all subsurface contamination when the gasoline tanks were removed) a Remediation Plan to address this residual contamination would need to be prepared (and submitted to DEC for approval) for implementation during construction. Additional investigations of non-petroleum-related contamination would also be needed and a RAWP to address both petroleum and non-petroleum contamination would be subject to DEC and DEP review and approval. Renovation of the existing historic buildings for Museum use would be conducted in accordance with applicable regulatory requirements, including those applicable to building materials such as asbestos and lead-based paint. Similarly, any streetscape and open space improvements (e.g., planters) would be conducted in accordance with applicable regulatory requirements in the manner these activities are typically performed in New York City, e.g., importing new clean material for new landscaped areas. To ensure that this would occur a mechanism equivalent to an (E) Designation for hazardous materials would be placed on the Museum Site (Block 74, Lot 1). This mechanism would ensure that before issuance of a permit for construction involving subsurface disturbance, a RAWP and CHASP would be approved in conformance with requirements of OER. With these measures, the activities at the Museum Site and for the streetscape and open space improvements would not result in significant adverse impacts related to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The previously proposed project would not result in significant adverse impact on the City's water and sewer infrastructure. Based on the methodology set forth in the *CEQR Technical Manual,* while the previously proposed project would result in increased demand for water and treatment of sewage, the incremental increases would not constitute a significant adverse impact on the

City's water supply, wastewater treatment, or stormwater management and treatment infrastructure.

WATER SUPPLY

In the 2026 analysis year, in the With Action condition the previously proposed project would generate an incremental water demand of 138,463 gallons per day (gpd) as compared to the No Action condition. This represents a 0.01 percent increase in demand on the New York City water supply system. It is expected that there would be adequate water service to meet the incremental water demand, and as changes of this magnitude would not be large enough to have a significant adverse impact on the City's water system pursuant to *CEQR Technical Manual* guidelines, there would be no significant adverse impacts on the City's water supply in the With Action condition.

SANITARY SEWAGE

In the 2026 analysis year, the With Action condition would generate an incremental 63,698 gpd of sewage over the No Action condition. This incremental volume in sanitary flow to the combined sewer systems would represent approximately 0.03 percent of the average daily flow to the Newtown Creek Wastewater Treatment Plant (WWTP). This volume would not result in an exceedance of the Newtown Creek WWTP's capacity and is not anticipated to create a significant adverse impact on the City's sanitary sewage treatment system. An Applicant would be required to file a Site Connection Proposal Application (SCP) for approval from DEP to tie into the sewer system. In this process, before a building permit can be issued, site connection proposals must be certified for sewer availability by DEP. This analysis and any improvements would be undertaken, as necessary, in coordination with DEP.

STORMWATER

The Project Area is located within two sub catchment areas of the Newtown Creek WWTP. As compared to existing conditions, in the With Action condition there would be an increase in stormwater flows from the Project Area to the WWTP. However, for the Development Site and Museum Site, a reduction in stormwater peak flows to the combined sewer system would be achieved with the incorporation of stormwater source control best management practices (BMPs), specifically on-site detention, that would be required as part of the New York City DEP site connection approval process. DEP's detention performance standard is intended to reduce peak discharges to the City's sewer system during rain events by requiring greater onsite storage of stormwater runoff and slower release to the sewer system. The implementation of DEP's stormwater performance standard over time is expected to provide additional capacity to the existing sewer system, thereby improving its performance. In addition, as a DEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) is required for any development that would involve soil disturbance of one or more acres, a Stormwater Pollution Prevention Plan (SWPPP), consisting of both temporary erosion and sediment controls and post-construction stormwater BMPs, may be required of the Applicant.

With the incorporation of sanitary and stormwater source control BMPs, the previously proposed project is not expected to appreciably increase the frequency or volume of CSO events. In addition, wastewater treatment capacity at the WWTP and the sewer conveyance infrastructure near the Project Area would be sufficient to handle wastewater flows resulting from the previously proposed project. Therefore, there would not be any significant adverse impacts on wastewater

treatment or stormwater conveyance infrastructure.

TRANSPORTATION

A detailed analysis concluded that the previously proposed project would result in significant adverse traffic impacts at three intersections and a significant adverse pedestrian impact at the southeast corner of Pearl Street and Frankfort Street. The previously proposed project would not result in any significant adverse transit impacts.

TRAFFIC

Traffic conditions were evaluated at four intersections for the weekday AM, midday, and PM peak hours. In the 2026 With Action condition, significant adverse traffic impacts were identified at three intersections during the weekday AM peak hour, three intersections during the weekday midday peak hour, and three intersections during the weekday PM peak hour. **Table 2** summarizes the projected significant adverse traffic impacts for the 2026 With Action condition. Potential improvement measures that may be implemented to mitigate these impacts are discussed in "Mitigation."

