

A. INTRODUCTION

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to substantive comments received during the public comment period for the Draft Environmental Impact Statement (DEIS), issued on October 25, 2019, for the proposed Industry City project.

City Environmental Quality Review (CEQR) requires a public hearing on the DEIS as part of the environmental review process. The DEIS public hearing was held on February 19, 2020, at the City Planning Commission Hearing Room, 120 Broadway, New York, New York. The comment period remained open through March 2, 2020.

A list of organizations and individuals who commented can be found in Section B. Section C contains a summary of relevant comments on the DEIS and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the EIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. Commenters who expressed general support or general opposition but did not provide substantive comments on the DEIS are listed at the end of Section C. All written comments are included in Appendix E, “Written Comments Received on the Draft Environmental Impact Statement.” Where relevant, in response to comments on the DEIS, changes have been made and are shown with double underlines in the FEIS.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT²**ELECTED OFFICIALS**

1. Eric Adams, Brooklyn Borough President, letter dated March 4, 2020 (Adams_104)

COMMUNITY BOARDS

2. John Fontillas, Chair, Land Use and Landmarks Committee for Community Board 7, letter dated January 29, 2020 (Fontillas_CB7_001), and oral testimony delivered on February 19, 2020 (Fontillas_CB7_058)
3. Cesar Zuniga, Chair, Brooklyn Community Board 7, oral testimony delivered on February 19, 2020 (Zuniga_CB7_059)

¹ This chapter is new to the FEIS.

² Citations in parentheses refer to internal comment tracking annotations.

ORGANIZATIONS AND BUSINESSES

4. 350.org, letter from Tamara Toles O’Laughlin, North American Director, dated February 19, 2020 (O’Laughlin_350.org_002)
5. 37th Street Block Association, written comments by Nancy Plese dated February 17, 2020 (Plese_042)
6. AECOM, oral testimony by Marcos Diaz Gonzales delivered on February 19, 2020 (Gonzalez_100)
7. Abel Cine, oral testimony by Pete Abel, CEO and co-founder, delivered on February 19, 2020 (Abel_083)
8. Blue Marble Ice Cream, oral testimony by George Jones delivered on February 19, 2020 (Jones_089)
9. Brooklyn Anti-Gentrification Network, written comments dated February 19, 2020 (BAN_007)
10. Brooklyn Chamber of Commerce, oral testimony by Randy Peers delivered on February 19, 2020 (Peers_BCC_087)
11. Center for an Urban Future, written comments by Jonathan Bowles, Executive Director, dated February 19, 2020 (Bowles_CUF_006), and oral testimony delivered by Jonathan Bowles on February 19, 2020 (Bowles_CUF_075)
12. Cresilon, oral testimony by George James delivered on February 19, 2020 (James_Cresilon_091)
13. Demos, written comments by Lew Daly, Senior Policy Analyst, dated February 19, 2020 (Daly_Demos_013), letter by Lew Daly dated February 19, 2020 (Daly_Demos_014), and oral testimony by Lew Daly delivered on February 19, 2020 (Daly_Demos_095)
14. Downtown Brooklyn Partnership, oral testimony by Regina Myer, President, delivered on February 19, 2020 (Myer_DBP_072)
15. EarthStrike NYC, letter dated February 18, 2020 (Earthstrike_017), written comments dated February 18, 2020 (Earthstrike_018), and oral testimony by Zev Rosen delivered on February 19, 2020 (Rosen_EarthStrike_079)
16. MFactory, oral testimony by Darryl Hawes delivered on February 19, 2020 (Hawes_066)
17. New York City Environmental Justice Alliance, written comments by Jalisa Gilmore dated February 28, 2020 (Gilmore_NYCEJA_021), and oral testimony by Jalisa Gilmore delivered on February 19, 2020 (Gilmore_NYCEJA_067)
18. New York City and Vicinity District Council of Carpenters, written comments by Ruben Colon dated February 19, 2020 (Colon_NYCDDC_011), and letter by Ruben Colon dated February 19, 2020 (Colon_NYCDDC_012)
19. Opportunities for a Better Tomorrow, letter by Liliana Polo-McKenna, Chief Executive Officer, dated February 27, 2020 (Polo-McKenna_OBT_043), oral testimony by Liliana Polo-McKenna delivered on February 19, 2020 (Polo-McKenna_OBT_103), and written comments by Liliana Polo-McKenna dated February 19, 2020 (Polo-McKenna_OBT_044)
20. Protect Sunset Park, oral testimony by Whitney Hu delivered on February 19, 2020 (Hu_PSP_097); written comments from Whitney Hu dated March 2, 2020 (PSP_047); written comments by Jeremy Kaplan (also noted NAB7 affiliation) dated March 2, 2020 (Kaplan_NAB7_027); and oral testimony by Jeremy Kaplan delivered on February 19, 2020 (Kaplan_090)
21. Red Hook Container Terminal and South Brooklyn Marine Terminal, oral testimony by Michael Stamatis, President (RHCT) and Operator (SBMT), delivered on February 19, 2020 (Stamatis_082)

22. Sahidi's Grocery, oral testimony by Pat Whelan, delivered on February 19, 2020 (Whelan_084), and written comments by Pat Whelan dated February 29, 2020 (Whelan_055)
23. Service Employees International Union, Local 32BJ, oral testimony delivered by Yenny Hernandez on February 19, 2020 (Hernandez_32BJ_062)
24. UPROSE, oral testimony delivered by Shahela Bequm, Resilience Coordinator, on behalf of Tamara Towles on February 19, 2020 (Bequm_UPROSE_086); oral testimony delivered by Ting Ting Fu, Climate Justice Organizer on February 19, 2020 (Fu_UPROSE_078); oral testimony delivered by Jason Gomez on behalf of Joaquin Brito, Jr., on February 19, 2020 (Gomez_UPROSE_070); written comments from Summer Sandoval, Energy Democracy Coordinator, dated February 18, 2020 (Sandoval_UPROSE_048); oral testimony by Summer Sandoval delivered on February 19, 2020 (Sandoval_UPROSE_068); letter from Ron Shiffman dated November 18, 2019 (Shiffman_UPROSE_049); letter from Ron Shiffman dated December 9, 2019 (Shiffman_UPROSE_050); letter from Ron Shiffman dated February 19, 2020 (Shiffman_UPROSE_051); and written comments from Ron Shiffman dated February 20, 2020 (Shiffman_UPROSE_052); oral testimony by Chelsea Turner on behalf of Violeta Maya delivered on February 19, 2020 (Turner_UPROSE_071); oral testimony by Laura Waxman, BOLD fellow, delivered on February 19, 2020 (Waxman_UPROSE_069); Sunset Park Green Resilient Industrial District report, prepared for UPROSE and POWWA and dated September 9, 2019 (GRID_UPROSE_105)

GENERAL PUBLIC

25. Alexa Avilas, oral testimony delivered on February 19, 2020 (Avilas_101)
26. Kevin Barry, written comments dated February 18, 2020 (Barry_003)
27. Bob Bland, oral testimony delivered on February 19, 2020 (Bland_060), written copy of oral testimony delivered on February 18, 2020 (Bland_004), and written comments dated March 2, 2020 (Bland_005)
28. Rodrigo Camarena, written comments dated February 19, 2020 (Camarena_008), and oral testimony delivered on February 19, 2020 (Camarena_061)
29. Vin Campbell, written comments dated February 26, 2020 (Campbell_009)
30. Jacqueline Capriles, oral testimony delivered on February 19, 2020 (Capriles_065)
31. George Cardona, oral testimony delivered on February 19, 2020 (Cardona_092)
32. Sourab Choudhury, written comments dated February 26, 2020 (Choudhury_010)
33. Elizabeth Davis, written comments dated March 1, 2020 (Davis_015)
34. Ronald Divito, written comments dated February 26, 2020 (Divito_016)
35. John Fontillas, Chair, Land Use and Landmarks Committee for Community Board 7, written comments dated March 2, 2020 (Fontillas_CB7_019)
36. Thomas Freeland, written comments dated February 26, 2020 (Freeland_020)
37. Brian Gonzalez, letter dated February 18, 2020 (Gonzalez_022)
38. Margaret Gregory, written comments dated February 25, 2020 (Gregory_023)
39. Eva Hanhardt, oral testimony delivered on March 1, 2020 (Hanhardt_085)
40. Tarry Hum, written comments dated February 19, 2020 (Hum_024), and letter dated March 1, 2020 (Hum_025)
41. Julio Ibarra-Borroto, written comments dated February 26, 2020 (Ibarra-Borroto_026)
42. Bruce Jacob, oral testimony delivered on February 19, 2020 (Jacob_057)
43. Guan Kenny, oral testimony delivered on February 19, 2020 (Kenny_093)
44. Chun Kwok Au, written comments dated February 26, 2020 (Kwok Au_028)
45. Robert Lanfranchi, written comments dated February 26, 2020 (Lanfranchi_029)
46. Alison Lyons, written comments dated February 25, 2020 (Lyons_030)

47. Antoinette Martinez, oral testimony delivered on February 19, 2020 (Martinez_088)
48. Violeta Maya, letter dated February 19, 2020 (Maya_031), and written comments dated February 18, 2020 (Maya_032)
49. Marcela Mitayres, oral testimony delivered on February 19, 2020 (Mitayres_077)
50. Raquel Miranda, written comments dated February 26, 2020 (Miranda_033)
51. Joshua Mullenite, written comments dated February 20, 2020 (Mullenite_034), and letter dated February 19, 2020 (Mullenite_035)
52. Daniel Murphy, oral testimony delivered on February 19, 2020 (Murphy_098)
53. Nick Murray, written comments dated February 25, 2020 (Murray_036)
54. Saul Nieves, written comments dated February 18, 2020 (Nieves_037), and letter dated February 19, 2020 (Nieves_038)
55. Juan Camilo Osorio, letter dated February 19, 2020 (Osorio_039), and oral testimony delivered on February 19, 2020 (Osorio_080)
56. Adan Palermo, oral testimony delivered on February 18, 2020 (Palermo_096), and written comments dated February 19, 2020 (Palermo_040)
57. Michele Paoella, written comments dated February 25, 2020 (Paoella_041)
58. Leonel Lima Ponce, oral testimony delivered on February 19, 2020 (Ponce_081), written comments dated February 19, 2020 (Ponce_045), and letter dated February 19, 2020 (Ponce_046)
59. Sue Reyes, oral testimony delivered on February 19, 2020 (Reyes_073)
60. Maria Roca, oral testimony delivered on February 19, 2020 (Roca_102)
61. Karen Rolnick, oral testimony delivered on February 19, 2020 (Rolnick_063)
62. Damaris Santiago, oral testimony delivered on February 19, 2020 (Santiago_099)
63. Robert Stevens, written comments dated March 2, 2020 (Stevens_053)
64. Sophia Sutcliffe, oral testimony delivered on February 19, 2020 (Sutcliffe_094)
65. Chris Taylor, oral testimony delivered on February 19, 2020 (Taylor_074)
66. Annmarie Tesar, written comments dated March 1, 2020 (Tesar_054)
67. Henry Villegas, oral testimony delivered on February 19, 2020 (Villegas_076)
68. Peter Wong, oral testimony delivered on February 19, 2020 (Wong_064)
69. Sylvia Zimmerman, written comments dated February 26, 2020 (Zimmerman_056)

C. COMMENTS AND RESPONSES

PROJECT DESCRIPTION

Comment 1: [Industry City] has never justified why they financially need an extra 1.3 million square feet when they have over 1 million square feet empty and 1 million as storage. IC should prove that with the million square feet empty that they will be good neighbors and work with the community to use that already existing 1 million square footage to look into green manufacturing and higher paying industrial jobs. (Kaplan_NAB7_027)

How can you have a conversation about further development giving them even more space, they have over one million square feet in space that is vacant, and yet they want an additional million, in addition to other things. (Avilas_101)

I've asked to see their financial plan, that if they were not able to rezone that they would actually have to convert to office spaces. And I was told the best way for

me to get that is to sue them. So I'm supposed to negotiate, our community is supposed to negotiate without the numbers that their financial advisors received, that their investors received. That's not a good deal. That wouldn't happen on Shark Tank, Mark Cuban would walk away. (Hu_PSP_097)

Response: Financial analyses justifying the Proposed Actions are beyond the scope of CEQR. The purpose and need of the proposed zoning district that would permit a maximum of approximately 5 FAR is discussed on Page 1-9 of the EIS. Specifically, the as-built structures within Industry City are built at a FAR of approximately 3.9, which is over the maximum allowable FAR of 2.0 in the existing M3-1 and M1-2 zoning districts. The proposed maximum FAR of 5.0 within the area to be rezoned to M2-4, in combination with the existing maximum FAR of 2.0 in the area to remain zoned M1-2, would result in a new overly blended maximum FAR of 4.96. This would bring the existing structures into compliance with zoning regulations and permit the construction of new buildings within limited areas of the Special Industry City District (SICD).

Comment 2: Buildout and/or renovation of floor area must be governed in stages—for every square foot of office use (UG 68) granted a new Temporary or Permanent Certificate of Occupancy (TCO), or an equivalent post-rezoning, there must be one square foot of studio, manufacturing, or industrial use (UGs 11, 16, 17, 18) in operation per TCO. (Fontillas_CB7_001)

What's important to us is that manufacturing and industrial jobs, that [are] related to the buildings, the reasons why those buildings were built, to create things, to make things—it was more important to us to see continue than office or retail uses. What we found in the Southwest Brooklyn Industrial District, which is the current business improvement district, the IBZ, is that manufacturing and industrial uses in Sunset Park have actually been outpacing other uses in the city in terms of job creation and pay. Now the thing that we are very much afraid of is that office uses do become more prevalent, that the entire complex becomes an office complex, which honestly, to be very blunt, would close off a lot of the opportunities for the 60,000 people who live in the Sunset Park district to gain opportunity in. And to have retail and service jobs further does not provide that ladder of opportunity that we really do need in order to provide a lift for our young people to move on to better jobs. What we found is that those making type of uses are more important and if we can find a way to encourage that, it would be fantastic, but our concern is that the office and retail uses seem to be much more of a priority. We ask for a one-to-one square footage requirement that for every square foot of retail or innovation economy uses, that one square foot of manufacturing be also provided. (Fontillas_CB7_058)

The [Community] Board requests that the following uses are prioritized: manufacturing, small retail, educational training, clean energy businesses, office only as ancillary to manufacturing uses, showrooms, arts and culture, garment

manufacturing and accessory retail, and community facilities. (Fontillas_CB7_001)

Response: The “Innovation Economy” has been defined to include such uses as: high-value, research-oriented uses such as applied sciences; industrial design; graphic arts; media; architecture; and highly specialized, small batch manufacturing. As described on page 1-11 of the DEIS, the proposed Special Permit would add controls over the scale and location of certain uses to ensure the Project Area is not overburdened with retail or hotel uses or academic campuses to the detriment of innovation economy uses. Specifically, academic uses (UG 3) would be limited to a maximum of 625,000 sf, and retail uses would be limited to a maximum total of 900,000 sf. In addition, the Special Permit would go beyond what is typically allowed in an M2-4 district by restricting hotel use (UG 5) and academic uses (UG 3) from locating in the same building as, or sharing a common wall with heavy industrial uses (UG 18). While the Proposed Actions do not include a mechanism for governing the incremental development of the Proposed Project, the EIS considers the reasonable worst-case scenario buildout of the Proposed Project, which is anticipated to occur over an approximately 8 year period.

