

**NEGATIVE DECLARATION (Use of this form is optional)**

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

**Reasons Supporting this Determination**

The above determination is based on information contained in this EAS, which finds that the proposed project: and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

**Hazardous Materials**  
 1. A proposed new (E) designation (E-476) has been incorporated to the proposed project to ensure that the proposed actions will not result in significant adverse impacts related to hazardous materials. Refer to "Appendix 1: (E) Designations" for a list of the sites affected by the proposed (E) designations and applicable (E) designation requirements.

**Land Use, Zoning and Public Policy**  
 2. This EAS includes a detailed Land Use, Zoning and Public Policy section, which analyzes the potential significance of the Proposed Action on land use, zoning and public policy in the study area. The Proposed Action would facilitate the construction of a single story commercial retail building in an area predominantly characterized by a diverse mix of uses including commercial, industrial/manufacturing, open space, and residential. The Proposed Action affects an area within the boundaries of the City's Waterfront Revitalization Program. An analysis was conducted (WRP Number: 17-167) that determined that the Proposed Action complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the Proposed Actions.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 4/20/2018
SIGNATURE 	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE 4/23/2018
SIGNATURE	

## **Appendix 1: (E) Designations**

To ensure that there would be no significant adverse hazardous materials impacts associated with the proposed project, an E designation (E-476) will be placed on the project site (Block 4138, Lot 1), as follows:

### **Hazardous Materials:**

#### **Task 1-Sampling Protocol**

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

#### **Task 2-Remediation Determination and Protocol**

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.