Table 2
Summary of Significant Adverse Traffic Impacts
2026 With Action Condition

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
EB/WB Street	**NB/SB Street**			
Pearl Street	Beekman Street	NB-R	NB-R	NB-R
Pearl Street	Dover Street			EB-DefL
			EB-LTR	
		EB-TR		EB-TR
Pearl Street	Robert F. Wagner Sr. Place	WB-DefL	WB-DefL	
		NB-L		
		SB-LTR		SB-LTR
Total Impacted Intersections/Lane Groups		**3/5**	**3/3**	**3/4**

Notes: L = Left Turn, T = Through, R = Right Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound

TRANSIT

Based on a detailed assignment of project-generated subway trips, it was determined that none of the four subway stations serving the study area would incur 200 or more peak hour subway trips. Therefore, a detailed subway analysis is not warranted and the previously proposed project is not expected to result in any significant adverse subway impacts. The incremental railroad trips would also not exceed the *CEQR Technical Manual* analysis threshold of 200 or more peak hour trips per station and therefore, a detailed railroad analysis is also not warranted and the previously proposed project is not expected to result in any significant adverse rail impacts. For buses, the projected bus trips would be dispersed to the various study area bus routes such that no single bus route is expected to incur incremental bus trips that would exceed the *CEQR Technical Manual* analysis threshold of 50 or more peak hour bus riders on a bus route in a single direction. Therefore, a detailed bus line-haul analysis is not warranted and the previously proposed project is not expected to result in any significant adverse bus line-haul impacts.

PEDESTRIANS

Weekday peak-period pedestrian conditions were evaluated at key area sidewalk, corner reservoir,

and crosswalk locations. Pedestrian conditions were evaluated at eight sidewalks, 10 corners, and three crosswalks for the weekday AM, midday, and PM peak hours. In the 2026 With Action condition, significant adverse impacts were identified for one corner during the weekday midday and PM peak hours, as summarized in **Table 3**. Potential improvement measures that may be implemented to mitigate these impacts are discussed in "Mitigation."

Table 3
Summary of Significant Adverse Pedestrian Impacts
2026 With Action Condition

Intersection	Pedestrian Element	Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
Pearl Street and Frankfort Street	Southeast Corner		X	X
Total Impacted Pedestrian Elements		**0**	**1**	**1**
Note: X = Significant Adverse Pedestrian Impact				

Additionally, it is assumed that the existing CitiBike Station on the east sidewalk of Pearl Street between Peck Slip and Beekman Street will be relocated under the No Action and With Action conditions to facilitate future development at the Development Site. The Applicant will coordinate with DOT regarding the relocation of this public resource to a suitable location, following the procedures and outreach guidance provided by DOT. This stipulation will be included in the Restrictive Declaration.

VEHICULAR AND PEDESTRIAN SAFETY

Crash data for the study area intersections were obtained from the New York City Department of Transportation (DOT) for the period between January 1, 2015 and December 31, 2017. During this period, a total of 49 reportable and non-reportable crashes, zero fatalities, 31 injuries, and 12 pedestrian/bicyclist-related crashes occurred at the study area intersections. A rolling yearly total of crash data identifies no study area intersections as high crash locations.

PARKING

Under the 2026 With Action condition, a peak parking demand of 266 during the AM period is expected at the Development Site, resulting in an on-site shortfall of up to 158 spaces. The peak parking demand generated by the Museum Site would be 18 during the PM period. It is expected that the overflow parking demand at the Development Site and the parking demand associated with the Museum Site would be accommodated at the off-street facilities within ¼-mile such that the previously proposed project would not result in a parking shortfall. Even if a parking shortfall is predicted to occur, per the *CEQR Technical Manual*, a parking shortfall in Manhattan would not constitute a significant adverse impact, due to the magnitude of available alternative modes of transportation.

AIR QUALITY

An analysis of air quality determined that the previously proposed project would not result in significant adverse impacts related to mobile source or stationary source air quality. The analysis of the proposed parking facilities determined that the emissions from vehicles using the parking facility would not result in any significant adverse air quality impacts.

The analysis of the elevated FDR Drive determined that maximum 24-hour and annual concentrations of PM less than 2.5 microns in diameter ($PM_{2.5}$) and carbon monoxide (CO) were predicted to be less than the corresponding National Ambient Air Quality Standards (NAAQS).

In terms of industrial sources, no businesses were found to have a DEC air permit or DEP certificate of operation within the study area, and no other potential sources of concern were identified. Therefore, no potential significant adverse air quality impacts would occur on the previously proposed project from industrial sources.

The analysis of the existing large source of emissions determined there would be no significant adverse air quality impact on the previously proposed project.

No potential significant adverse air quality impacts would result from the previously proposed project's heating and hot water systems on either the Development Site or the Museum Site. An (E) Designation (E-621) would be applied to the Development Site (Block 98, Lot 1), and an equivalent mechanism would be placed on the Museum Site (Block 74, Lot 1) to ensure that the previously proposed project would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The previously proposed project would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*, and would not result in significant adverse impacts with respect to greenhouse gas emissions and climate change. Furthermore, the previously proposed project would incorporate flood resilience measures to address flood risk through the 2050s and, as necessary, any adaptations for end-or-century potential flood elevations; and would not have the potential to increase flood risk to of adjacent properties.

The building energy use and vehicle use associated with the previously proposed project would result in up to approximately 10 thousand metric tons of carbon dioxide equivalent (CO_2e) emissions per year in 2026. The design of the previously proposed project, according to the Applicant, would target energy efficiency measures, the inclusion of renewable energy, and carbon emission reductions in line with the City's goals. In addition, emissions associated with the previously proposed project's consumption of grid electricity is expected to decrease as New York State and New York City target 100 percent renewable electricity and would result in significant reduction of emissions associated with the buildings' electricity consumption. Total greenhouse gas (GHG) emissions associated with the construction, including direct emissions and upstream emissions associated with construction materials, would be approximately 23 thousand metric tons.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials carbon intensity.