Comment 3: [The] Applicant [should] provide a non-profit managed manufacturing set aside of floor area in perpetuity, to be not less than 1.5M sf in total, to include lease protections for existing businesses and preferential rents, to promote manufacturing, arts and arts production (except for UG6C Commercial Galleries), job development, strengthen business development activities, and address affordability and manufacturing business challenges. [The Community Board] would would like to see [the] significant area set aside to be managed by a non-profit like the Greenpoint Manufacturing Design Center in order to stabilize/subsidize rents. As part of the non-profit managed manufacturing set aside, [the] Applicant [should] ensure business incubator space for start-up businesses and workspaces for artists will be provided. (Fontillas_CB7_001)

Response: Comment noted. While the Applicant is considering a non-profit managed manufacturing set aside for a portion of the Proposed Project, the management of the anticipated manufacturing space within the Proposed Project has no bearing on the analyses of the EIS, as the EIS considers a project that includes a substantial amount of manufacturing space irrespective of who manages that space.

Comment 4: [The] Applicant [should] notify the [Community] Board three months prior to submitting a change in the Large-Scale Development Plan for CPC certification, attend a monthly meeting of the Board to present the change, and provide an updated report on leasing, job development, and progress on fulfilling recommendations listed in this Response prior to certification. (Fontillas_CB7_001)

Response: Comment noted. The EIS analyzes the potential for adverse impact that may result from the Proposed Actions, not modification to those actions. Modifications to the Proposed Actions would be subject to compliance with all applicable regulations regarding environmental review. In addition, modifications to the Special Permit would be subject to a land use review process that includes Community Board review. All modifications to the Special Permit, whether deemed to be a Major Modification or a Minor Modification, would be referred to the Community Board for review prior to any approval of such modification, at which time the Applicant would present the modification to the Community Board at their request.

Comment 5: I urge Community Board 7, as representatives of the community voice, vote and best interest to reject the Industry City rezoning proposal as it stands. Our community doesn't need more service jobs catering to middle and high income folks. We don't need more luxury retail or hotels. What we need is development that addresses existing Environmental Justice concerns, and helps us address climate change while creating well-paying jobs for existing community members. New York can't continue to displace working-class people in favor of deep pockets. The people who live in Sunset Park today, need a better quality of life and development that meets their needs. (Nieves_038)

Response: Comment noted.

Comment 6: Protect Sunset Park asks DCP to reject this proposal considering the anticipated impacts of additional analyses, including the cumulative, long-term impact of this rezoning alongside other land use moves and developments in the neighborhood, beyond the limited purview of the Project and Study Area analyzed in the EIS. Specifically, Industry City representative Andrew Kimball invoked the creation of jobs created by the nearby same-day distribution center in his testimony on this application to DCP on February 19th. If the distribution center is part of Industry City's plan to "bring jobs" to Sunset Park, the environmental impacts of those developments need be considered before considering the potential economic benefits. An analysis [should be undertaken] of the cumulative impacts ICs distribution center will have on the neighborhood, together with Sunset Industrial Park (the largest proposed distribution hub in the country) and the last mile distribution hubs set to be built in the close-by neighborhood of Red Hook. (PSP_047)

This proposal is flawed because it lacks a comprehensive look at how this rezoning will impact the neighborhood. There's no comprehensive study examining the impacts, effects of other project developments currently in process in Community Board 7. (Mitayres_077)

Response: The DEIS considered cumulative impacts of other nearby projects as part of its No Action assumptions, which accounted for future planned projects as well as

the addition of general background growth factors. Distribution and warehousing uses are currently allowed under the existing zoning and could be accommodated within the existing IC buildings. However, for purposes of CEQR impact assessment, it is more conservative to assume the continued buildout and occupancy of the buildings as presented in the No Action condition.

Comment 7: Our region needs climate jobs for Sunset Park residents, especially since we are situated at the waterfront. (Barry_003)

Response: Comment noted.

Comment 8: Industry City’s proposed rezoning is not “innovative” or needed in Sunset Park. A number of tech hubs are already in place or planned throughout New York City and there is certainly no lack of commercial, retail, hotel, or entertainment spaces in Brooklyn. Industry City’s existing campus and proposed expansion is rooted in the extractive economy that only prioritizes short-term profits and compromises all consideration for community, climate, or health (GRID_UPROSE_105)

Response: As described in Chapter 1, “Project Description,” the Applicant believes that the approval of the requested zoning actions will broaden the permitted use and bulk at Industry City, whose blend of uses will come together to create a vibrant Innovation Economy District. New classroom, lab, and research facilities will provide opportunities for academic and professional linkages between students and businesses and provide graduates with direct access to potential employers and workspaces. Expanded retail uses, ranging from local merchants and services to larger destination stores, will support the businesses of co-located manufacturers and other Innovation Economy companies, as well as Industry City employees, students, visitors, and Sunset Park residents alike.

Comment 9: “The re-tenanting and redevelopment of Industry City through the Proposed Actions... constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future.” This statement by Industry City recognizes that other land use options are ruled out by their plan, but it barely touches on this potentially significant negative impacts while ignoring some other critically important issues.

Industry City is NYC’s largest privately owned industrial complex, and as such is a unique resource. Industrial rents, absent government incentives, do not currently sustain new construction for manufacturing tenants. The resurgence in industrial activity, plus a growing focus on development of the circular economy and its locational dependence on dense urban concentrations, has created a demand for more M zoned space. Waterfront industrial land is needed to protect, adapt, and mitigate the impact of rising sea levels and increased heat. The need for waterfront land dedicated to manufacturing/industrial uses includes land to

produce/marshal/store materials for such functions as production of emergency PD housing, inflatable dams, floating docks, green roof systems, etc.; and land to store/marshal/deploy materials and equipment for BQE reconstruction and other NYC infrastructure needs.

The pace of conversion from industrial to commercial or housing uses is expected to increase. Almost 350 million square feet of industrially zoned land will be underwater by 2100. This translates to 25.9% of the overall manufacturing land in NYC. NYC's percent of industrially zoned "land under water" (within the high-tide mark) will grow and, owing to waterfront location, be subject to and endure frequent flooding. The continued conversion of a substantial portion of Industry City to non-industrial uses would remove a meaningful amount of industrial space that cannot be replicated. Until a full plan for addressing the city's industrial land in the context of climate change, land use pressures, industrial location patterns, etc. a moratorium should be enacted for all development and use changes on waterfront industrial areas. We need to make sure that the land needed to carry out these functions are not rezoned. Industrial land and buildings must be saved—once lost, they are gone forever. (Shiffman_UPROSE_050) (Shiffman_UPROSE_051) (Shiffman_UPROSE_052) (Sandoval_UPROSE_068)

Response:

As discussed in Chapter 1, "Project Description," traditional heavy manufacturing has been on the decline in NYC over the last 50 years, resulting in decreased industrial employment in the Sunset Park area and citywide. The Applicant's intent to expand high-employment manufacturing and other Innovation Economy uses in the Project Area by creating the economic conditions for the upgrade of long-underutilized and decaying buildings that have been only suitable for low-employment storage and warehouse. Industry City would continue to support manufacturing uses within the Project Area.

With the exception of Building 24, none of the Industry City campus buildings are located directly on the water. Moreover, Building 24 has water frontage only on its southern façade but there is no dock providing direct marine access; an apron controlled the NYCEDC is in front of Building 24. Further, the Proposed Actions would not preclude the ability to promote marine-related transport in the area. The Applicant has noted that it is part of the consortium involved in the redevelopment of the South Brooklyn Marine Terminal (SBMT) that proposing is an off-shore wind installation and operation and maintenance (O&M) port, which is expected to heavily utilized marine transport resulting in reduction in overall truck transport.

Comment 10: This proposal in Industry City is planning on what it called the economy of innovation, which is nothing more than a new brand of development that Jamestown Property specializes in. Today they are marketed toward an affluent public and thrive on the basis of internal and external tourism, with a base of entertainment and luxury commerce. The formula that Industry City uses is

Industry City

designed to develop a brand that attracts the attention of the public while displacing the existing community and capitalizing on the value of the property. They do this using the promise of jobs such as bait. (Fu_UPROSE_078)

Response: Comment noted. See the Purpose and Need section of Chapter 1, “Project Description,” for a discussion of the Applicant’s stated goals and objectives of the Proposed Actions..

Comment 11: We should not focus exclusively on the needs of the proposed creative industries, but produce the goods and services required for climate change adaptation in the region. (Osario_080)

Response: Comment noted. The potential for the production of goods and services supporting climate change adaptation would not be precluded from locating within Industry City, assuming such type of businesses are an allowable use under the proposed zoning and can be accommodated on the campus.

Comment 12: I think what we’re seeing is that these days a lot of companies in the innovation economy, they want to be near makers. They want to have mixed uses, spaces where people are actually doing interesting things. So I think that in some cases it’s a real asset for a building owner to have both of those uses together or a mix of those uses. I also think that, my sense is that Industry City has quite a bit of space that they can accommodate a lot of different uses. And I think that, from what we’ve heard from the speakers, and what I’ve seen when I visit there, they have that going on. They have some of those office companies, but they also have a mix and a lot of great manufacturing jobs there as well. (Bowles_CUF_075)

Response: Comment noted.

Comment 13: As the author of Brooklyn’s report on innovation districts notes, labeling something innovative does not make it so. As currently proposed in the DEIS, Industry City’s rezoning is neither innovative nor needed. The DEIS never defines what businesses constitute the innovation economy, nor does it explain why the establishment of the innovation economy hub is infeasible without the development of 900,000 square feet of retail, two hotels, 625,000 square feet of academic space and additional parking. (Hanhardt_085)

Response: As described in Chapter 1 of the EIS, the “Innovation Economy” has been defined to include such uses as: high-value, research-oriented uses such as applied sciences; industrial design; graphic arts; media; architecture; and highly specialized, small batch manufacturing. The Applicant has stated that the Proposed Actions are needed because the Project Area’s current zoning does not provide for the range of uses necessary to support the re-tenanting and development of the Industry City “Innovation Economy District.” The existing zoning of the Project Area restricts the utilization of the site, as it does not support

the development of academic or hotel uses, and substantially limits the range of permitted retail uses.

Comment 14: Industry City’s rezoning proposal is [a] 20th century plan which is not compatible to 21st century problems. From exacerbating rapid displacement and loss of well-paid, working-class industrial jobs to ignoring the ever-intensifying impacts of climate change, the Industry City rezoning plan as proposed by Jamestown Properties is destructive because it rejects community needs and its climate resilience. (Bequm_UPROSE_086)

Response: The Applicant believes that the Proposed Actions would encourage the continued growth of creative manufacturing entrepreneurship at Industry City, and the proposed expanded uses would provide synergies for research and development and modern manufacturing employment. Further, as detailed in Chapter 3, “Socioeconomic Conditions,” the analysis concluded that the Proposed Project would not result in significant adverse socioeconomic impacts due to direct or indirect residential or business displacement. As detailed in Chapter 14, “Greenhouse Gas Emissions and Climate Change,” redevelopment of existing buildings would incorporate both wet and dry flood protection measures wherever possible to protect against potential flood hazards in future projected conditions, and critical infrastructure in each building, where appropriate and practicable, would be raised approximately 3 feet above the ground floor elevation. The Proposed Project would be required to implement energy conservation and emission reduction measures in order to demonstrate compliance with the applicable emission intensity limits under Local Law 97. At such time that the proposed new buildings would be developed, the Applicant would reevaluate the state of current technology and follow best practices for energy efficiency.

Comment 15: The suggested modifications to the project are: to reduce or eliminate the construction of hotel rooms; calm traffic for maximum pedestrian safety; lower the maximum height allowances; create permanent manufacturing set aside and set benchmarks for workforce training and apprenticeships; and structure a robust and legally binding community benefits agreement (Murphy_098)

Response: While this and other comments on the Proposed Actions are noted, the Reasonable Worst-Case Development Scenario analyzed in this EIS provides a conservative assessment of the potential for significant adverse impacts to result from the Project as proposed. The requested modifications to the Proposed Actions are not proposed by the Applicant at this time. Should the City Planning Commission or City Council modify one or more of the actions to reflect this or other comments, such modifications will be analyzed at that time. In regard to community benefits agreements, please see the response to Comment 230.

JOBS/WORKFORCE DEVELOPMENT

Comment 16: Industry City pitches the idea of creating more jobs, but what kind of jobs would they be creating exactly? Minimum wage retail jobs are not the jobs that people need to survive given the increase of living costs. 40 percent of Sunset Park residents do not have a high school diploma. Under these circumstances, we know that manufacturing work pays more than retail and would allow workers without higher education to receive higher paying jobs. According to the New York State Department of Labor, manufacturing work pays over \$53,000 compared to only \$36,000 for retail work and 24,500 in food service. (Turner_UPROSE_071)

They are promised little jobs, \$15 an hour. Of course they are going to be forced to go get a job in there. Why can't they promise real jobs, real union jobs, real opportunities instead of entry level. They are promising the world, slave labor, minimum wage jobs, no guarantee of unions. He says a union hotel but no guarantee of a union hotel. And the high-end jobs, there's people in New York City that are qualified and do know the same jobs that they know. They don't have to have people from other states going here. There's enough youth and enough people with education that could do these jobs. (Jacob_057)

One point, a lot of people are complaining about entry-level jobs. I'm pretty sure all of you started somewhere at entry level, so did I. Started as an accountant, junior accountant, staff accountant, that's how you work your way up. Some people do good, some people do bad, that's on their personal stuff. So I don't think people should be whining about starting an entry-level job. (Cardona_092)

[Industry City] allowed us to train those individuals in their Innovation Lab so that we can use them for work paying at prevailing wage rates with the City, and that's a good job. That's not a \$15 an hour job as everybody here knows. (Capriles_065)

The jobs Industry City bring to the neighborhood do not match the skills of our workers. (Rolnick_063)

Our region needs climate jobs for Sunset Park residents, especially since we are situated at the waterfront. We need to be prepared for the next superstorm and sea level rise. (Barry_003)

We've heard a lot of people saying that minimum wage jobs, no one wants minimum wage jobs, that's not the case. I've had people that have been out of work for a year, people that come to our door on a daily basis and say, I need a job. That being said, there are pathways to higher wages through Industry City. A lot of these positions that are being created at Industry City are advanced manufacturing jobs, a lot of people don't have a huge history in these professions, a lot of the training you need to get is on-the-job training. So a lot of times you will start out at a minimum wage job and then you can work and build your skills from there. But to say that these jobs aren't good jobs is totally not true. Right

now we're having an issue with not being able to fill jobs for advanced manufacturing because people don't have that experience. I think Industry City is a great place for that. (Hawes_066)

Industry City claims that 700 area residents have either landed a full-time job or internship at an IC business through its on-site employment and business support center. However, there is no available information about the types and wages of the Industry City jobs held by residents. Since internships are included in this number, it is not clear how many of the 700 residents hold full time jobs at Industry City. Even if a large proportion of them were full-time jobs, 700 jobs represent less than 10 percent of the 7,500 jobs at Industry City. An Industry City spokesperson told The Gothamist that area residents hold less than 10 percent of the jobs or internships at Industry City. Industry City has not kept its promise of local recruiting and job placement. Based on the numbers reported in Industry City's February 2019 ULURP presentation, only 2.8 percent of Sunset Park's workforce is employed in Industry City. In addition, only 0.17 percent of Sunset Park residents have been placed in jobs by Innovation Lab of Industry City. (GRID_UPROSE_105)

Response: The Applicant's stated intent is to create economic opportunities for varying skillsets and salary ranges. CEQR analysis methodology, which is described in Chapter 3, "Socioeconomics," does not include estimates of the numbers and types of local area residents who may secure employment from the Proposed Project's construction or operations, nor does it estimate the likely wages associated with such jobs. The quality of jobs, including benefits, is outside of the scope of CEQR and thus is not analyzed in the EIS. Please also see the response to Comment 70.

