

**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 action 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 the proposed action sought before the City Planning Commission would have not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

**Hazardous Materials and Air Quality**

A detailed analysis of the potential for the proposed action to result in significant adverse impacts related to hazardous materials and air quality was included in the EAS.

To ensure that the proposed action would not result in significant adverse hazardous materials and air quality impacts an (E) Designation (E-530) would be established on the development site (Block 4136, Lots 11 and 12) as part of the approval of the proposed action. Refer to "Determination of Significance Appendix: (E) Designation" for the applicable (E) Designation requirements. The hazardous materials and air quality analyses concluded that with the (E) Designation requirements in place, the proposed action would not result in significant adverse impacts related to hazardous materials or air quality.

**Land Use, Zoning, and Public Policy**


A preliminary analysis of the effects of the proposed action on Land Use, Zoning, and Public Policy was included in the EAS. The proposed action would modify yard regulations applicable to the development site to permit the expansion of an existing legally non-complying warehouse. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed action.

*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)*

**Project Name: 18-17 130th Street SCPD Special Permit**

**CEQR #: 19DCP135Q**

**SEQRA Classification: Unlisted**

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 08/09/19
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 08/12/19
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### Determination of Significance Appendix: (E) Designation

To ensure that the proposed action would not result in significant adverse hazardous materials and air quality impacts an (E) Designation (**E-530**) will be established on the **Development Site (Block 4136, Lots 11 and 12)** as described below:

#### Hazardous Materials

The (E) Designation requirements for hazardous materials are as follows:

##### **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.**

#### Air Quality

The (E) Designation requirements for air quality are as follows:

**Block 4136, Lots 11 and 12 (Development Site): Future industrial development or enlargement on the above-referenced property must ensure that the heating, ventilating, air conditioning, and hot water (HVAC) system stack is located at the highest tier and at least 33 feet above grade to avoid any potential significant adverse air quality impacts.**