The Applicant is currently evaluating the specific energy efficiency measures and design elements that may be implemented for both the Development Site and the Museum Site and is committed to achieve at least a Silver-level certification under the Leadership in Energy and Environmental Design (LEED) Core and Shell rating system, version 4, for the previously proposed building on the Development Site. The Applicant is committed at a minimum to achieve the prerequisite energy efficiency requirements under LEED and would likely exceed them. To qualify for LEED, the previously proposed building on the Development Site would be required to exceed the energy requirements of New York City's building code (currently the same as ASHRAE 90.1-2013), resulting in energy expenditure lower than a baseline building designed to meet but not exceed the minimum building code requirements by approximately two to four percent for new construction

and one to two percent for major renovations or core and shell projects. Furthermore, additional energy savings would likely be achieved via guidance for tenant build-out, which would control much of the building's energy use and efficiency, but those are unknown at this time. The project's commitment to building energy efficiency, exceeding the building code energy requirements, ensures consistency with the efficient buildings goal defined in the *CEQR Technical Manual* as part of the City's GHG reduction goal.

The Applicant is required at a minimum to achieve the energy efficiency requirements of the New York City Building Code. In 2020, as part of the City's implementation of strategies aimed at achieving the *OneNYC* GHG reduction goals, the City brought the New York City Energy Conservation Code (NYCECC) up to date with the 2020 Energy Conservation Code of New York State (2020 ECCNYS), which substantially increased the stringency of the building energy efficiency requirements and adopted the ASHRAE 90.1-2016 standard as a benchmark and aligns with NYStretch Energy Code 2020 developed by New York State Energy Research and Development Authority (NYSERDA). The previously proposed project would implement any measures required under such programs, as legally applicable. Therefore, the previously proposed project would support the goal identified in the *CEQR Technical Manual* of building efficient buildings.

The previously proposed project would also support the other GHG goals by virtue of its proximity to public transportation, reliance on natural gas, commitment to construction air quality controls, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements. All of these factors demonstrate that the proposed development supports the GHG reduction goal.

Therefore, based on the commitment to energy efficiency and by virtue of location and nature, the previously proposed project would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

RESILIENCY TO CLIMATE CHANGE

The new construction for the Development and Museum Sites would be designed to provide flood resilience to the potential conditions projected through the 2050s, and the designs would be adaptive such that enhancements could be implemented in the future to further protect uses up to the potential flooding conditions projected for the end of the century if necessary, based on future adjustments to end-of-century potential flood elevations estimates. This may include protecting all critical infrastructure up to potential flood conditions projected out to the year 2100, elevating all residential units above those levels, and designing non-critical uses located below the potential flood elevations projected for 2050 to either be protected from flood waters via stand-alone deployable barriers or to flood and quickly recover from severe flooding events. Nothing in the project's designs would be intended to structurally or otherwise preclude the introduction, at a later date, of additional flood protection measures (such as flood barriers) to protect project elements up to potential flood elevations projected for 2100. The floodplain at the Development and Museum Site is affected by coastal flooding, which is controlled by astronomic tides and meteorological forces and is unaffected by occupancy of the floodplain. As such, the previously proposed project would not affect the floodplain or result in increased risk of flooding of areas adjacent to the study area. Similarly, the flood resilience measures that would be incorporated into the previously proposed project to address flood risk through the 2050s and any adaptations for end-or-century potential flood elevations would not have the potential to increase flood risk to of adjacent properties.

NOISE

A noise assessment concluded that the Proposed Actions would not result in a significant adverse noise impact.

A noise assessment was undertaken to determine the levels of noise attenuation that may be needed to achieve interior noise levels that are acceptable and in accordance with the *CEQR Technical Manual* guidance. The *CEQR Technical Manual* includes noise attenuation values for buildings based on exterior $L_{10(1)}$ noise levels for the purposes of achieving interior noise levels of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses. The With Action condition $L_{10(1)}$ noise levels were determined by adjusting the existing noise measurements to account for future increases in traffic with the previously proposed project based on the Noise Passenger Car Equivalents (PCE) proportional analysis results including the noise contribution from vehicular traffic on adjacent roadways and by calculating the cumulative noise level in the future condition based on the playground noise and future vehicular traffic noise on adjacent roadways.

Based on the projected noise levels, up to 31 dBA window/wall attenuation would be required to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at residential and community facility uses.

To implement the attenuation requirements at the development sites, an (E) designation or equivalent mechanism for noise would be applied specifying the appropriate window/wall attenuation. By meeting the design guidelines specified in the Noise (E) Designation or equivalent mechanism, the previously proposed project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for residential or community facility uses and 50 dBA L_{10} for commercial office uses.

PUBLIC HEALTH

An assessment of potential effects on public health concluded that the previously proposed project would not result in significant adverse impacts to public health.
The FEIS considers the technical areas related to public health, including air quality, water quality, hazardous materials, and operational noise. The respective analyses show that the previously proposed project would not result in significant unmitigated adverse impacts in any of these areas. Construction activities would result in unmitigated significant adverse construction-period noise impacts at receptors in the vicinity of the previously proposed project's work areas. However, construction of the previously proposed project would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual.* Consequently, the previously proposed project and construction of the previously proposed project would not result in a significant adverse impact to public health.

NEIGHBORHOOD CHARACTER

A neighborhood character assessment concluded that the previously proposed project would not result in a significant adverse impact on neighborhood character.

Overall, the previously proposed project would not substantially alter the character of the neighborhood and would likely have beneficial effects on a number of the defining features of the neighborhood. While the previously proposed project would result in significant adverse impacts in the contributing technical areas of open space, shadows, historic resources, and transportation,

these effects would not be of such a degree that they would result in significant adverse impacts to neighborhood character. The previously proposed project would also not be expected to result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character.