Comment 17: As an Industrial Business Zone, a Significant Maritime and Industrial Area and home to a sizable industrial sector, especially construction-related businesses, Sunset Park is ideally suited to take advantage of the City's commitment and state's commitment to addressing climate change. The tide has changed. The City Mobilization Act is estimated to generate 27,000 jobs and New York State's Climate Leadership and Community Protection Act projects 150,000 jobs. With preservation of industrial land, buildings, and businesses, many of these jobs could be located in Industry City and Sunset Park; however, market pressures exacerbated by the proposed rezoning could jeopardize New York City's ability to seize this opportunity to assure that these green industrial jobs go to New York City residents and not elsewhere. (Hanhardt_085)

Response: Chapter 3, "Socioeconomic Conditions," includes a detailed analysis of the potential for indirect business displacement due to increased rents. The analysis identified the potential for some business displacement, but not to a level or extent that could result in significant adverse socioeconomic impacts as defined under CEQR; see response to Comment 68. With the Proposed Actions, up to

approximately 57 percent of the total square footage within the Project Area would be dedicated to Innovation Economy space supporting over 9,000 jobs in manufacturing, artisanal manufacturing, and office uses. The Proposed Project is expected to generate more than 15,000 total on-site jobs. As detailed in Chapter 2, “Land Use, Zoning, and Public Policy,” and Chapter 3, “Socioeconomic Conditions,” the Proposed Actions would support the goals of the *New York Works* economic development plan—including providing job opportunities in emerging industries and developing south Brooklyn’s waterfront as a center for industrial and manufacturing business—through incentivizing the development of space for emerging industries that combine elements of industrial, manufacturing and creative uses, as well as cultural sectors. The Proposed Actions also would support the mission of New York Works by allowing for a wider range of commercial and light industrial/production uses in the Directly Affected Area than currently allowed by the zoning and providing enhanced employment opportunities.

Comment 18: What we really do need is education. Green jobs are already coming, but the wind towers are being built, but we don’t have the skills for that in the workforce and that’s what we need more than anything. The academic zoning will allow the vocational education, satellite campuses pursuing maritime, that’s exactly the kind of thing that will allow people to get the green jobs. They are already here, the biggest question is not whether or not we’re going to get green jobs, the question is whether or not the population has the skill set necessary to take advantage of it, and right now they will not. One of the reasons why I’m so in favor of it is because of the educational facilities that this will allow. (Wong_064)

I’m thinking about the numerous jobs that this will be bringing the neighborhood, the educational facilities that this will allow. I’m thinking about the kids and their future, we often have students visiting from the surrounding schools. I think it’s amazing that they get to see their fellow neighbors who work and who even own businesses at Industry City. Hopefully this will spark something in them, in being entrepreneurs and being creative. (Reyes_073)

As described in Chapter 1, “Project Description,” the Applicant is requesting to broaden the permitted uses that would provide a venue for innovators and scholars to interface on research, design, training, and education, and provide a feeder of educated and trained employees to serve Innovation Economy uses on site and elsewhere in the City. They believe that this could encourage, rather than preclude education and training that could be applicable for green industrial employment. Furthermore, by facilitating the re-tenanting of space from vacant and warehousing use, the Proposed Actions would substantially increase the number of jobs at Industry City, many of which could accommodate the green industries cited by the commenter. Lastly, the Applicant notes that it is part of the consortium involved in the redevelopment of the South Brooklyn Marine Terminal (SBMT) that is proposing an off-shore wind installation and operation

and maintenance (O&M) port. Colleges and universities need to directly connect with business in the innovation economy and create pathways to employment, particularly for CUNY students. Industry City's rezoning facilitates these connections. (Myer_DBP_072)

These are the youth that have gone through the Innovation Center so far, the Innovation Lab so far. These are the youth that will benefit from those jobs. And that's why we need to encourage this type of development and that type of job creation. (Peers_BCC_087)

Response: The Applicant is requesting to broaden the permitted uses to allow for academic use, to provide a venue for innovators and scholars to interface on research, design, training, and education, and provide a feeder of educated and trained employees to serve Innovation Economy uses on site and elsewhere in the City. The Applicant believes this could encourage, rather than preclude education and training that could be applicable for green employment.

Comment 19: I think that what Industry City and the Navy Yard are doing by having these place-based programs literally at the location where the jobs are, Industry City the Navy Yard, those two places are [some] of the only places doing that kind of place-based workforce development where they are able to be informed by the employers on-house, on-site what their skills needs are. They are able to take interns right there and they are doing that. (Bowles_CUF_075)

Response: Comment noted.

Comment 20: Industry City's Innovation Lab should be redesigned to work in a manner similar to RDM Rotterdam with key goals of sustainability, climate resiliency and Just Transition. Focus on the existing marine and industrial anchors in Sunset Park. Connect them to innovation through educational and research-based organizations and businesses. Place community residents in well-paid jobs at all skill levels with ladder for growth. (GRID_UPROSE_105)

Response: Comment noted.

PROPOSED HOTEL USE

Comment 21: C21 Hotel uses (UG 5) shall not be permitted within the project area. The [Community] Board will not accept hotel uses in [the] district and the low wage jobs these uses attract. The [Community] Board has been on record against the expansion of hotel uses in industrial districts which lead to incompatible conflicts with manufacturing uses nearby. (Fontillas_CB7_001)

They still have the hotels, they still are asking for a certain amount of retail use where we've asked for them to reduce it. (Fontillas_CB7_058)

Community Board 7, over the past several years, has suffered from an influx of hotel developments that have specifically been in industrial areas that have been turned into either shelters or really fronts for prostitution rings. In Community Board 7, we have a very large immigrant population, several of those hotels have been fronts for person trafficking. And a significant number of new hotels have been built in the past several years have been the focus of our own police precinct to try and root out those types of horrible human rights violations. Our feeling with the hotels as a board has always been that we don't feel that there's an issue if there is a hotel that is run properly. But we do not have any expectation that a hotel in an industrial area, which is the proposal, would be any different than what would happen in the rest of the district. (Fontillas_CB7_058)

There are several hotels that opened up on Fourth Avenue that, with the best of intentions, Best Western, a Quality Inn, were in operation for several a couple of years, but then were sold either to—and converted into shelters for men in particular. And there was a significant issue with safety around the neighborhood. (Fontillas_CB7_058)

Hotels are everywhere in Sunset Park since the 2009 rezoning. There's 8 hotels within a 2/3 block radius of IC. (Kaplan_NAB7_027)

There seems to be a lot of confusion about hotels. I just Googled it, there are about four to five hotels within three to four blocks, three-star and up, with over four-star ratings on Google, 200 to 300. They're fine without a hotel. (Hu_PSP_097)

There are already more than 20 hotels within a half-mile of Industry City. Are you going to tell me that each and every one of them is a hot sheets hotel? As someone else, I believe it was Whitney, already Googled it and you'll find out that that's not true. (Roca_102)

Response: Comment noted. As noted in Chapter 1, “Project Description,” of the EIS, the Applicant believes that approval of the special permit would allow the Applicant to develop up to two hotels within the Industry City campus to support the cross-activities of the academic, commercial and innovation economy. The Applicant believes that the proposed hotels at Industry City will not compete with existing hotel offerings in the neighborhood, but rather, will fill a gap in the market for business-oriented hotels with meeting facilities. In addition to serving the diverse sectors of the Innovation Economy, such meeting facilities will further provide ample space for conferences and events hosted by potential academic partners. The Applicant believes that a hotel use at Industry City would help support existing businesses as they grow, providing prospective workers, partners, and visitors with direct access to the companies they are visiting as well as to the greater Innovation Economy uses within the Project Area.

Comment 22: If this rezoning is really about job creation then why hotels and box store retail which carry so few jobs and [are] mostly low paying. (Kaplan_NAB7_027)

Response: As described in the EIS, the Applicant has stated that the Proposed Actions are needed because the Project Area’s current zoning does not provide for the range of uses necessary to support the re-tenanting and development of the Industry City “Innovation Economy District.” The existing zoning of the Project Area restricts the utilization of the site, as it does not support the development of academic or hotel uses, and substantially limits the range of permitted retail uses. As a result, Innovation Economy and supporting retail uses currently comprise less than half of the total portfolio at Industry City; the rest of the complex remains largely underutilized—26 percent is occupied by low-employment storage and warehousing and 25 percent is vacant. And while current ownership has invested substantial resources into reducing underutilized space since buying Industry City in 2013, those efforts have met with limited success. Under the current zoning framework, underutilized space at Industry City has only been reduced by 12 percentage points between 2013 and 2018. Furthermore, it is projected that the anticipated hotels and retail could employ up to approximately 700 and 1,600 workers, respectively—representing a substantial number of new jobs. The Applicant also believes that expanded retail uses, ranging from local merchants and services to larger destination stores, will support the businesses of co-located manufacturers and other Innovation Economy companies, as well as Industry City employees, students, visitors, and Sunset Park residents alike.

Comment 23: Our community does not need more high-end luxury retail since this can already be found in Manhattan. There is no need for hotels in a working class neighborhood where we are fighting to keep rental costs down. (Maya_031) (Turner_UPROSE_071)

Our community doesn’t need more service jobs, catering to middle- and high-income folks, we don’t need more luxury retail or hotels. What we need is development that addresses existing environmental justice concerns and helps us address climate change while creating well-paying jobs for existing community members. (Waxman_UPROSE_069)

Response: Comment noted.

Comment 24: A lot of these things are not black and white, just to give an example, hotels. We will fight hotels that are front just for prostitution like crazy, that would be very negative for us as industrial tenant in Industry City. On the other hand, the lack of a hotel that we can send our customers and our suppliers to, a lack of a quality hotel, is a significant negative for us. So we don’t oppose or support hotels, per se. We support bad hotels, we support good hotels. (Taylor_074)

Response: Comment noted.

Comment 25: A special permit for a hotel in a M2 zone is not as of right and sets a dangerous precedent for such zones across the city and especially in Sunset Park. Most jobs

associated with hotels are lower wage service sector jobs that do not provide opportunities for growth. Such jobs can erode the stable base of working class jobs in Sunset Park. (GRID_UPROSE_105)

Response: See response to Comment 21.

Comment 26: The Applicant made public statements indicating that there would be no hotel use in the project yet submitted the land use application that included a substantial hotel use. The Applicant should have provided information about their leasing plan, mix of uses and identified potential partners, for example, educational organizations or nonprofits for community facility uses, museums, or libraries so that the program described in the DEIS will better reflect reality. Without this information, it is impossible to provide an accurate analysis of the impacts to the surrounding community. Now they have stated in a letter to both Council member Menchaca and to our Board President Zuniga that they would change those elements. But as of today, over the past year now, after this discussion we're still at that point where the application still contains all those things that the board does find objectionable. (Fontillas_CB7_058) (Fontillas_019)

Response: Comment noted. The Applicant indicated it would support removal of hotels from the Special Permit application by the City Council when the application goes before the Council in the ULURP process. Should the Proposed Actions be modified in the course of ULURP review, additional environmental review would be conducted pursuant to all applicable regulations.

Comment 27: I don't want to belabor the point on the hotel conversation, but just to make the point that as the only international terminal operator bringing international freight into Brooklyn, it is very important to have those amenities to serve the industry. As we begin to redevelop the South Brooklyn Marine Terminal for the off-shore wind industry, it is again extremely important to have amenities, like every other port facility does around the world, to serve the industry. (Stamatis_082)

I would love to have a hotel, absolutely. I get a lot of overseas travelers who come in and I literally have to stop them when they book a hotel and say, "Where did you book? No, I'm changing your hotel." Not that I don't know if it's good or bad, I can't trust it. I'm pretty sure if you had a hotel that serviced the businesses in Industry City, it would not be one of those bad hotels. (Whelan_084)

Regarding hotels, it would be nice to have a nice hotel there. A few years ago, I had a funeral, I had family members come in. The hotels they stayed in were horrendous. I would like them to stay in a nice hotel where they feel safe and so forth. Our cars were broken into and all that stuff because of the hotels that are there with the people that are there. (Cardona_092)

Response: Comment noted.

Comment 28: I think if you start with a group proposal and the community agrees that there's a need for a unionized hotel, that's one thing. If you're starting with a nonunionized hotel as the main usage of your rezoning, that's not where we should be starting. (Daly_Demos_095)

Response: Comment noted.

PROPOSED ACTIONS

Comment 29: The Special Permit drawings [should] be amended to note a minimum street wall height of 85 feet. In order to maintain view corridors from Sunset Park to Lower Manhattan, the Special Permit drawings [should] be amended to include a maximum building height of 110 feet for Buildings 11, 21, and the Gateway Building. (Fontillas_CB7_001)

Response: While this and other comments on the Proposed Actions are noted, the Reasonable Worst-Case Development Scenario analyzed in this EIS provides a conservative assessment of the potential for significant adverse impacts to result from the Project as proposed and the Applicant has not proposed to modify the application as the commenter requests. Should the City Planning Commission or City Council modify one or more of the actions to reflect this or other comments, such modifications will be analyzed at that time. The potential for project-related impacts to view corridors is analyzed in Chapter 7, "Urban Design and Visual Resources."

Comment 30: The ground level of internal courtyards between Finger Buildings must be left unbuilt and open to the public within reasonable hours of operation. Overbuilt floor areas within and/or above courtyard areas must start at least 30 feet above the existing 1st floor level and must be setback from 2nd Avenue by 30 feet. (Fontillas_CB7_001)

Response: Comment noted. The Applicant has not proposed to modify the application as the commenter requests. See response to Comment 29.

Comment 31: The [Community] Board requests that the following uses not be included in the special district: hotels, formula retail, chain and big box stores, e-commerce and last-mile distribution warehouse facilities, self-service storage facilities, warehousing other than ancillary to manufacturing, universities and education programs that are inaccessible to residents based on income or are for-profit entities, and public schools for students younger than high school-aged youth.

Formula Retail Establishments [should] not be permitted in the project area, as defined: "[a] retail sales establishment which, along with ten or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a

standardized decor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark.”

Nightclubs uses with a capacity of over 200 persons (UG12D) [should] not be permitted within the project area.

Although the [Community] Board is not averse to educational facilities at IC, community facility uses should be defined and partners identified to the Board prior to lease. The [Community] Board prefers a local Community College to expand at IC to provide workforce program connections. A vocational/technical high school is desired in CD7 modeled on the STEAM program at Brooklyn Navy Yard, with programs for children and adults.

[T]he [Community] Board believes several use groups IC is proposing in the project do not comply with neighborhood planning principles. Expanding retail jobs is not preferred because these jobs pay wages that are lower than manufacturing jobs with similar education requirements. In particular, the Board believes formula retail uses are not in keeping with neighborhood character. Lastly, the [Community] Board is strongly against e-commerce / last-mile warehousing at the site because of the increased truck traffic that results from its siting. In order to protect manufacturing space and to reduce conflicts with industrial users, the [Community] Board asks the Commission to prohibit all self-storage facilities and warehousing not ancillary to manufacturing and industrial uses. (Fontillas_CB7_001) (Fontillas_CB7_058)

Response: Comment noted. Of the uses proposed by the commenter to be prohibited, last-mile distribution warehouse facilities (UG 16D), warehousing other than ancillary to manufacturing (UG 16D), and nightclub uses (UG 12D) are as-of-right in both the existing and proposed zoning districts and restricting such uses would narrow rather than broaden the range of permitted uses, thus running counter to the goals and objectives of the proposed actions. The Zoning Resolution does not distinguish between not-for-profit and for-profit colleges and universities, and thus would not have a mechanism for enforcing such a restriction. The proposed M2-4 district along with the SICD and Special Permit is intended to be flexible enough and allow for a range of permitted UGs, including certain community facilities, local and destination retail, and hotel to support the Applicant’s vision and proposal. This is of particular importance given the size of the Project Area’s buildings, their current underutilized nature, and the evolving nature of businesses over time. See also responses to Comment 2, Comment 10, and Comment 21.