The previously proposed project would support ongoing efforts to revitalize and activate the South Street Seaport neighborhood. The previously proposed project would activate the currently underused Development Site with a new mixed-use building containing ground-floor retail and community facility spaces, creating a more pedestrian-friendly environment. The new mix of uses would be compatible with and support the surrounding neighborhood, and the previously proposed building on the Development Site would be consistent with other nearby buildings.

The previously proposed project would also result in the restoration, reopening, and potential expansion of the Museum on the Museum Site, furthering the preservation and revitalization of the neighborhood. Furthermore, the previously proposed project would increase the resiliency of the Development Site, incorporate sustainability measures, and introduce new affordable housing to the neighborhood.

By activating the Development Site with new mixed uses including affordable housing and by restoring, reopening, and potentially expanding the Museum, the previously proposed project would be expected to sustain and enhance the South Street Seaport neighborhood as a major destination for New Yorkers and visitors to the region alike. Overall, the previously proposed project would be consistent with the existing character of the study area, as well as with the ongoing trend towards revitalization within the surrounding neighborhood. In addition, it is not expected that moderate effects in the relevant technical areas would result in a cumulative adverse impact on neighborhood character.

As a result, the previously proposed project is expected to enhance the neighborhood character of the study area and would not result in any significant adverse impacts to neighborhood character.

CONSTRUCTION

A detailed construction assessment determined that the construction associated with the previously proposed project would result in significant adverse construction noise and traffic impacts. As described below, the previously proposed project's construction activities could result in significant adverse noise, open space, and traffic impacts. For all other technical areas, construction activities associated with the previously proposed project would not result in significant adverse impacts. Findings specific to each of the key technical areas are summarized below.

TRANSPORTATION

Potential transportation impacts during peak construction conditions were assessed in the same manner as the operational impacts.

Traffic

For purposes of the construction traffic analysis, the combined daily workforce and truck trip projections in the peak quarter (fourth quarter of Year 2) were used as the basis for estimating peak hour construction trips. Based on a detailed assignment of these project-generated vehicle trips, three intersections (Pearl Street and Beekman Street, Pearl Street and Peck Slip, and Pearl Street

and Frankfort Street/Dover Street) were selected for detailed analysis during the construction AM peak hour (6:00 to 7:00 AM). Significant adverse traffic impacts were identified at one intersection, Pearl Street and Dover Street, compared to three intersections in the operational analyses. Potential improvement measures that may be implemented to mitigate these impacts are discussed in "Mitigation."

Transit

During peak construction, the estimated number of peak-hour transit trips would be 239, with 168 subway trips, 44 Port Authority Trans-Hudson Corporation (PATH) trips, and 27 bus trips. These trips would be below the 2020 *CEQR Technical Manual* analysis thresholds of 200 or more subway or railroad (PATH) trips per station and 50 or more peak hour bus riders on a bus route in a single direction. Construction worker-related transit trips would also be made outside of the commuter peak hours, which correspond with lower background transit levels and are typically not subject to concern or assessment of operating conditions. Additionally, the projected peak hour transit trips during peak construction are substantially lower than the operational transit trips, for which quantified analyses were determined to be unwarranted. Therefore, consistent with the *CEQR Technical Manual*, a detailed transit analysis for the previously proposed project's construction condition is not warranted and the previously proposed project would not result in any significant adverse construction transit impacts.

Pedestrians

During peak construction, the estimated number of peak-hour pedestrian trips traversing the area's sidewalks, corners, and crosswalks would be approximately 336 (243 pedestrian trips adjacent to the Development Site and 93 pedestrian trips adjacent to the Museum Site). Given the relatively low number of pedestrian trips expected at the Development and Museum Sites and the number of pedestrian routes to/from area parking facilities and transit services, no sidewalk, crosswalk, or intersection corner is expected to experience 200 or more pedestrian trips during an hour, the *CEQR Technical Manual* pedestrian analysis threshold. Additionally, construction worker-related pedestrian trips would take place during hours when background pedestrian levels are significantly lower than the commuter peak hours and are typically not subject to concern or assessment of operational conditions. Therefore, consistent with the *CEQR Technical Manual*, a detailed pedestrian analysis for the previously proposed project's construction condition is not warranted and the previously proposed project would not result in any significant adverse construction pedestrian impacts.

Parking

The anticipated construction activities are projected to generate a maximum parking demand of 93 spaces during peak construction. This parking demand is expected to be accommodated by off-street spaces and parking facilities within a ¼-mile radius of the Development and Museum Sites such that the previously proposed project would not result in a parking shortfall during construction. Even if a parking shortfall is predicted to occur, per the *CEQR Technical Manual*, a parking shortfall in Manhattan would not constitute a significant adverse impact, due to the magnitude of available alternative modes of transportation.

AIR QUALITY

An emissions reduction program would be implemented for the previously proposed project to

minimize the effects of construction activities on the surrounding community. Measures would include, to the extent practicable, dust suppression measures, use of ultra-low sulfur diesel (ULSD) fuel, idling restrictions, diesel equipment reduction, the utilization of newer equipment (i.e., equipment meeting the U.S. Environmental Protection Agency's [EPA] Tier 3 emission standard), and best available tailpipe reduction technologies. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both non-road and on-road sources determined that particulate matter ($PM_{2.5}$ and PM_{10}), annual average nitrogen dioxide (NO_2), and carbon monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or NAAQS, respectively. Therefore, construction of the previously proposed project would not result in significant adverse air quality impacts due to construction sources.