Comment 32: [A]dditional retail uses [should be prohibited] on any floor in any of the 39th Street Buildings (Buildings 19, 20, 22–23, 24, 25, 26, and Building 21). Retail uses [should] be limited to 10,000 sf per establishment. Overall retail uses [should be] limited to 300,000 sf total. Retail uses [should] include Use Groups (UG) 6A, 6C, 7B, 8A, 8B, 9A, 12A, 12B, and 14A. To prevent conflict with manufacturing uses and their loading requirements, primary access to retail use storefronts

[should not be] permitted on numbered street frontages in the Finger Building area. Retail storefronts [should] be accessed from a common area, courtyard or corridor, which [should] have a primary entrance on or within 100 feet from the streetline of 2nd or 3rd Avenues. Manufacturing uses must have clear access 24 hours a day, 7 days a week to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces. (Fontillas_CB7_001)

Response: Comment noted. The Applicant believes the density, size, and location of retail uses as applied for in the Proposed Actions is appropriate to the surrounding context, and does not anticipate modifying the application at this time.

Comment 33: Parking capacity is driven by retail use. The [Community] Board prefers to reduce the overall area permitted to retail use to curtail the number of parking spaces. Accessory parking [should] be as provided in the application, except that it [should] also include all newly permitted retail and service establishments, including retail, local service and eating and drinking establishments in UG 6A/6C and such parking [should] be provided when such uses reach a 40,000 square feet threshold and beyond. Use groups that require parking should include those listed in the application: SA, 6C, 7B, BA, SB, 9A, 12A, 12B, and 14A. All zoning calculations [should] show the number of spaces required and the calculation of square foot area for the number of spaces the area corresponds to. The Applicant [should] provide the assumption of parking space area used in calculations. (Fontillas_CB7_001)

Response: Comment noted. As detailed in Chapter 1, “Project Description,” of the EIS, parking is typically not required in M2-4 districts, but would be required for certain uses under the proposed Special Permit. Specifically, the special permit would require retail and service establishments listed in UGs 6A, 6C, 7B, 8B, 9A, 10A, 12B, and 14A—with the exception of certain non-retail uses—to provide parking at a rate of one space per 500 square feet of floor area once retail uses in the Special Permit area exceed 120,000 square feet. An analysis of the potential impacts of the Proposed Actions on area parking supply is provided in Chapter 11, “Transportation.” Further details of the proposed parking regulations can be found in the ULURP Application for the project.

Comment 34: The Board does not agree with the use regulations and locations and height, bulk and setback requirements listed in the Special Permit application. See proposed conditions listed below:

- Special Regulations applying in the Waterfront Area, Article VI, Chapter 2 [should] apply and the SICD [should] not be exempted;
- [The] zoning text of the special district must include a[n] FAR limitation of 4.5 to limit adverse environmental impacts;
- [The z]oning text of the special district must include mandatory front building walls along First, Second, and Third Avenues;

- [The zoning text of the special district must prohibit all self-service storage facilities and other warehousing not ancillary to manufacturing and industrial uses. Warehousing ancillary to wholesale trade is limited to no more than 10,000 sf per establishment except this limit for the specific establishment may be increased upon review and approval by the Board;
- [The zoning text of the special district [should] prohibit trucking terminals and motor freight stations over 10,000 sf to limit traffic impacts and reserve space for higher value manufacturing uses;
- The [Community] Board supports the location of a grocery store meeting FRESH requirements as an approved use pursuant to special permit, with the stipulation that it can only be located in Building 11 on the ground floor; and
- The [Community] Board voted to disapprove the Demapping of 40th Street unless the conditions listed in Issue Sections 1-6 and the Special Permit are met. (Fontillas_CB7_001)

The Board believes that a 4.5 FAR would rationalize existing built construction and would allow for a modest increase in floor area for new construction, and any new construction along First, Second, and Third Avenues should align with the streetwall. (Fontillas_CB7_058)

Response: Comment noted. The Applicant believes that approval of the Proposed Actions would allow for the implementation of its goals for achieving the right balance and flexibility of uses on the Industry City campus. The Applicant has not proposed to modify the application as the commenter requests. Alternative scenarios to reduce or eliminate impacts are explored in Chapter 19, “Alternatives.”

Comment 35: We understand the Applicant would like to map and define an area of the Sunset Park waterfront as a special district; change the zoning district from M3-1 to M2-4; create a zoning text amendment to establish the Special Industry City District (“SICD”); and also modify sections of the Zoning Resolution. The Board did not affirm a position on these actions. (Fontillas_CB7_001)

Response: Comment noted.

Comment 36: It took CB7 20 long years to get Bush Terminal Park built. We believe strongly in public access to the waterfront and that the Industry City special district should not be exempted from waterfront district regulations. (Fontillas_CB7_058)

Response: Comment noted. As described in Chapter 1, “Project Description,” of the EIS, the proposed Special Permit would waive the underlying Zoning Resolution waterfront public access regulations, in lieu of an alternate arrangement to be established by restrictive declaration. In the event Building 24 is developed, enlarged, or subject to a use change that is not predominantly industrial and the Industry-City-owned portion of the waterfront apron adjacent to Building 24 is combined with the adjacent New York City-owned portion of the waterfront

apron, a public access area would need to be developed and opened to the public on such waterfront apron. However, since there is currently no plan to convert Building 24 to a non-predominantly industrial use or to combine the Industry City and City-owned portions of the waterfront apron, for the purposes of a conservative analysis, the provision of public open space in this area was not assumed in the analysis framework of the EIS.

Comment 37: [I approve] of all actions except special permit pursuant to ZR Section 129-21 for a large-scale commercial development (190297 ZSK). (Adams_104)

Response: Comment noted.

Comment 38: Borough President Adams believes that the zoning text as proposed is severely inadequate. While the proposed zoning would allow the Applicant to attract destination retailers—including big box stores—the proposed extend of such retail and the specified amount of ZR-defined retail/service use group floor area, as a proposed of the overall development, is excessive. There is also no guarantee that a beneficial use such as the Innovation Lab would remain beyond its current lease. As the proposed parking is tied to ZR retail use groups, key traffic-generating amusement uses would be exempt from parking requirements. Such amusements uses, which include arenas, auditoriums, stadiums, or trade expositions limited to 2,500 seated and/or rated capacity, billiard parlors or pool halls, bowling alleys or table tennis halls, skating rinks, and theaters are no different from destination retailers, and should not be permitted to waive required parking. (Adams_104)

Response: Comment noted. As described in Chapter 1, “Project Description,” of the EIS, aside from the vacant and storage and warehousing uses (51 percent of existing floor area), only 1.4 percent of the remaining 49 percent of Industry City is currently occupied by retail uses. Under the Density-Dependent Scenario, less than 14 percent of Industry City’s total square footage would be retail space. The proposed retail use would provide amenities for Innovation Economy firms, including convenient places to eat and buy goods. Expanded retail uses, ranging from local merchants and services to larger destination stores, will support the businesses of co-located manufacturers and other Innovation Economy companies, as well as Industry City employees, students, visitors, and Sunset Park residents alike. The proposed special permit would limit the total amount of retail use to be created on site and would require retail and service establishments to provide parking, which is not typically required in M2-4 districts. With the exception of certain restaurants, retail establishments would generally be restricted in their location within the SIDC. These controls would ensure the project area is not overburdened with retail uses to the detriment of a vibrant innovation economy ecosystem. The Applicant does not currently anticipate amusement uses in the Proposed Project; however, it should be noted that such

uses are currently permitted in the existing zoning district, with no requirement to provide parking. An analysis of the potential impacts of the Proposed Actions on area parking supply is provided in Chapter 11, “Transportation.” As detailed in that analysis, the Proposed Actions would not have a significant adverse impact on area parking supply.

Comment 39: Ultimately, the mix of uses and tenants within the complex will be determined by the ability to pay rent, which means that the inclusion of the represented innovation and maker uses (including green industrial development), which may be less lucrative than ZR-defined office space, is not guaranteed. (Adams_104)

Response: Comment noted.

Comment 40: Borough President Adams seeks to clearly define the extent of the floor area that would be allotted for supporting accessory retail as well as eating and drinking operations at Industry City. He believes that it is appropriate to limit accessory retail operations, specifically for UGs 6A, 6C, 7B, 7D, SB, SC, 10A, and 12 by permitting up to 100 sq. ft. without regard to the size of the industrial/maker establishment, though not more than 1,000 sq. ft. or not exceeding 10 percent of floor area per establishment. (Adams_104)

Given that Industry City is an economic engine with the potential to leverage maker and other beneficial uses, and generate enough activity to justify the construction of Buildings 11 and 21, Borough President Adams believes that such [retail] floor area should be reduced 750,000 sq. ft. or 0.58 FAR (with the inclusion of amusement use groups). (Adams_104)

Response: Comment noted. The Applicant believes it is difficult to establish a single standard amount of retail space that should be permitted as accessory to other operations, as different tenants produce vastly different products that may be available for sale, and those products would in turn require significantly different amounts of accessory retail space to sell. As such, the Applicant believes the standard Zoning Resolution definition of “accessory” space continues to be appropriate for the Proposed Actions and does not propose to modify the application. The EIS conservatively analyses the retail use outlined in the RWCDs, irrespective of the tenant allocation of such use.

ANALYSIS FRAMEWORK

Comment 41: A supplemental DEIS needs to be prepared to address dated information and the analysis year. Due to the length of discussions with the applicant before ULURP began, along with the applicant’s decision to complete the environmental review prior to the acceptance of the final scope of work, the certified environmental review was out-of-date before ULURP began. Current and existing conditions are repeatedly defined with 2016 data, even for data sets that are kept relatively

current, like traffic and air quality. Tables compare, for instance, “2016 Existing vs. 2027 No Action Traffic Levels of Service,” to reflect the 10-year build period. But it is now 2020 and the Final Scope of Work was issued in October 2019, two years after the Draft Scope was issued. The SDEIS should also correct the build year to reflect the applicant’s decision to prepare the DEIS so early in the process, prior to the acceptance of the Final Scope of Work. The 10-year build year is not 2027; it should be 2029 (reflecting the Scope of Work) or the lead agency may wish to have a 2030 build year to better reflect reality. This new SDEIS analysis should incorporated changes that occurred in the community that are currently omitted and any new expected development. (Fontillas_019)

Response: The Final Scope of Work defines the Build Year as 2027, not 2029 as noted by the Commenter. The Industry City project does not have a 10-year build period, and the project’s anticipated 2027 full buildout always accounted for time for preparation of the DEIS and the public review process between the issuance of the Draft Scope and approval of the project. Industry City is in the process of renovating and re-tenanting existing buildings which will happen irrespective of environmental review. Construction of new buildings will not occur immediately; the DEIS anticipates that construction of new buildings will not begin until the year 2022 and that full buildout of the project can still meet the 2027 timeline. The overall anticipated construction duration, logistics, and activities would be the same if the construction start and completion dates under the Proposed Actions were shifted by one year. Therefore, a shift in construction would not materially affect the construction analyses and conclusions presented in the DEIS.

The traffic volume data include all background development projects and background growth rates as approved by DCP, and no other nearby projects have been identified or advanced that would affect these projections. The FEIS reflects new expected development in the surrounding area, including the offshore wind production facility at SBMT, as well as new public policies including the Climate Mobilization Act. There have been no changes in the Proposed Actions or the Proposed Project. Therefore, a supplemental DEIS is not warranted.

Comment 42: The applicant has agreed to major changes in their initial proposal, including the elimination of the Hotel use. The SDEIS should also reflect these changes so that their impacts are fully disclosed. (Fontillas_019)

Response: The Applicant has expressed a willingness to support modifications to the proposed actions, should the City Council seek to impose such modifications. As the specific details of such modifications are not yet clear, this EIS analyzes the Proposed Project. If and when the Proposed Actions are modified and details on such modifications become available, the environmental impacts of such modifications will be assessed pursuant to all applicable regulations.

Comment 43: The applicant did not disclose information necessary to evaluate environmental impacts based on the entirety of the proposed development. Necessary information not provided includes a finer breakdown of manufacturing and artisanal uses within the applicant-defined “Innovation Economy” category, the current number of jobs attached to different use areas, the wage and skill level of those jobs and employee benefits, aggregate data of current progress on local hiring placements, and details on the actual commitment Industry City is making to further local employment opportunities in terms of numerical stated hiring goals, as well as dedicated square footage to the Innovation Lab project. (Fontillas_019)

Response: CEQR analysis methodology does not include estimates of the number of jobs within specific manufacturing and artisanal uses or local area residents who may secure employment from the Proposed Project’s operations, nor does it estimate the likely wages associated with such jobs. The quality of jobs, including benefits, is outside of the scope of CEQR and thus is not analyzed in the EIS. Under CEQR, assumptions regarding employment generated by the Proposed Project are used not to identify potential project benefits but rather to serve impact analysis areas that are population-dependent (e.g., open space demand). Chapter 3, “Socioeconomic Conditions,” provides a conservative assessment of potential employment at Industry City using standard employment density ratios typically used for CEQR assessment, as specific future tenants are not known at this time. It would be speculative to provide a finer breakdown of potential employment such as that requested by the commenter.

Comment 44: Community concerns about health impacts to the degrading housing stock and home insecurity, and the potential for more accidents due to increasing traffic, the impacts of which are unmitigated, are all valid community concerns and have been left unstudied in the DEIS. (Fontillas_019)

Response: The EIS addresses the potential for public health impacts, indirect residential displacement, and pedestrian safety consistent with the Final Scope of Work (see Chapter 3, “Socioeconomic Conditions,” Chapter 11, “Transportation,” and Chapter 16, “Public Health.”)

Comment 45: A private rezoning application this large cannot be looked at in isolation. What we actually do want is a comprehensive plan. It must be a plan that’s developed in support of the neighborhood and addresses neighborhood needs or else why else are we here to testify? And that the idea that this application has been seen in isolation is really something that is related to a specific set of uses has been very difficult for the community to wrap its head around. (Fontillas_CB7_058)

Response: The DEIS considered the cumulative impacts of other nearby projects as part of its No Action assumptions, which accounted for future planned projects as well as the addition of general background growth factors, described in Chapter 2,

“Land Use, Zoning, and Public Policy,” of the EIS. The Proposed Actions and the Propose Project are specific to the Directly Affected Area.

Comment 46: I join the over 4,000 signatories of a petition gathered by the group Protect Sunset Park to speak out against Industry City’s proposed application. Any vote by this committee that fails to consider the full demographic, social, and environmental effects of this rezoning is vulnerable to litigation as the recent NYS Supreme Court Decision in Northern Manhattan is Not For Sale vs The City of New York has shown. This application should not only be rejected because it is being evaluated through a process that the courts have deemed problematic but because its proposed job creation numbers, environmental, and economic benefits are also suspect. (Camarena_008) (Camarena_061)

Response: The environmental assessment of the Proposed Actions’ potential to result in significant adverse impacts was prepared using guidance from the *CEQR Technical Manual* and in consultation with the lead and other review agencies on appropriate methodology and scope.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 47: Sunset Park’s 197-a plan advocated for the support and development of the industrial job base along its waterfront... The [Community] Board is concerned that the rezoning application will not prioritize or encourage the preservation or expansion of manufacturing uses as stated in our 197-a plan. This prioritization is also reflected in recent city public policy statements, including NYCEDC’s Sunset Park Waterfront Vision Plan, the Mayor’s Industrial Action Plan, Waterfront Revitalization Program, Vision 2020 Comprehensive Waterfront Plan, New York Works, NYCDEP’s Green Infrastructure Plan, and the Southwest Brooklyn Industrial Business Zone.