NOISE

Noise levels from construction of the previously proposed project are expected to be comparable to those from typical New York City construction involving a new building or buildings with concrete slab floors and foundation on piles. Similarly, potential disruptions to adjacent residences and other receptors from elevated noise levels generated by construction would be expected to be comparable to those that would occur immediately adjacent to a typical New York City construction site during the portions of construction when the loudest activities would occur.

The detailed analysis of construction noise concluded that construction pursuant to the previously proposed project has the potential to result in construction noise levels that exceed the *CEQR Technical Manual* construction noise screening threshold for an extended period of time or the additional construction noise impact criteria defined herein at receptors surrounding the proposed construction work areas, including the Museum, the school receptors at 1 Peck Slip (P.S. 343), the Pearl Street Playground, the north-facing residential and school receptors along Water Street between Beekman Street and Peck Slip, the residential receptors at 100 Beekman Street (Southbridge Towers), 299 Pearl Street (Southbridge Towers), 333 Pearl Street (Southbridge Towers), 49 Fulton Street, 117 Beekman Street, and at 23-33 Peck Slip.

At these receptors, construction could produce noise level increases that would be noticeable and potentially intrusive during the most noise-intensive nearby construction activities and would produce noticeable increases over the course of construction. The analysis evaluated the construction periods with the potential to result in the greatest levels of construction noise; however, the predicted maximum levels would not persist throughout construction, and the noise levels would fluctuate throughout the construction period. Construction noise control measures are discussed in "Mitigation."

VIBRATION

Since the Project Area is located within the NYCL South Street Seaport Historic District, construction of the previously proposed buildings on the Development Site and Museum Site is subject to LPC's review and approval. The Applicant would prepare a Construction Protection Plan (CPP) that would include measures to protect architectural resources located close enough to project construction (within 90 feet) from inadvertent construction-related damage including ground-borne vibration, falling debris, and accidental damage from heavy machinery during project construction. Additional receptors farther away from the Development Site and Museum Site would experience less vibration than those listed above, and similarly would not be expected to cause structural or architectural damage.

Consequently, there is no potential for significant adverse vibration impacts from construction under the previously proposed project.

H. MITIGATION

SHADOWS

The previously proposed project has the potential to result in significant adverse shadow impacts to the Southbridge Towers complex open spaces. The effects of the shadows would also result in a significant adverse open space impact from direct effects on that resource.

Incremental shadow from the Development Site would pass across portions of the Southbridge Tower open spaces from early to late morning in the spring, summer, and fall, covering large areas at times, and significantly altering the use of the spaces for users seeking sun, and potentially impacting the health of the trees and plantings in one limited area.

Mitigation measures to partially offset the significant adverse impact to the Southbridge Towers complex open spaces' users and vegetation have been developed. The Applicant will monitor the open spaces' vegetation and replace vegetation with more shade-tolerant species, as necessary.

HISTORIC RESOURCES

Since the Project Area is located within the NYCL South Street Seaport Historic District, construction and design of the previously proposed building on the Development Site and the potential expansion on the Museum Site are subject to LPC review and approval. LPC is in the process of considering the proposed designs for both the Development Site and Museum Site for Certificates of Appropriateness. Public hearings were held on January 5 and April 6, 2021, and on May 4, 2021, LPC voted to issue Certificates of Appropriateness for a modified design of the previously proposed building on the Development Site (Docket #: LPC-21-03235; Document #: COFA-21-03235) and the potential expansion of the Museum (Docket # LPC-21-04480, Document # SUL-21-04480). On May 13, 2021, LPC issued a Certificate of Appropriateness (Design Approval, the "COFA") with respect to the modified design of the previously proposed building on the Development Site. The program and bulk of the approved designs are within the RWCDS that is analyzed in the DEIS and the FEIS for the previously proposed building on the Development Site and the potential expansion of the Museum.

For the purposes of the FEIS, a new building on the Development Site as represented by the maximum building envelope (e.g., up to a maximum height of 395 feet) would have the potential to result in significant adverse contextual impacts to historic resources. The Applicant has withdrawn the application for the previously proposed building and submitted a revised Land Use Application (Application Number C 210438(A) ZSM; the "A-Application") consistent with the LPC-approved designs between the publication of the DEIS and the FEIS, which is considered in the FEIS as the Reduced Impact Alternative.

TRANSPORTATION

The previously proposed project could result in potential significant adverse traffic impacts at three intersections during the weekday AM peak hour, three intersections during the weekday midday peak hour, and three intersections during the weekday PM peak hour. The affected intersections are Pearl Street and Beekman Street, Pearl Street and Dover Street, and Pearl Street and Robert F. Wagner Sr. Place. With the implementation of standard traffic mitigation measures (signal timing changes), which are subject to review and approval by the DOT, the significant adverse traffic

impact at Pearl Street and Beekman Street during the weekday midday peak hour could be fully mitigated. The remaining significant adverse traffic impacts at these three intersections would remain unmitigated.

For pedestrian conditions, the previously proposed project has the potential to result in significant adverse impacts at the southeast corner of Pearl Street and Frankfort Street during the weekday midday and PM peak hours. These significant adverse pedestrian impacts could be fully mitigated with a six-foot corner curb extension, which is subject to the approval of DOT prior to implementation. As part of the curb extension, a "No Standing Anytime" parking regulation would need to be installed along the north curb of the eastbound receiving side of Dover Street for approximately 40 feet, which would remove two on-street parking spaces dedicated to the Human Resources Administration. Based on a review of nearby curbside regulations, the two displaced Human resources Administration parking spaces could be readily relocated to the east or west sides of Pearl Street between Peck slip and Dover Street, the north side of Beekman Street between Pearl Street and Water Street, or the south side of Dover Street between Water Street and Front Street. These locations currently have two hour metered parking along Pearl Street and street cleaning regulations along Beekman Street and Dover Street, which can be converted at DOT discretion to accommodate the subject parking spaces.