The Sunset Park Industrial Business Zone is one of the few remaining viable and robust manufacturing districts in NYC. Industrial zones are at risk throughout the city—physical infrastructure is failing, non-industrial uses are invading, there is no protection for industrial businesses from rising rents and displacement... NYC manufacturing zones unfortunately require no manufacturing floor area and allow unlimited office space as-of-right. The [Community] Board would like to ensure some amount of floor area for manufacturing uses and not see it completely replaced with office uses. The [Community] Board prefers IC to maintain a significant commitment towards manufacturing uses at the complex to ensure there are available jobs for members of the local community. The [Community] Board prefers manufacturing uses because they provide better benefits, career advancement, [and] a living wage. (Fontillas_CB7_001)

Response: The land use, zoning and public policy analysis presented in Chapter 2, “Land Use, Zoning, and Public Policy,” considers all of the policies identified by the

commenter. As detailed in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Actions would allow for substantial continued progress toward advancing the 197-a plan’s goals of converting vacant or underutilized property into job-intensive industrial uses, developing a vocational center or other community facility uses in order to prepare students for jobs in manufacturing and tech sectors, and preserving and celebrating Sunset Park’s rich maritime and industrial heritage. The Proposed Actions would facilitate the continued transformation of the underutilized Industry City site, which includes approximately 2.7 million square feet of vacant and storage and warehouse space, into an active Innovation Economy District with 15,000 on-site jobs and 6.6 million square feet of space, while supporting the continued preservation and restoration of existing structures. The EIS describes significant efforts to improve Industry City’s competitiveness under the current zoning regulations, which have resulted in limited success in reducing underutilized space at Industry City since 2013, when the applicant took over ownership. The Applicant has stated that the limited uses allowed under the existing zoning discourage other investments in portfolio-wide building modernizations, preventing the Industry City complex from further re-tenanting existing buildings. The Proposed Actions will allow Innovation Economy firms to be integrated into a mixed-use community with other like-minded makers, with ready access to a workforce with diverse skills and experiences. Zoning actions that broaden the permitted use and bulk at Industry City are required to allow for this collaborative “ecosystem” to grow and to allow for the retention and growth of industrial jobs in Sunset Park. The Proposed Actions would facilitate an expansion of existing manufacturing uses within Industry City and introduce a limited amount of new academic and hotel uses that the Applicant believes would have synergies with existing land uses.

Comment 48: IC emphasizes they want to transition to new uses at the complex that are part of the Innovation Economy. Innovation Economy uses (under IC’s definition) allow for significant formula retail, big box retail, and technology offices in the use group mix. These uses are not preferred in our 197-a plan. IC has also increased office uses at the complex whose employers offer jobs that are inaccessible to residents because of education and training requirements. (Fontillas_CB7_001)

Response: Please see response to Comment 47. In addition, the Innovation Lab provides entrepreneurship and vocational training opportunities for local residents and facilitates linkages between students and businesses. The new academic uses facilitated by the Proposed Actions would build upon this, allowing for the development of closer connections and working relationships between students and Innovation Economy firms and providing a pathway from education to employment for local residents.

Comment 49: The proposal does not include water-dependent industrial uses. However, the applicant claims full consistency with WRP, which requires explicit support to

maritime and industrial development in the SMIA. This also makes the proposal inconsistent with “Vision 2020,” which requires concrete actions to actively market marine transport as an option for local distribution companies and manufacturing businesses to reduce overall truck vehicle miles traveled in this section of the waterfront. In order to comply, the project should demonstrate how it would promote water-dependent and industrial uses, including in/around Bush Terminal Piers Park, a WRP-designated “Priority Maritime Activity Zone” located within the half-mile buffer of the project. (Osario_039) (Osario_080)

Response: The Proposed Project would support industrial uses within the Project Area, specifically at Building 24, which the Applicant proposes to redevelop with predominantly industrial uses (UG 16, 17, or 18). This is consistent with Policy 2.1 of the WRP, which is intended to support industrial uses that are both water dependent and non-water dependent. As noted in Policy 2 of the WRP, “while the SMIA and the ESMIA encompass areas best suited for water-dependent uses, they also include much of the city’s land zoned for industrial uses” and “projects that include non-water dependent or non-industrial components can spur investment in waterfront infrastructure, support maritime and industrial uses and contribute to a healthy business environment in the SMIA” (NYC WRP policy document, page 25). As described in Appendix A-1 “WRP” of the EIS, while it does not propose to directly develop water-dependent uses, the Proposed Project would encourage investment within and in the vicinity of the SMIA, would not adversely affect existing industrial or maritime uses, would not preclude the future incorporation of water-dependent uses within the Project Area, and would maintain manufacturing and industrial zoning areas within the SMIA, which is consistent with the intention of Policy 2.1.

As described in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Actions would be consistent with the Vision 2020 Comprehensive Waterfront Plan and would help to strengthen the Sunset Park SMIA by continuing to provide employment in a variety of areas synergistic to SMIA uses. While there are currently very few heavy industrial uses at Industry City, the Proposed Actions would facilitate uses that support heavy industrial uses and would not hinder the development of heavy industrial uses or water-dependent uses in the surrounding area.

Comment 50: Right now, the proposal as described in the DEIS does not include any actual water-dependent uses, meaning the property does not, in and of itself, demonstrate the requirement or the contribution to protecting maritime access—and specifically, maritime and industrial uses. The rezoning proposal fails to provide sufficient documentation to demonstrate required actions to protect and expand public access to the waterfront. The proposal also doesn’t explain the connection to the City-owned property surrounding Industry City, which actually serves as a buffer and could be a mechanism to ensure access to the waterfront park, but also to guarantee continued public access to the waterfront. Given the adjacency to the

Bush Terminal Piers Park (also designated by WRP as a “Publicly Accessible Waterfront Site,” the proposal should guarantee pedestrian public access to all waterfront amenities. In order to comply with WRP regulations, the proposal should implement clear urban design provisions to function as a “waterfront block.” These interventions should be formally articulated in the form of a “Waterfront Access Plan” to integrate Industry City with the surrounding City-owned property, and formally connect to the “Sunset Park Greenway,” a community-based plan to improve public access through the creation of upland connections. (Osario_039) (Osario_080)

Response: Water-dependent uses are not necessarily required for a project to be consistent with applicable public policy documents pertaining to the waterfront, such as the City’s Waterfront Revitalization Program. As described in Chapter 2 “Land Use, Zoning, and Public Policy,” there is the potential that the Sunset Park North portion of the Brooklyn Waterfront Greenway could be extended through Building 25 to connect the rest of the Bush Terminal complex to the south, which supports one of the strategies outlined in Vision 2020 for Sunset Park. The Proposed Actions would also be consistent with the Sunset Park Waterfront Vision Plan in that they would bring Industry City up to modern standards and functionality, attract new business to the area, provide adaptive re-use of currently vacant or underutilized space, and continue the trend towards higher density and more diverse uses.

As discussed under Policy 8.2 in Appendix A-1, the only unbuilt-upon waterfront land in the Project Area that could potentially incorporate additional public access is limited to the concrete apron outside Building 24 and adjacent to the South Brooklyn Marine Terminal (SBMT), which is an industrial use. This apron is currently inaccessible from a public street, park or place. The discussion notes that public access to this apron area would be considered in the event that the use of Building 24 is compatible with public access, and if the two parcels (Building 24 apron and land adjacent to SBMT) could be combined. The Proposed Project would not affect public use of the Bush Terminal Piers Park or the Sunset Park Greenway.

Comment 51: The WRP requires concrete actions to minimize the impacts of current and future flooding, including sea level rise. However, the proposal fails to provide sufficient documentation on the methodology used to assess the risk for coastal inundation, nor a clear use of the latest projections published by the NYC Panel on Climate Change in 2019, which is another requirement of the WRP. An overlay of FEMA’s 2016 Preliminary Flood Insurance Maps illustrates that considerable portions of all “Finger Buildings” and portions of buildings at the 39th Street complex are vulnerable to flooding and wave action. In order to be consistent with the WRP, the applicant should fully document the vulnerability of these buildings, with specific flooding mitigation strategies – including potential contamination from hazardous substances dislodged during excavation (fully documented by the

NYC Environmental Justice Alliance through its Waterfront Justice Project), which are acknowledged by the applicant but without any provisions to protect the health and safety of the population that lives and works in/around Industry City. (Osario_039) (Osario_080)

Response: The EIS includes a detailed assessment of the potential impacts of current and future flooding in Appendix A-1 “WRP” under Policy 6.2, the conclusions of which are also incorporated into Policy 6.1. As noted in the appendix, this assessment is based on DCP’s guidance document “The New York City Waterfront Revitalization Program: Climate Change Adaptation Guidance,” which uses the latest projections of sea level rise published by the NPCC. The assessment relies on Flood Evaluation Worksheets developed by DCP, which are also included in the appendix. The elevations of buildings relative to the 1 percent annual chance floodplain in the Project Area, including the Finger Buildings, are indicated in Table A-1-1. As described under Policy 6.2, Step 2(a), renovations of buildings vulnerable to flooding would incorporate flood protection measures that may include aluminum shielding and/or flood gates, and critical infrastructure would be elevated above projected flood levels in each building. For Building 24, which is already within the 1 percent annual chance floodplain, wet flood proofing measures would be incorporated into the renovation and ground floor uses would be limited. As described in Chapter 8, “Hazardous Materials,” any properties where soil disturbance could encounter hazardous materials would be tested and remediated, where appropriate, and the Proposed Project would not increase the risk of contamination during flooding.

Comment 52: The DEIS does not recognize the Sunset Park Brownfield Opportunity Area (BOA) which is a critical planning framework guiding industrial and commercial development in the Sunset Park SMIA. (Osario_039)

Response: A discussion of the Sunset Park Brownfield Opportunity Area is included in the land use, zoning and public policy analysis for the FEIS.

Comment 53: Even though the project is not a water-dependent use, the WRP consistency assessment form states full consistency with WRP Policies 2 and 3. However, the proposed project is adjacent to the Bush Terminal Piers Park (located outside of the project area but within the half-mile buffer), designated by the WRP as a “Priority Maritime Activity Zone” (PMAZ), and the DEIS doesn’t provide sufficient documentation to illustrate how it plans to comply with this policy. In particular, it does not provide sufficient information to demonstrate consistency with [WRP] Policy 2.1 in order to “promote water-dependent and industrial uses in Significant Maritime and Industrial Areas,” or Policy 2.4 “provide infrastructure improvements necessary to support working waterfront uses.” (Osario_039)

Industry City

Response: See the response to Comment 49 for a discussion of Policy 2.1. Policies 2.4 and 3.5 are not applicable because the Proposed Project does not involve construction along the waterfront, would not interfere with existing or future working waterfront uses or infrastructure, and would not develop new waterfront uses or infrastructure.

Comment 54: The DEIS is also inconsistent with “Vision2030: NYC Comprehensive Waterfront Plan” that establishes to “Actively market marine transport as an option for local distribution and manufacturing businesses to reduce overall truck vehicle miles traveled (create a “Freight Village” around green transportation)” in this section of the SMIA. (Osario_039)

Response: With the exception of Building 24, none of the Industry City campus buildings are located directly on the water. Moreover, Building 24 has water frontage only on its southern façade but there is no dock providing direct marine access; an apron controlled the NYCEDC is in front Building 24, separating the Project Area from Upper New York Bay Further, the proposed actions would not preclude the ability to promote marine-related transport in the area. The Applicant has noted that it is part of the consortium involved in the redevelopment of the South Brooklyn Marine Terminal (SBMT) that proposing is an off-shore wind installation and operation and maintenance (O&M) port, which is expected to heavily utilized marine transport resulting in reduction in overall truck transport.

Comment 55: The DEIS should provide sufficient documentation to demonstrate consistency with [WRP] Policy 1.1a: “Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products.” (Osario_039)

Response: The quoted text is from WRP Policy 7.2, which relates to the prevention and remediation of petroleum product discharge and is not applicable to the Proposed Project. The Proposed Project is consistent with Policy 1.1 because it would utilize existing structures and would not introduce inappropriate development or uses, as described in Appendix A-1. As described in Chapter 8, “Hazardous Materials,” of the EIS, the potential for significant adverse impacts related to hazardous materials resulting from the Proposed Actions would be precluded through the placement of (E) Designations, as warranted, for all privately owned lots where soil disturbing activities are anticipated under the Proposed Actions. An (E) Designation for hazardous materials requires, prior to change of use or redevelopment requiring ground disturbance, that the fee-owner of the property conduct a Phase I ESA, subsurface testing and remediation, where appropriate, to the satisfaction of the New York City Mayor’s Office of Environmental Remediation (OER). The New York City Department of Buildings (DOB) permits associated with such actions cannot be issued without OER approval. The

OER review would ensure protection of human health and the environment from known or suspected hazardous materials.

Comment 56: The WRP Consistency Assessment Form indicates that consistency to Policy 4 is not applicable. However, the DEIS fails to recognize the adjacency to Bush Terminal Piers Park (located outside of the project area but within the half-mile buffer) as a Recognized Ecological Complex (REC) by the WRP. In particular, the DEIS fails to comply with [WRP] Policy 4.4 that requires to “identify, remediate, and restore ecological functions within “Recognized Ecological Complexes.” Policy 4.4a requires that “Projects located within a Recognized Ecological Complex should consider the following: Further identification of natural resources through consulting relevant science-based plans and studies listed in the introduction to Policy 4. The use of design features to incorporate restoration objectives, as identified in the relevant science-based plans and studies listed in the introduction to Policy 4. Remediation, protection, and restoration of ecological complexes so as to ensure their continued existence as natural, self-regulating systems.” (Osario_039)

Response: The WRP Consistency Assessment Form in Appendix A-1 indicates that the Project Area is within or adjacent to a Recognized Ecological Complex (REC) under Section E (page 3). Policy 4.4 specifically applies to sites that are located within a REC. Because the Project Area is adjacent to the Bush Terminal Piers Park REC but not within the REC, Policy 4.4 is not applicable.

Comment 57: The DEIS states that consistency with Policy 5 is not applicable: “Protect and improve water quality in the New York City coastal area.” However, the DEIS does not include an adequate detailed plan to assess and manage the additional storm water runoff that will be created by the proposed space. The DEIS does not recognize the community plan for a “Green Resilient Industrial District” (GRID) created by the Collaborative for Community, Culture and Environment for UPROSE, which includes ample opportunities to mitigate storm water runoff. The half-mile buffer includes a “Recognized Ecological Complex” designated by the WRP at Bush Terminal Piers Park that requires special attention to mitigate negative impacts of additional storm water runoff on this sensitive ecological resource. (Osario_039)

Response: Policy 5 is not applicable because the Proposed Project would not introduce new direct or indirect discharges to waterbodies, would not result in any disturbance to waterbodies, and would not involve work relating to wastewater or stormwater treatment. With the exception of Building 24, none of the Industry City campus buildings are located directly on the water. Moreover, Building 24 has water frontage only on its southern façade but there is no dock providing direct marine access; an apron controlled by the NYCEDC is in front Building 24, separating the Project Area from Upper New York Bay. The potential effects of stormwater

from the Proposed Project are discussed in Chapter 9, “Water and Sewer Infrastructure.” As noted in that chapter, in the future with the Proposed Project, the peak stormwater runoff rates would be reduced as compared to existing conditions with the incorporation of selected best management practices (BMPs), and the Proposed Project would not have a significant adverse impact on the downstream City combined sewer system or the City sewage treatment system. Additionally, sites fronting existing high level storm sewers constructed on 1st Avenue and 39th Street would no longer discharge stormwater to the combined sewer system.

Comment 58: The DEIS states in the WRP consistency assessment form that no project area is within the FEMA 0.2%. However, an overlay of FEMA’s 2015 Preliminary Flood Insurance Maps illustrates that considerable portions of all “Finger Buildings” and portions of Buildings 19, 20, and 21 at the 39th Street complex are partially located within the FEMA 0.2% Annual Chance Floodplain. The DEIS fails to present sufficient information to fully document the vulnerability of buildings with base flood elevations according of up to 6 feet and up to 12 feet+ according to FEMA’s 2016 Preliminary Flood Insurance Rate Maps (FIRMs), including the specific mitigation strategies considered for each of these structures.

The DEIS fails to recognize the vulnerability of Buildings 3, 4, 5, 6, 7, and 8 to flooding, given their location within the FEMA’s Limit of Moderate Wave Action (LiMWA), including the specific mitigation strategies considered for each of these structures. According to the NYS Department of City Planning, the LiMWA identifies areas that can experience waves of 1.5 foot wave height or higher in the coastal A zone. Even though FEMA does not require special floodplain management standards based on LiMWA delineations, it indicates that properties within these areas can experience substantial damage from wave action during a 1%-annual-chance flood event.

The DEIS states that the lifespan of the proposed buildings will not exceed 80 years, limiting the vulnerability of the buildings to sea-level-rise projections. However, it does not provide any documentation regarding the methodology used to determine building lifespans.

The DEIS states consistency with Policy 6 by saying that “the Proposed Project would minimize the impacts of current and future flooding with sea level rise on the proposed development” but it doesn’t provide sufficient documentation discussing the methodology used to assess this, or the specific strategies used to mitigate this risk. (Osario_039)

Response: See the response to Comment 51, which describes the methodology for evaluation of consistency with Policy 6 along with strategies proposed to mitigate flood risk. The commenter is correct that a portion of the Finger Buildings are located in the current 0.2 percent annual chance floodplain. However, Policy 6.2 uses the current and projected 1 percent annual chance floodplain elevations to evaluate

flood risk. The majority of the Finger Buildings are located in the current 1 percent annual chance floodplain, and the entirety of this area will be within that floodplain by the end of the buildings' design life, including the area currently located in the 0.2 percent floodplain. While the box for the 0.2 percent floodplain is not checked on the form, the discussion for Policy 6.2 does account for the flood risk to this area.

Step 1(d) under Policy 6.2 identifies Buildings 3–8, 24, and 25 as being located within the Limit of Moderate Wave Action and subject to flood hazards associated with floating debris and high velocity flow. Potential risks and mitigative measures for these buildings are described under Step 2.

There is no specific methodology used to determine the lifespan of project features, as this is typically based on the best professional judgment of the engineer or manufacturer. A lifespan of 80 to 100 years is generally considered to be a fair estimate for the useful life (i.e., design life with ongoing maintenance) of a building.

Comment 59: The WRP Consistency assessment form indicates that consistency with Policy 7 is not applicable. However, the DEIS has already established the need for hazardous materials analysis; therefore, the DEIS fails consistency with Policy 7, altogether. The DEIS should demonstrate consistency with Policy 7. In particular, it should include sufficient documentation to demonstrate consistency with the following sub-policies:

- Policy 7.1.b: “Remediate inactive hazardous waste disposal sites and brownfields to ensure that the public health and the waters, wetlands, and habitats are protected”
- Policy 7.1.d: “Use accepted best design and management practices, including industrial pollution prevention, for the siting of hazardous materials, toxic pollutants, and other materials that may pose risks to the environment and public health and safety. Use best site design practices to prevent the runoff of pollutants and potentially contaminated sediment into waterways. The NYS Dept. of Environmental Conservation’s New York State Stormwater Management Design Manual should be used as a reference.”
- Policy 7.1.e: “Provide adequate wastewater collection facilities to the extent practicable to prevent direct discharge of treated sewage by vessels into the waterways.”
- Policy 7.1.f: “Pursuant to WRP Policy 6.2, incorporate consideration of climate change and sea level rise into the planning and design of projects which involve the siting of materials storage which may pose risks to public health and the environment. Projects should consider potential risks to features specific to each project, including but not limited to temporary and long-term waste storage areas, fuel storage tanks, and hazardous material storage”

- Policy 7.2a: “Minimize negative impacts from potential oil spills by the appropriate siting of petroleum off-loading facilities and use of best practices” (DCP, 2016)
- Policy 7.2b: “Clean up and remove any petroleum discharge in accordance with the guidelines contained in the New York State Water Quality Accident Contingency Plan and Handbook”
- Policy 7.2c: “Follow approved methods for handling and storage and use approved design and maintenance principles for storage facilities to prevent discharges of petroleum products.”
- Policy 7.3c: “Give priority to waterborne transport of waste materials and substances when siting solid and hazardous waste facilities within the coastal area where practical and economically feasible.” (Osario_039)

Response: The Proposed Project comprises the discretionary actions associated with potential redevelopment of Industry City, and Policy 7 is not applicable to the Proposed Project because it would not result in the discharge of hazardous materials or petroleum products, and would not transport solid waste or hazardous materials. As described in Chapter 8, “Hazardous Materials,” there are potential historical and present sources of contamination on some projected development sites. Prior to development, these sites would undergo further investigation and remediation, where appropriate, in order to ensure protection of human health and the environment from known or suspected hazardous materials. See also response to Comment 55.

Comment 60: The WRP consistency assessment form indicates consistency with Policy 8. However, it does not provide sufficient documentation to demonstrate consistency with Policy 8.3: “Incorporate public access into new public and private development where compatible with proposed land use and coastal location.” The form indicates that consistency with Policy 8.2 is not applicable. However, given the adjacency to the Bush Terminal Piers Park (a DCP designated Publicly Accessible Waterfront Site located outside of the project area but within the half-mile buffer), the DEIS should provide specific information to demonstrate how will it demonstrate consistency—particularly, given the proposed de-mapping of 40th street documented in the DEIS. The DEIS also fails to recognize the Sunset Park Greenway, and demonstrate how will it help “explore opportunities for enhanced upland connections, as stated in Vision2030 for any redevelopment in this section of the SMIA. (Osario_039)

Response: See response to Comment 50. Policy 8.3 is not applicable to the Proposed Project. As discussed under Policy 8.2 in Appendix A-1, the only unbuilt waterfront land in the Project Area that could potentially incorporate public access is limited to the concrete apron outside Building 24 and adjacent to the South Brooklyn Marine Terminal (SBMT), which is an industrial use. The discussion notes that public access to this area would be considered in the event that the use of Building 24 is compatible with public access, and if the two parcels (Building 24 apron and land

adjacent to SBMT) could be combined. The Proposed Project would not affect public use of the Bush Terminal Piers Park or the Sunset Park Greenway. Chapter 2, “Land Use, Zoning, and Public Policy,” explains that the Sunset Park North portion of the Brooklyn Waterfront Greenway could be extended through Building 25 to connect to the rest of the Bush Terminal complex to the south.

Comment 61: The WRP consistency assessment form establishes consistency with Policy 9, however it fails to demonstrate consistency with Policy 9.1: “Protect and improve visual quality associated with New York City’s urban context and the historic and working waterfront.” (Osario_039)

Response: As described in Appendix A-1, the proposed development would promote Policy 9.1 as it would be consistent with the surrounding scenery, views from the Project Area would remain unchanged, and no visual resources would be adversely affected by the Proposed Project. With the exception of Building 24, none of the Industry City campus buildings are located directly on the water. Moreover, Building 24 has water frontage only on its southern façade but there is no dock providing direct marine access; an apron controlled by the NYCEDC is in front Building 24, separating the Project Area from Upper New York Bay. As described in Chapter 1, “Project Description,” in the event Building 24 is developed, enlarged, or subject to a use change that is not predominantly industrial and the Industry City-owned portion of the waterfront apron adjacent to Building 24 is combined with the adjacent New York City-owned portion of the waterfront apron, a public access area would need to be developed and opened to the public on such waterfront apron. This requirement would be memorialized in the restrictive declaration to be recorded in conjunction with the special permit.

Comment 62: The [WRP] consistency assessment form indicates that consistency with Policy 9.2 is not applicable: “Protect and enhance scenic values associated with natural resources.” However, given the adjacency to Bush Terminal Piers Park (a WRP Recognized Ecological Complex, located outside of the project area but within the half-mile buffer) the project should demonstrate consistency with this sub-policy. (Osario_039)

Response: Policy 9.2 is not applicable to the Proposed Project because the Project Area is not within an SNWA or REC, does not contain ecologically significant resources or sites, and does not involve offshore activities.

Comment 63: The DEIS claims consistency with [WRP] Policy 10: “Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.” However, there is no clear strategy or documentation on how the proposed project preserves the maritime and industrial legacy of the Sunset Park SMIA. In particular, the DEIS lacks sufficient documentation to demonstrate consistency with Policy 10.1: “Retain

and preserve historic resources, and enhance resources significant to the coastal culture of New York City.” This is particularly important as this relates to the historic legacy of maritime dependent uses and land use dynamics of this industrial waterfront community. (Osario_039)

Response: Appendix A-1 of the EIS includes a discussion of the Proposed Project’s consistency with Policy 10.1, including an explanation of mitigation measures that would be implemented to partially mitigate for adverse impacts. Policy 10.1 pertains to designated historic resources and unlisted resources related to the historical use and development of the waterfront. Policy 10 does not consider Significant Maritime and Industrial Areas. Information related to the Sunset Park SMIA is discussed under Policy 2.1. As described in the Policy 10.1 discussion, with the integration of mitigation measures for the identified impacts to historic resources, the Proposed Project would promote this policy.

Comment 64: The rezoning proposed does a disservice to the local community, the city, and region in its fundamental inconsistency with the: Sunset Park BOA, the Waterfront Revitalization Plan, Climate Mobilization Act, Climate Leadership and Community Protection Act; in addition to dozens of climate plans, reports, and goals that aim to transform our extractive and destructive economy to an environmentally sustainable Just Transition economy. (O’Laughlin_350.org_002) (Bequm_UPROSE_086)

Climate change is a reality and we are not prepared for the effects. It makes more sense to use our industrial district and build for climate adaptation. This would protect our waterfront and prepare us for future disasters, while becoming a national example of mitigating climate change. If rezoning is to occur, they need to integrate UPROSE’s alternative, the GRID proposal since it is a comprehensive plan. Under the GRID, there are employment opportunities for local Sunset Park residents while we transition from extractive fossil fuels to clean, renewable energy. This endeavor would truly be innovative since we do not see this example anywhere else in the region. (Gonzalez_022)

As UPROSE documented in its plan for a Green Resilient Industrial District (GRID), the proposed Industry City rezoning is inconsistent with three decades of waterfront planning to grow maritime, industrial and sustainable business in Sunset Park. (Osario_039) (Osario_080)

To successfully face the growing threat of climate change, we must also prepare our infrastructure and economy to transition from a polluting, extractive model to one that lowers ecological and carbon footprint across all sectors, and provides opportunities for local, green, resilient careers. This Just Transition relies on industry and manufacturing, and Sunset Park’s working waterfront has immense potential to lead it. The proposed Industry City re-zoning runs counter to this necessary shift in our economic models. The re-zoning application asks that we suspend reality and believe that to build a healthy, so-called innovative economy

in a twenty first century of climate change, we must prioritize hotels, market-rate retail, and high-end design offices, all in an industrial zone at risk of Sea Level Rise and future storms. In reality, that could be sited anywhere. So what's the alternative? [The GRID proposal] is adaptive to climate change, unlike the Industry City proposal, where researchers develop tidal gauges and equipment to be built in the neighborhood and deployed in coastal protection installations. Proposals such as the Sunset Park GRID – Green Resilient Industrial District - outline potential well-paid local jobs that could be housed in Industry City and the waterfront, and provide a roadmap for climate change adaptation and the emergence of a just, green industrial and manufacturing economy. [Green industry] uses and more could be housed in the proposed rezoning sites. The current IBZ and industrial zoning has preserved the latent potential of the neighborhood. Large footprints, flexible spaces, and load bearing capacities of industrial buildings make this an ideal place for the uses described above as do the large lots. Therefore, I urge you to disapprove the Industry City rezoning proposal and all its actions. (Ponce_045) (Ponce_046) (Ponce_081)

Response: A discussion of the Sunset Park Brownfield Opportunity Area is included in the land use, zoning and public policy analysis for the FEIS. A discussion of the Climate Mobilization Act and the Climate Leadership and Community Protection Act is included in the greenhouse gas emissions and climate change analysis for the FEIS. An analysis of the Proposed Actions' consistency with the policies of the Waterfront Revitalization Plan is provided in EIS Appendix A-1. See also response to Comment 247.

Comment 65: Industry City's proposal will have a negative impact on traditional industry, related to the rezoning of the site from heavier M3 manufacturing zone to medium M2 manufacturing. Proposed M1 performance standards can have a negative impact on heavier manufacturing uses. (GRID_UPROSE_105)

Response: Active M3 manufacturing use has waned over the last few decades citywide and at Industry City. This decrease in heavy manufacturing use has contributed to the substantial vacancies experienced in M3 manufacturing districts throughout the city and at Industry City in particular. The existing M3-1 zoning districts are generally intended for heavy industries that generate noise, traffic, or pollutants. Industries such as control plants, power plants, oil refiners, and fertilizer manufacturers are more likely to be found in M3-1 zoning districts. The Applicant believes that while there is some need in New York City for heavy manufacturing zoning districts like M3-1 districts, it is not in keeping with the larger Sunset Park neighborhood, which is surrounded by M1 and M2 uses, and not currently matched by the current demand for space that permits more noxious uses.

Comment 66: The proposed rezoning's focus on retail, hotels, office, and entertainment is inconsistent with the goals of 27 community, city, state, and federal plans,

programs, and policies all calling for maritime, industrial, and green development. (Hanhardt_085)

The proposed rezoning is inconsistent with existing community, city, and state plans that emphasize the immediate necessity to transition into a more climate resilient and sustainable future. The 197-A Plan was approved ten years ago and does not include lessons learned from Superstorm Sandy and predates the City's focus on adaptation and mitigation strategies. The current plan is outdated and needs to incorporate the realized and anticipated risks of climate change. (Bequm_UPROSE_086)

The prime directive of the 197-a Plan was to keep residential development off of the waterfront. Our primary strategy was to encourage job-intensive uses. Now I think looking at the record going from 900 jobs to 6,000 jobs already created and the potential for 20,000 jobs helps us to reach that goal. So that was the stated purpose of the 197-A Plan, was to encourage those job-intensive uses. (Peers_BCC_087)

The 197-a plan for this area should be the guiding policy document to which new development projects are aligned. Inconsistency with the 197-a plan should not be overlooked and subsumed by a desire for economic development. The DEIS does not adequately evaluate Industry City's proposal against the aims for the district's 197-a plan. The lead agency should reevaluate this section by looking at the goals, intent and recommendations found in the 197-a plan and evaluate if the Industry City proposal is consistent with that plan. If it is not, then it should be changed for consistency, or the applicant should work with the CB to work at updating the adopted 197-a plan. The FEIS must include an accurate discussion of the project's consistency with the 197-a plan and/or the project must be modified so that it becomes more consistent with the 197-a plan. As currently presented in the DEIS, the finding of no impact on local land use and public policy requires to wholly ignore the community's landmark land use policy document.

To review, the community's priorities outlined in the 197-a plan are: to promote industrial redevelopment and job creation in Sunset Park while retaining existing industrial jobs; to maximize waterfront access and open space opportunities in combination with industrial and waterfront redevelopment; to preserve existing industrial, commercial and residential uses and fabric in the area east of 1st Avenue; to encourage development that places a minimal environmental burden on adjacent residential communities; and to preserve and celebrate Sunset Park's rich maritime and industrial heritage.

Industry City's "innovation economy" is not well-suited to meet any of these criteria. For instance, how does the move to light industry performance standards help to retain existing industrial jobs? How does substantial retail uses and parking garages preserve and celebrate Sunset Park's rich maritime and industrial heritage? How does the significant impacts disclosed place minimal environmental burden on adjacent residential communities? How does exempting

Industry City from the requirements of waterfront zoning, including its public access requirements, maximize waterfront access and open space opportunities?