CONSTRUCTION

Construction associated with the previously proposed project would result in temporary disruptions in the surrounding area. The previously proposed project's construction activities could result in significant adverse noise and traffic impacts. For all other technical areas, construction activities associated with the previously proposed project would not result in significant adverse impacts.

Traffic

A detailed construction traffic analysis was prepared to identify specific temporary impacts that may occur during construction. During peak construction, project-generated vehicle trips would be less than what would be realized upon completion of the previously proposed project. However, a temporary significant adverse traffic impact is expected to occur at the intersection of Pearl Street and Dover Street during the early morning construction peak hour. With the implementation of standard traffic mitigation measures (signal timing changes), which are subject to review and approval by DOT, this significant adverse traffic impact could be fully mitigated.

Noise

The previously proposed project's construction activities would result in significant adverse impacts related to noise at multiple sensitive locations (i.e., the South Street Seaport Museum, the school receptors at 1 Peck Slip, the Pearl Street Playground, the north-facing residential and school receptors along Water Street between Beekman Street and Peck Slip, and the residential receptors at 100 Beekman Street, 299 Pearl Street, 333 Pearl Street, 49 Fulton Street, 117 Beekman Street, and at 23-33 Peck Slip). Construction of the previously proposed project would follow the construction noise control requirements of the New York City Noise Control Code and would commit to measures to control construction noise that go beyond those required by Code. However, the most noise-intensive construction activity nearest the receptors experiencing significant adverse impacts would only be partially mitigated. Significant adverse impacts that cannot be fully mitigated through reasonably practicable measures would be considered

unavoidable.

I. ALTERNATIVES

NO ACTION ALTERNATIVE

The No Action Alternative assumes that in the future absent the approval of the previously proposed project, the Development Site would be redeveloped with an approximately 327,400-gsf mixed-use building that would not involve any discretionary approvals requiring environmental review. The Museum is assumed to permanently close under the No Action Alternative, and no restoration, reopening, or potential expansion would occur. The significant adverse open space, shadows, historic, and transportation impacts identified that would be expected to occur with the previously proposed project, would be eliminated or reduced under the No Action Alternative, however, the identified construction noise impacts would remain under this alternative. As compared to the Proposed Actions, the intended goals and objectives—revitalization of the South Street Seaport area through the construction of a mixed-use building on an underutilized site and the facilitation of the restoration, reopening, and potential expansion of the Museum—would not occur in the No Action Alternative.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

The previously proposed project's potential unmitigated significant adverse impacts to open space, shadows, historic and cultural resources, and transportation could be eliminated by constructing only 30 percent of the previously proposed project in a building no more than 170 feet tall on the Development Site. For comparison, the previously proposed project on the Development Site would contain approximately 680,500 gsf in total, including 394 DUs (up to 99 of which would be affordable), 267,747 gsf of office uses, 13,353 gsf of retail uses, 5,000 gsf of community facility uses, and 108 parking spaces in a building up to 395 feet tall. As the Applicant does not control the restoration, reopening, and potential expansion of the Museum, the anticipated program on the Museum Site would remain unchanged compared to the previously proposed project. This alternative would be subject to approval by the Landmarks Preservation Commission and would utilize a combination of measures (potentially including, but not limited to, changes in height, proportion, or massing) to the extent that the potential contextual impact on the surrounding historic district would be eliminated. The significant adverse noise impact during construction could not be eliminated.

This reduction in the level of development would significantly compromise the ability to realize the Applicant's intended goals and objectives. The reduction in program would result in fewer DUs, including fewer affordable units. The reduction in the office, retail, and community facility uses would also lead to fewer employment opportunities and space for the community in the area. The smaller scale of this alternative's program would preclude the planned restoration, reopening, and potential expansion of the Museum. As a result, this No Unmitigated Significant Adverse Impact Alternative is unlikely to achieve any of the intended goals and objectives.

REDUCED IMPACT ALTERNATIVE

Since the publication of the DEIS, the applicant has withdrawn the application for the previously proposed project and submitted a modified application (Application Number C 210438(A) ZSM; the "A-Application") with proposed changes to the project—this modified version of the project is described and considered herein as the Reduced Impact Alternative. Since the Project Area is located within the South Street Seaport Historic District, construction and design of buildings on

the Development Site and Museum Site are subject to LPC review and approval. Public hearings were held on January 5 and April 6, 2021, and on May 4, 2021 LPC voted to issue Certificates of Appropriateness for a modified design of the building to be built on the Development Site (Docket #: LPC-21-3235; Document #: COFA-21-03235) and the potential expansion of the Museum (LPC Docket #: LPC-21-04480; Document #: SUL-21-04480). On May 13, 2021, LPC issued a Certificate of Appropriateness (Design Approval) with respect to the modified design of the building to be built on the Development Site.

The Reduced Impact Alternative would include an approximately 616,483-gsf mixed-use building that could potentially include a community facility theater use. The Reduced Impact Alternative (without theater use) would include approximately 432,253 gsf of residential uses, 161,969 gsf of office uses, 17,261 gsf of retail uses, 5,000 gsf of community facility uses, and 108 parking spaces. It would include up to 432 DUs, of which approximately 25 percent (up to 108 DUs) would be affordable.