I would again refer you to our 197-A plan, adopted in 2010, which specifically prioritized manufacturing and industrial uses that pay a living wage and to minimize low-pay retail and hotel service jobs. We're very clear with Industry City from the very beginning that manufacturing/industrial uses that pay a living wage were essential to our immigrant community, and that to provide uses that prioritize retail and low-wage hotel service jobs was not in the best interest of our community. (Fontillas_019) (Fontillas_CB7_058)

Response: As detailed in Chapter 2, "Land Use, Zoning, and Public Policy," the Proposed Project is consistent with the Waterfront Revitalization Program (WRP), PlaNYC/OneNYC, New York Works, Vision 2020 Comprehensive Waterfront Plan, Sunset Park Waterfront Vision Plan, Southwest Brooklyn Industrial Business Zone, New York Department of Environmental Protection Green Infrastructure Plan, DOT Ten-Year Capital Strategy, New York City Special Initiative for Rebuilding and Resiliency, M-1 Hotel Zoning, the Citywide Ferry Service, the Sunset Park 197-A Plan, and the Sunset Park BOA. Although the Proposed Project may not address every policy outlined in the documents listed above, the Proposed Project does not hinder or completely challenge policies set forth in the aforementioned documents. In addition, concerns with respect to climate change have been specifically addressed in Chapter 14, "Greenhouse Gas Emissions and Climate Change," as well as the WRP consistency review provided in Appendix A-1, and the sections on New York (DEP) Green Infrastructure Plan and the New York City Special Initiative for Rebuilding and Resiliency in Chapter 2, "Land Use, Zoning, and Public Policy."

The Proposed Project does not propose any residential development within the Directly Affected Area. As described in Chapter 1, "Project Description," the Proposed Project would introduce a broader range of land uses at Industry City and would be expected to generate more than 15,000 total on-site jobs.

As described in Chapter 2, "Land Use, Zoning, and Public Policy," the Directly Affected Area is located within the Sunset Park Significant Maritime and Industrial Area, which encourages the clustering and concentration of heavy industrial and infrastructure uses, such as international shipping, domestic shipping and barging, ship construction and repair, and related uses. The Proposed Actions would help to strengthen the Sunset Park SMIA by continuing to provide employment in a variety of areas complementary to SMIA uses. Even though the Proposed Project does not anticipate the development of a substantial number of heavy industrial industries at Industry City (and there are very few heavy industrial uses at Industry City now), the Proposed Project would include uses that support heavy industrial uses (such as supportive manufacturing, distribution and creative industries), and would not hinder the development of heavy industrial uses in the surrounding area.

While the proposed Special Industry City District (SIDC) would exempt waterfront land from public access regulations, a public access area would be required pursuant to a Restrictive Declaration, provided certain conditions are met. Specifically, in the event Building 24 were to be converted to predominantly non-industrial uses and the Industry-City-owned properties along the waterfront were merged with adjacent City-owned properties along the waterfront the Restrictive Declaration that would be recorded against all Industry City properties would require the provision of a waterfront public access area.

Please also see responses to Comment 47, Comment 68, and Comment 141.

SOCIOECONOMIC CONDITIONS

Comment 67: [The] City [should] modify CEQR standards to include review of direct/indirect housing and business displacement for all applications. [The] EIS should expand review area to encompass the full neighborhood represented by CD7; expand study to include other developments currently in process and their effects on CD7. (Fontillas_CB7_001) (Fontillas_019)

Response: The environmental review for the Proposed Actions considers the potential for significant adverse environmental impacts resulting from potential direct and indirect residential and business displacement. In the case of the Proposed Project, the types and scale of uses were evaluated against *CEQR Technical Manual* guidance for determining whether a project could present conditions warranting assessment of potential significant adverse impacts; those thresholds are based on the City's review of recent applications that have included detailed assessments and/or that resulted in significant adverse impacts on socioeconomic conditions, and are intended to serve as an indication of whether further analysis is recommended. In addition, the lead agency provided guidance on the level of analysis warranted, and public comments on the Draft Scope were considered. Specific to the need for an indirect residential displacement analysis, please see the response to Comment 79.

The selected study areas are areas within which the Proposed Project could reasonably be expected to generate potential significant adverse environmental effects; they are not delineated by community district boundaries, which may extend well beyond an area of influence, or which could exclude areas that may be affected if a project site is within close proximity to a separate community district. As noted in response to comments on the Draft Scope, the study areas analyzed in the DEIS follow the guidance of the *CEQR Technical Manual* for each individual technical area and have been refined in consultation with the reviewing agencies. The study areas outlined in the *CEQR Technical Manual* represent the areas with the greatest potential to experience possible impacts related to that specific technical area, and for certain areas of analysis go well beyond a 400-foot radius. The study areas vary depending on the type of technical

analysis as well as the scale of the project. Because socioeconomic analyses depend on demographic data, the *CEQR Technical Manual* states that it is appropriate to adjust the study area boundary for this technical area to conform to the census tract delineation that most closely approximates the desired radius (in this case, a ½-mile radius surrounding the Project Area). The census tracts that constitute the “Socioeconomic Study Area,” or “Study Area,” therefore include the following eight census tracts: 2, 18, 20, 80, 82, 84, 88, and 101, all within Brooklyn Community District (CD) 7. These eight census tracts included in the Study Area cover the majority of zip code 11232 and approximately 40 percent of zip code 11220. In accordance with *CEQR Technical Manual guidelines*, a three-mile “Primary Trade Area,” (illustrated in Figure 3-2 of the DEIS) was defined for the analysis of indirect business displacement due to retail market saturation. Delineating an appropriate primary trade area depends on several factors including the size of stores in the Proposed Project and transportation access. The preliminary assessment of indirect business displacement due to retail market saturation in Chapter 3 of the DEIS, “Socioeconomic Conditions,” describes in detail the 3-mile Primary Trade Area used for analysis.

Comment 68: There are residents and many mom and pop shops in Sunset Park that rely on affordable rent prices. The rezoning requested by Industry City is going to increase displacement for both commercial and residential rent by increasing rent prices. I fear that Industry City’s plans are set on creating a playground for the rich while displacing neighbors, friends, residents, and business owners. (Barry_003)

Displacement is a serious concern and we need to ensure that the community that exists in Sunset Park is not run-out by the growth of IC. (Davis_015)

Industry City’s proposal will accelerate gentrification in Sunset Park and it does not represent the voices of the people who already call Sunset Park home. (BAN_007)

What strikes me most about the proposal is that it is the largest private rezoning proposed in New York City history. I’m not an urban planner, I don’t work or have a business in Industry City, but have heard from many of my neighbors who have expressed great concerns over direct and indirect residential and business displacement should this proposal be passed. (Martinez_088)

If this rezoning application is allowed, it would exacerbate the effects of gentrification. Sunset Park already faces widespread displacement for businesses and residents alike. Affordability for housing is crucial for our immigrant, working-class community. (Turner_UPROSE_071)

Experiences in San Francisco, Seattle, and in New York City industrial neighborhoods show that the proposed model of development drives up real estate

prices leading to gentrification and displacement of local businesses and residents. (Hanhardt_085)

The type of speculation that will result from the proposed changes will have irreversible negative implications that will displace the existing community. As demonstrated by peer reviewed research, the Philadelphia waterfront has experienced accelerated gentrification processes due to the implementation of unequitable infrastructure improvements, which are similar interventions to those proposed by the applicant for Industry City, having Philadelphia being referenced by the applicant as a model during the CPC hearing. (Osario_039) (Osario_080)

Having grown up in Bay Ridge and Sunset Park, it's very evident to me how the neighborhood has changed over time. Since Jamestown properties acquired Industry City, developed its rezoning plan and launched its aggressive planning strategies, Sunset Park has seen a decline in affordability, not only for housing but industrial manufacturing space as well. Today the Industry City rezoning threatens to further displace existing industrial businesses and forever change the manufacturing character of the Sunset Park waterfront. Although we hear that displacement and gentrification is a far stretch, we've literally seen real estate listings citing Industry City as an amenity and opportunity for real estate investors to bank on the increased demand for housing once Jamestown's property plans for Industry City are developed. (Gomez_UPROSE_070)

I oppose Industry City's Rezoning Proposal because it will displace the heart of Sunset Park's waterfront industrial community, and have a ripple effect that will eventually displace the neighborhoods working class residents as well. Without the rezoning, many manufacturers and industrial businesses have already had to leave, and it will get far worse if this application is approved. (Bland_005)

SP residents know that IC will have a ripple effect on the rents of the entire neighborhood and also on the developers in the rest of the community. This rezoning will signal to other developers for them to go to retail and office space when already there's a glut of that in so many other places in NYC. (Kaplan_NAB7_027)

Instead, the rezoning proposal would prevent many of the uses described above [local food supply chain and food production, storage of solar photovoltaic cells, green roof installation, local mile micro-carters and micro-haulers] from occurring in the Sunset Park SMIA, perpetuate current precedents for unsustainable development that inadequately addresses the local economy and climate change impacts, and cause residential and commercial displacement. (Ponce_046)

People fundamentally understand that their displacement is part of Industry City's business plan, and the applicant has refused to provide any evidence to disprove that despite numerous asks by the community board and residents. (PSP_047)

Response: Chapter 3, “Socioeconomic Conditions,” includes a detailed analysis of the potential for indirect business displacement due to increased rents. The analysis identified the potential for some business displacement, but not to a level or extent that could result in significant adverse socioeconomic impacts as defined under CEQR. As detailed in Chapter 3, “Socioeconomic Conditions,” the Proposed Actions would allow for up to 700,000 gsf of incremental retail space that would help meet unspent consumer expenditure potential—both by use category and diversity of store size—as compared to current Study Area retail offerings. Potential adverse effects on local retail businesses are expected to be limited, as Industry City’s own retail program is anticipated to capture much of the newly created demand introduced by the Proposed Project, thereby reducing the potential for rent increases at existing storefronts. The limited indirect retail displacement that could result from increased rents brought about by the Proposed Project would therefore not lead to major changes in the composition of nearby commercial strips.

In addition to local retailers, the analysis in Chapter 3, “Socioeconomic Conditions,” found that traditional industrial and warehousing businesses may also be vulnerable to indirect displacement. Greater demand pressures on existing low-employment industrial space could result if the creation of a new Innovation Economy District encourages the co-location of other high-employment manufacturing and Innovation Economy businesses within the Study Area. Any loss in traditional industrial activity, however, would be more than offset by the growth of more job-intensive manufacturing and Innovation Economy uses facilitated through the adaptive reuse of existing vacant and storage/warehouse structures within or near to Industry City. As described in Chapter 3, “Socioeconomic Conditions,” under the Density-Dependent Scenario, the Proposed Project would house approximately 750,000 gsf of incremental manufacturing space employing over 1,400 additional workers. Based on a 2017 Industry City tenant survey, manufacturing uses have employment density of approximately 1 job per 529 gsf, whereas storage and warehousing uses have an employment density closer to 1 job per 2,000 gsf. In addition, industrial rents within the Study Area have increased substantially over the past 10 years, indicating a major demand shift toward higher-value, upgraded industrial spaces that would be expected to continue with or without the Proposed Actions.

The Proposed Project would not preclude and is not counter to the goals of the Sunset Park SMIA.

With respect to potential indirect residential displacement due to increased rents, please see the response to Comment 79.

Comment 69: In recent years, rising prices for housing and industrial space is threatening the affordability of the neighborhood for current residents and businesses. Market pressures from the gentrification of adjacent Brooklyn neighborhoods are

exacerbated by the influx of high tech, design, entertainment, and retail uses such as Industry City. The purchase of Industry City in 2013 has led to real estate speculation that has impacted the area's housing market and threatens the industrial business landscape. Many developers see Sunset Park's industrial waterfront as a place to change into commercial spaces that do not support the local workforce or prepare the waterfront for climate events. Only 16.6 percent of the real estate at Industry City is occupied by manufacturing uses. The Industry City rezoning, if approved as proposed, will likely result in greater proliferation of commercial development in the manufacturing zones in Sunset Park. This will result in gentrification and loss of social cohesion as white-collar residents move into the neighborhood. This can result in even greater price increases similar to those experienced in cities such as San Francisco and Seattle after they enacted similar rezoning. The resulting displacement will hurt the most environmentally and economically vulnerable residents and businesses. The Industry City Innovation District and rezoning proposal would only perpetrate gentrification, loss of social cohesion, disparity, and climate risk. It will result in indirect residential and small business displacement based on the gentrifying effects of new retail and hotel clientele and highly skilled innovation economy staff who will seek luxury products and services. (GRID_UPROSE_105)

Many families have been pushed out due to rising rental costs and lack of high paying jobs. People have raised their families here and have lived here for generations, it is extremely disheartening to see these people replaced with white-collar workers. Sunset Park is known for its diverse immigrant, working class population and it is unfair that they are being pushed out due to gentrification. (Gonzalez_022)

Rezoning affects livelihoods and jobs, which then affects the ability of people to afford to live in the neighborhood. (Palermo_040)

Industry City is creating service and retail jobs for the community while also gentrifying the neighborhood. Lower paid jobs and higher rental prices and cost of homes have already led to and will exacerbate loss of social cohesion. (Sandoval_048)

[The Proposed Project] will continue to displace existing blue-collar jobs and kill the opportunity to grow good green jobs that are the future of industrial manufacturing. (Waxman_UPROSE_069)

New York can't continue to displace working-class people in favor of deep pockets. The people who live in Sunset Park today need a better quality of life and development that meets their needs. (Waxman_UPROSE_069)

These results include low wages and few jobs for local residents. People literally being pushed out of their community by soaring rents and out of control landlords, and small and locally owned businesses disappearing by the day. (Daly_Demos_095)

I've directly witnessed the conflicts that have been created among them when they realize that our low-income residents and our working-class residents can actually no longer play in those same places because they can't afford it. They can't afford the \$8 artisanal cookies when they have three children and they work minimum wage jobs. (Avilas_101)

I'm not in favor of the rezoning of Industry City. In the 10 years I've lived in Sunset Park, we've largely avoided the dramatic rent increases, displacement, and devastation of local businesses that I believe this rezoning will cause. Our community is vibrant, caring, and diverse, and my neighbors and I deserve a better plan to develop the waterfront. With so many New Yorkers being priced out, we as a community reject anything that contributes to the further uninhabitability of Brooklyn! My landlord, an immigrant and long-time homeowner in the neighborhood, is feeling pushed out, and I stand with her and others to keep Sunset Park the amazing place to live that it is today. (Paolella_041)

I do not want to see a plan put in place that serves wealthy investors over the working class families who have lived in Sunset [Park] for generations. If past I believe the rezone will further accelerate gentrification and displacement of our vibrant community. Any development must bring good paying, stable, green jobs to the community. Big box retail and hotels do not. (Murray_036)

If this rezoning application is allowed, it would exacerbate the effects of gentrification. Sunset Park already faces widespread displacement for businesses and residents alike. Affordability for housing is crucial for an immigrant, working class community. Industry City pitches the idea of creating more jobs, but what kinds of jobs would they be creating exactly? Minimum wage retail jobs are not the jobs people need to survive given the increase of living costs. (Maya_031)

Apprenticeship programs in nontraditional apprenticeship industries, like the innovation economy, like media and telecommunication, these are the pathways that we can expand upon that I think work. I think the good news here [is that] the State is invested a lot more in terms of workforce development funding and in fact they have created an office on a statewide level to encourage more investment in workforce funding and they haven't been able to actually deploy those funds. I think there's plenty of opportunity for us to connect these career pathways to the youth that are there, but I guarantee if you we don't create the jobs nobody is going to benefit. (Peers_BCC_087)

Response: With respect to concerns about potential indirect business displacement, please see the responses to Comment 68. With respect to concerns about the types of job opportunities generated by Industry City, please see the response to Comment 70. With respect to concerns about potential indirect residential displacement, please see the response to Comment 79.