Compared to the previously proposed project, it would have less gross square feet (616,500 versus 680,500) and would have a lower height (up to 324 feet versus 395 feet). This alternative reflects the design approved by LPC following the publication of the DEIS. While there would be less office and more residential under this alternative, the mix of uses would be the same, with market-rate and affordable housing, retail, office, community facility spaces (including a theater, considered as an option under this alternative) and accessory parking. Other aspects of the previously proposed project (such as access changes at Pier 17) and conditions assumed for the purposes of environmental review (the restoration, expansion, and reopening of the South Street Seaport Museum) would be retained with the Reduced Impact Alternative.

Based on its reduced height and bulk and smaller amount of floor area, this alternative would have the same or less potential for environmental impacts than the previously proposed project. While most conclusions would remain the same as those for the previously proposed project, there would not be a significant adverse historic resources or direct open space impact due to shadows. Although there would be a shadow impact on the open space of the Southbridge Towers complex under either the previously proposed project or the Reduced Impact Alternative, there would be noticeably less shadow on that resource and other open spaces with this alternative.

Same with the previously proposed project, the project approvals for the Reduced Impact Alternative would include recordation of an (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the Museum Site (Block 74, Lot 1) for Hazardous Materials, Air Quality and Noise, and a Restrictive Declaration to codify commitments made in the FEIS related to the environmental review.

In addition, if the Theater Option is advanced as the project is developed, the Applicant will undertake a post-approval monitoring plan. Prior to undertaking any monitoring, a scope of work will be submitted to DCP and DOT for review and approval. The monitoring will include original travel demand surveys for the theater use, new data collection, and analyses to study the actual effects associated with this development alternative for both weekdays and weekends. Where warranted, new or different improvement measures will be identified for consideration to address these specific effects. This commitment will be memorialized in the Restrictive Declaration. The Applicant will be responsible for all costs associated with the post-approval monitoring plan, analyses and the design and construction of any recommended improvement measures.

While smaller than the previously proposed project, this alternative would nonetheless realize the Applicant's intended goals and objectives, including revitalization of the Development Site, creation of new market rate and affordable housing, and the planned restoration, reopening, and potential expansion of the Museum.

J. UNAVOIDABLE ADVERSE IMPACTS

SHADOWS

The previously proposed project has the potential to result in a significant adverse shadow impact to the Southbridge Towers complex open spaces. The Applicant has stated that, at this time, there is no massing alternative to remove the significant adverse shadow impact and the significant adverse open space impact from direct effects on the Southbridge Towers complex open spaces and feasibly meet the goals and objectives of the previously proposed project. Mitigation measures to partially offset the significant adverse impact to the Southbridge Towers complex open spaces' users and vegetation were developed. The Applicant will monitor the open spaces' vegetation and replace vegetation with more shade-tolerant species, as necessary. However, for the purposes of the FEIS, this impact would remain unmitigated.

HISTORIC RESOURCES

The LPC voted on May 4, 2021 to issue Certificates of Appropriateness for a modified design version of the previously proposed building on the Development Site (Docket #: LPC-21-03235; Document #: COFA-21-03235) and the potential expansion of the Museum (Docket #: LPC-21-04480; Document #: SUL-21-04480). On May 13, 2021, LPC issued a Certificate of Appropriateness (Design Approval, the "COFA") with respect to the modified design of the previously proposed building on the Development Site. The program and bulk of the approved designs are within the RWCDS that is analyzed in the DEIS and the FEIS for the previously proposed building on the Development Site and the potential expansion of the Museum.

For the purposes of the FEIS, a new building on the Development Site that would be developed to the RWCDS's maximum building envelope (e.g., up to a maximum height of 395 feet) would have the potential to result in significant adverse contextual impacts to historic resources. The Applicant has withdrawn the application for the previously proposed building and submitted a revised Land Use Application consistent with the LPC-approved designs between the publication of the DEIS and the FEIS, which is considered in the FEIS as the Reduced Impact Alternative.

TRANSPORTATION

The intersections of Pearl Street and Beekman Street, Pearl Street and Dover Street, and Pearl Street and Robert F. Wagner Sr. Place could not be fully mitigated during one of more analysis peak hours; therefore, these unmitigated impacts would constitute unavoidable significant adverse impacts.

With regard to the significant adverse pedestrian impacts at the southeast corner of Pearl Street and Frankfort Street during the weekday midday and PM peak hours, a six-foot corner curb extension has been identified to fully mitigate these impacts as summarized in "Mitigation." As part of the curb extension, a "No Standing Anytime" parking regulation would need to be installed along the north curb of the eastbound receiving side of Dover Street for approximately 40 feet, which would remove two on-street parking spaces dedicated to the Human Resources Administration. The feasibility of these measures would be subject to approval by DOT prior to

implementation, and should they be deemed infeasible and no alternative mitigation measures can be identified, then the identified significant adverse pedestrian impacts would constitute unavoidable significant adverse impacts.

CONSTRUCTION

The previously proposed project would have the potential for unmitigated significant adverse impacts with regard to construction noise.

Construction Noise

The detailed analysis of construction noise determined that construction of the previously proposed project has the potential to result in noise levels that would constitute significant adverse construction-period impacts at multiple sensitive locations.

The previously proposed project is committed to implementation of additional control measures beyond those required by Code. Additional mitigation measures will be continued to be further explored; however, if no reasonably practicable measures can be identified those construction noise impacts would be unmitigated.

For the Pearl Street Playground and outdoor residential balconies of the Southbridge Towers buildings (i.e., 100 Beekman Street, 299 Pearl Street, 333 Pearl Street), noise levels near where construction activities are taking place would increase above the construction noise impact criteria and would result in significant adverse noise impacts on these locations. Noise levels at the Pearl Street Playground and outdoor residential balconies are currently above the recommended *CEQR Technical Manual* noise level for outdoor areas and proposed construction activities would exacerbate these exceedances of the recommended level. While the previously proposed project is committed to implementation of additional control measures beyond those required by Code, no practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels below threshold. Consequently, construction activities would result in noise levels at the Pearl Street Playground and outdoor residential balconies identified above that would constitute a significant adverse noise impact. Therefore, at these receptors, the significant adverse construction noise impacts would be unavoidable. However, as construction would not regularly occur during evening or weekend hours, the playground and balconies would be free of construction noise during these times.

At building façades that are predicted to experience impact, the Applicant would offer to make available at no cost the installation of storm windows for façades that do not already have insulated glass windows and/or one window air conditioner per bedroom, living room, or classroom on impacted facades that do not already have alternative means of ventilation. With the provision of such measures, the façades of these buildings would be expected to provide approximately 25 dBA window/wall attenuation. Even with these measures, interior $L_{10(1)}$ noise levels at these buildings would at times during the construction period exceed the 45 dBA guideline recommended for residential and community spaces according to CEQR noise exposure guidelines by up to approximately 16 dBA. Because interior noise levels could still exceed the acceptable threshold even with the provision of receptor noise mitigation, the significant adverse construction noise impacts identified would be only partially mitigated. In addition, some building owners may not accept the potential offer of storm windows and/or alternative means of ventilation; at these locations, the significant adverse construction-period noise impacts would be unmitigated. Because these impacts cannot be fully mitigated, the impacts would constitute an unavoidable

adverse impact.

K. GROWTH-INDUCING ASPECTS OF THE PREVIOUSLY PROPOSED PROJECT

With the previously proposed project the proposed developments would be limited to the Development Site and Museum Site, apart from operational changes to the Pier 17 access drive and minor improvements to the Pier 17 area, as well as potential streetscape, open space, or other improvements (e.g., planters) in the remainder of the Project Area, which is located in the South Street Seaport neighborhood in Lower Manhattan. The previously proposed project's residential, office, retail, and community facility uses would be consistent with and complementary to existing mix of uses in the surrounding area. The Museum is a key part of the South Street Seaport neighborhood, first opened in 1967, and the restoration, reopening, and potential expansion of the Museum would ensure its continued role as a key part of the neighborhood and draw for tourists, furthering the preservation and revitalization of the neighborhood. The restored and potentially expanded museum space would encourage development in complementary uses, such as retail and restaurant uses to serve tourists, as compared to No Action condition. The introduction of new residents and workers to the Development Site would likewise encourage complementary uses to serve the new, as well as existing, populations.

While the developments facilitated by the previously proposed project would add new residential and worker populations, it would not result in any indirect or direct residential or business displacement, nor would it significantly affect business conditions in any industry or category of businesses within or outside of the study area or reduce employment or impair the economic viability of businesses in the industry or category of businesses. The previously proposed project's introduction of affordable housing and offices uses would bring more diverse uses to the Project Area as compared to the No Action condition, better meeting the demands of the South Street Seaport neighborhood. The previously proposed project's residential, office, retail, and community facility uses would not constitute new economic activities in the study area that could substantively alter existing economic patterns; rather, the previously proposed project would strengthen the existing mix of uses in the South Street Seaport neighborhood and surrounding area. The operational changes to the Pier 17 access drive and minor improvements to the Pier 17 area are not anticipated to result in any substantial effects on growth. The previously proposed project would introduce new uses and resulting residents and employees, it is not expected to introduce or accelerate a trend of changing socioeconomic conditions inducing significant new growth in the area.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and built, would be expended in the construction and operation of the previously proposed project buildings on the Development Site and the Museum Site. These resources include the materials used in construction; energy in the form of fuel and electricity consumed during construction and operation of the projects; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the projects. Similar resources would be expended to develop the No Action project, though of lesser amounts.

The resources are considered irretrievably committed because their reuse for some purpose other than the construction of the buildings under the previously proposed project would be highly unlikely. The previously proposed project constitute an irreversible and irretrievable commitment

of the vacant John Street Lot at the corner of John Street and South Street, the site of the potential Museum expansion, as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term. The Development Site would be irreversible and irretrievably committed to the development of new building with or without the previously proposed project, however, the transfer and distribution of development rights to the Development Site and their use to develop the previously proposed building would only be irreversible and irretrievably committed with the previously proposed project.

These commitments of land resources and materials are weighed against the benefits of the Proposed Actions. The previously proposed project would result in development that would be compatible with and enhance the surrounding area, which already includes similar uses, and the previously proposed building on the Development Site would be of a comparable scale to other buildings in the area while being respectful of smaller-scale buildings nearby. The continued operation and potential expansion of the Museum in the With Action condition would be of great benefit to the neighborhood, City, and region. The previously proposed project would also allow for the replacement of the parking lot on the Development Site with quality ground-floor retail and community facility uses, in the opinion of the Applicant activating the pedestrian street experience and improving the site's engagement with the neighborhood, consistent with more modern quality-of-life standards. ✶

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