Comment 70: Industry City's proposal would cause rents to further increase, leading to more displacement. It will also mean that well-paying industrial jobs would be replaced by lower-paying retail and service sector jobs... Neither of these negative impacts on the community have been addressed in the proposal's DEIS. (BAN_007)

Last mile warehousing like Industry City wants to rent to Amazon is a recipe for low income, backbreaking jobs, that will not replace the businesses that have already been lost before this rezoning process even began. From the time I first went to Industry City to look for space for Manufacture New York in 2012 for my manufacturing facility, to just 3 years later in 2015, the offer for the rent was triple. I can't imagine what it is now, but I know its unaffordable for the type of businesses and entrepreneurs they claim to want to attract. Industry City's proposal is a recipe for gentrification and the hollowing out of a vibrant, robust immigrant-friendly community. (Bland_005) (Bland_060)

[Sunset Park] is an amazing neighborhood with incredible diversity and a welcoming community. The waterfront is one of very few remaining industrial areas that provide good paying jobs for working and middle class families. The IC rezoning will be detrimental to our community and replace manufacturing jobs with low-paying retail jobs and displace residents with rising rents. Please, the waterfront is not a place for a luxury mall with low-paying retail jobs. (Lyons_030)

As currently proposed, the Industry City development includes plans for two hotels and retail low-wage service jobs. The plan will lead to the loss of existing well-paid working-class industrial jobs, which would be difficult to recreate and replace for Sunset Park residents with minimal education and skills. (O'Laughlin_350.org_002)

The problem is the rezoning itself, from manufacturing to commercial uses, whereby hotel, retail, and office uses foreclose new manufacturing use and the higher quality jobs that manufacturing will support. Rezoning the Sunset Park waterfront for a hotel and other commercial uses is not just about the hotel, in other words; it's about shrinking the best local acreage available for local manufacturing, and, effectively, taking away good jobs from the community in the process. Sunset Park's valuable high-potential waterfront should not be sacrificed for yet more commercial development that keeps wages low and is killing small businesses in working-class and poor communities all over New York City. The proposed rezoning is more of the same. (Daly_Demos_013) (Daly_Demos_095)

New York City needs a diverse economy that supports working and middle class families. In Sunset Park, industrial sector jobs offer the best paid jobs, but currently less than 17% of Industry City is occupied by manufacturing uses, offering limited opportunities for families to access well-paid working class jobs. Promoting and preserving industrial jobs and manufacturing zoning in New York City is a key component of creating a resilient and thriving economy and Industry

City threatens this by building luxury retail and commercial uses on the industrial waterfront. NEJA endorses the balance of commercial waterfront policy that bolsters waterfront communities by promoting economic growth. (Gilmore_NYCEJA_021) (Gilmore_NYCEJA_067)

Sunset Park residents along with the 197A plan want a working and industrial waterfront. The IC proposal will do everything to make rents so unaffordable that industrial manufacturing will be impossible on the sunset park waterfront. This is obvious from the plan that its emphasis is on hotels (few jobs/low paying), high end big box store retail. We have plenty of this type of development in NYC and are losing our industrial spaces. (Kaplan_NAB7_027)

I'm here today providing testimony because I'm concerned—not only about the fact that the Industry City rezoning proposal will disrupt the character of the Sunset Park working waterfront—but that it will continue to displace existing blue collar jobs and kill the opportunity to grow good green jobs that are the future of industrial manufacturing. (Nieves_038)

Gentrification developments like Industry City primarily focus on low paying office, retail, entertainment, and to limited scope, high tech uses which price out green industrial development and jeopardize the opportunity for New York City to take advantage of the green jobs generated from these initiatives. (O'Laughlin_350.org_002)

Response:

The three With Action scenarios analyzed in the EIS are described in detail in the Analysis Framework section of Chapter 1, "Project Description." Under the Density-Dependent Scenario—which is a more conservative program for the density-driven technical areas of environmental review, compared to the Baseline Scenario—the Proposed Project would result in up to approximately 6.57 million gross square feet of uses throughout the Project Area, including a substantial amount of new and upgraded space. Less than 14 percent of Industry City's total square footage would be retail space, and less than five percent would be hotel uses. Nearly 10 percent of the space would be dedicated to academic uses, while approximately 57 percent of the total square footage would be dedicated to Innovation Economy space. Up to approximately 3.7 million square feet of Innovation Economy space would support approximately 9,000 total jobs in manufacturing, artisanal manufacturing, and office uses. It is anticipated that this significant investment would grow economic activity as well as the number and types of job opportunities within the Study Area. Any loss in traditional industrial activity is anticipated to be offset by the growth of more job-intensive manufacturing and Innovation Economy uses facilitated through the adaptive reuse of existing vacant and storage/warehouse structures within or near to Industry City. With the proposed actions up to approximately 750,000 gsf of incremental manufacturing space would employ over 1,400 additional workers. This is a greater density of jobs than existing storage and warehousing uses at Industry City, which based on a 2017 tenant survey generated approximately 1

job per 2,000 gsf. In addition, it is the intention of the Applicant to add uses and activities that would create a sustainable employment cluster, such as local workforce development initiatives, research and entrepreneurship programs, and other community-supporting activities. These initiatives would build on the work of Industry City's Innovation Lab, which launched in 2016 to connect local workers to jobs with Innovation Economy tenants at Industry City, as well as to facilitate job creation, training, entrepreneurship, and technology transfers between tenants, workers, and academic partners. Please also see the response to Comment 83.

Comment 71: A neighborhood-wide analysis [should be undertaken] of displacement of minority and women-owned businesses; primary and secondary residential displacement (upon extending the parameters for secondary impacts); primary and secondary business displacement; speculative real estate activity; Data on the numbers employed and placed in employment through Industry City, descriptive data on the type and compensation of these jobs, and demographics of those employed by and otherwise served by Industry City (e.g., Innovation Lab). Data to be fact-checked and replicated by third party. (PSP_047)

Response: Chapter 3, "Socioeconomic Conditions," includes the data and analyses necessary to evaluate the potential for the Proposed Project to change the socioeconomic character of the area as defined under CEQR; those analyses—which include data on study area employment by industry, and which consider the potential effects of both direct (primary) and indirect (secondary) displacement—find that the Proposed Project would not result in significant adverse impacts.

Comment 72: I want to remind the committee that the community most directly impacted by Industry City's application is 41 percent Hispanic, 32 percent Asian, with 40 percent of residents identifying as immigrants or foreign born. Much like during the Bloomberg era, the City's Environmental Quality Review process and Environmental Impact Study of the Industry City project has failed, by design, to examine how this rezoning would impact the demographics of this community, residential displacement, and women- and minority-owned businesses. (Camarena_008) (Camarena_061)

Response: Please see the responses to Comment 68 and Comment 79.

Comment 73: It is not enough to have area residents work on buildings, they need permanent jobs with livable wages and benefits both inside and outside of those buildings, and those jobs should also comport with Borough President Adams' stated desires to advance climate resilience and related sustainable practices. (O'Laughlin_350.org_002)

Despite indisputable evidence of Sunset Park gentrification including a NYU Furman Center study, the Post editorial repeated Industry City's delusional claim

that since its rezoning does not involve residential development, “it’s irrelevant to gentrification.” Industry City CEO Andrew Kimball’s letter stated that in order to have “modern manufacturing and making at Industry City,” the Special Sunset Park Innovation District rezoning must include “a mixture of uses that allow for a higher return.” And as page 6 of the Draft Scope of Work makes clear. Industry City needs the rezoning for “upscale” hotels, expanded destination retail, and new academic uses because without these city actions, it will not be able to raise \$638 million in capital investment. Although Kimball argues that Industry City provides an antidote to gentrification through job creation, he has yet to specify the numbers, types, and wages of “high-quality” innovation district jobs that would be available to Sunset Park’s working age adults of whom nearly one in two lack a high school diploma. (Hum_025)

Response: CEQR analysis methodology does not include estimates of the numbers and types of local area residents who may secure employment from the Proposed Project’s construction or operations nor does it estimate the likely wages associated with such jobs. The quality of jobs, including benefits, is outside of the scope of CEQR and thus is not analyzed in the DEIS. Please also see the response to Comment 70.

DIRECT RESIDENTIAL DISPLACEMENT

Comment 74: [The] Applicant [should] provide funding for directly displaced residential tenants in future proposed site area along 3rd Avenue. [The] Applicant [should] further provide funding for storage of resident possessions, temporary housing at the same cost to tenants, and rent stabilized apartments at the same cost to the displaced tenants, or rental subsidies equal to the difference of the tenants’ current rent vs. market rate apartments which may be available at the time of displacement. (Fontillas_CB7_001)

Response: Comment noted.

Comment 75: The developer has acknowledged that there’s approximately 26 families that will be directly impacted as they are currently in the area where they want to build one of the hotels. Industry City went on further to claim that because the 26 families are less than one percent of the population, that this is insignificant. (Mitayres_077)

Response: The Proposed Project would not displace 26 families. As detailed in Chapter 3, “Socioeconomic Conditions,” there are eight dwelling units that could be displaced by the Proposed Project housing an estimated 26 residents. This displaced population represents less than 1 percent of the nearly 25,000 residents living in the Socioeconomic Study Area. Therefore, their displacement would not have the potential to alter the socioeconomic character of the neighborhood, and would not result in significant adverse impacts.

DIRECT BUSINESS DISPLACEMENT

Comment 76: [The] Applicant [should] provide funding for directly displaced businesses in future site area along 3rd Avenue. This funding [should] include costs of temporary storage for business materials, stipend for disruptions of business, and space for rent at the same rent as the displaced business. (Fontillas_CB7_001)

Response: Comment noted.

Comment 77: There is no identification of accurate direct displacement and no identification of mitigation efforts for directly displaced residential and commercial tenants in proposed sites along Third Avenue. (Mitayres_077)

Response: Chapter 3, “Socioeconomic Conditions,” considers the potential effects of both direct residential and direct business displacement, and found that the direct displacement resulting from the Proposed Project would not result in significant adverse impacts requiring mitigation.

INDIRECT RESIDENTIAL DISPLACEMENT

Comment 78: The matter before the Council today concerns a private developer-led rezoning that threatens to exacerbate issues of gentrification, loss of social cohesion, and climate vulnerability. The Industry City Innovation District and rezoning proposal will only perpetuate gentrification, loss of social cohesion, disparity, and climate risk of Sunset Park. (O’Laughlin_350.org_002) (Bequm_UPROSE_086)

Response: With respect to indirect displacement due to increased rents, please see the response to Comment 68. Chapter 14, “Greenhouse Gas Emissions and Climate Change,” evaluates the resilience of the Proposed Project developments to climate conditions throughout their lifetimes, and Chapter 17, “Neighborhood Character,” considers the effects of the Proposed Project on the combination of elements that give a neighborhood its distinct “personality.”

Comment 79: How will the rezoning affect residential housing stability? There are no agreed-upon methods on how to interpret displacement data and this data is often incomplete. But many residents clearly believe that a large influx of high-paying jobs brought about by IC will influence housing prices and the influx of new people with higher incomes will displace current residents. Sunset Park is especially vulnerable to speculation because of its predominant housing type: owner-occupied rowhouses. Tenants in this type of housing stock have none of the protections gained from the swath of rent regulations and laws adopted by the city and state. Furthermore, many of these landlords are long term residents who may have provided lower than market rate rents to tenants based on years of cohabitating within the same home and the owners of such buildings viewing their

renters more like neighbors than as tenants. Naturally, when these buildings are sold to new owners, these types of arrangements end and the new owners raise rents significantly. In the worst cases, the seller takes on the task of evicting current tenants before closing so the house can be delivered to the new owner free and clear of renters.

The Application and DEIS do not analyze the project's impact on housing. In particular, [there is]:

- No comprehensive study examining the impact/effects of other project developments currently in progress in CD7;
- No available studies examining home and property sale price changes for homeowners pre/post Industry City ownership change in 2013 to present;
- No comprehensive study examining the impact/effects of several other project developments currently in progress in CD7 as well as no study of neighboring current or potential rezonings (i.e., Gowanus rezoning) or past rezonings of Sunset Park and their impacts on direct/indirect displacement, housing affordability, etc.;
- No creation of a local restricted unit database to allow for research and data tracking of rent restricted units;
- No community-specific study examining preservation of existing affordable housing units;
- No survey of community specific, commercial businesses that cater to the current population and how the loss of these businesses is going to impact the population. (Change in products sold to cater to the new, incoming population);
- No comprehensive analytical data or study results available examining increased harassment pressures (e.g., rent increases, lack of lease renewals or short-term renewals, unjust evictions, etc.) for residential and commercial businesses in CD7 pre/post Industry City ownership change in 2013 to present; no identification of accurate direct displacement;
- No identification of possible, potential development sites for new affordable housing and or preservation purchases;
- No procurement of existing 2–5 family housing to be placed into affordable housing stock; and
- No identification of mitigation efforts for directly displaced residential/commercial tenants in proposed site area along 3rd Avenue.

The most critical issue in the district is affordable housing and displacement of long-time residents due to explosive rent increases. The [Community] Board commissioned NYU Wagner to do an in-depth study of its housing crisis last year. The report found that Sunset Park has a high rate of renters and 60 percent of these residents are paying rents that are more than 30 percent of their income. This is significantly higher than the rest of the borough. Further, 33.5 percent of households are severely rent-burdened, or paying more than 50 percent of their

income toward rent. Due to Sunset Park's physically built out urban context, few new buildings can be constructed in the district. Of the nearly 30,000 housing units in the district, 66 percent were built prior to 1939. Since 2010, only 305 units have been constructed. As a result, overcrowding of existing rental units is a major issue. 9.1 percent of Sunset Park rental units are considered severely overcrowded, nearly double the rate of Brooklyn as a whole. With few locations to increase the supply of affordable housing, the [Community] Board recognizes that preservation of existing affordable units is the only way to stem this crisis.

The severe rent burden on residents is coupled with rising evictions, correlation of lower median incomes, and higher levels of residential migration, leading to Sunset Park residents being extremely vulnerable to potential displacement. Much of the testimony provided by residents during the [Community] Board's public outreach described a palpable fear of being displaced, where longtime residents and families, who have lived much of their lives in the neighborhood, contributed to its well-being, and sustained it during times of limited city assistance, and are facing the inability to stay in the neighborhood because of rising rents. The loss of family connections, the long distance to available housing affordable for a family, the interruption of children's lives at school, and the forced departure of long-time community members leads to significant destruction of the cultural characteristics of the community. (Fontillas_CB7_001) (Mitayres_077)

I am worried this project will lead to increased gentrification and displace long term residents in the process. (Tesar_054)

Real estate speculation and the resulting neighborhood-wide displacement is something that we could analyze the impact of before approving this proposal. The data is out there. The Green Resilient Industrial District previews it, and just because it's not in the manual that was written too long ago in a different time under different circumstances does not mean it doesn't—the community does not deserve to see this and be made aware of it before approving these massive changes being made to their land. (Sutcliffe_094)

I'm going to give you a few helpful mnemonics. We've heard the phrase "innovation economy" like 200 times today. When you hear "innovation economy" think gentrification. The innovation economy ultimately long-term means that there are white people from wealthy families who can afford to have already gone to good colleges and get good jobs coming and kicking out the people who live there. And I know that because I am a white person from a wealthy family who went to a good college. (Rosen_EarthStrike_079)

There is an enormous flaw in the *CEQR Technical Manual*, as indirect residential displacement is limited only to new residential development. The manual does not require the study of indirect residential displacement due to non-residential development. Fundamental to so much analysis planners do involves the linkage of homes to places of work. Traffic models, for instance, build off of journey to work linking origins with destinations. In addition, our travel networks are in

large part designed to move people from their homes to their workplace. We know that jobs tend to follow people and that people tend to follow jobs, because they find that suitable housing locations near a place of work is preferable to suitable housing locations far from a place of work. More than doubling the amount of workers will increase local economic pressures on the local rental market and sales of traditionally two to three family housing stock and will result in indirect displacement. While the *CEQR Technical Manual* provides guidelines, it does not preclude the lead agency from investigating the impacts Industry City will have on indirect residential displacement. Considering the size of the development and its potential to transform Sunset Park, it should have done so. To take the requisite “hard look” at the impacts of the Industry City rezoning on Sunset Park, an analysis of the surrounding residential community’s soft sites, how many units in a larger suggested study area are without legal protections for tenants, and residents that might be vulnerable to displacement are surely required here. Exactly how at risk are Sunset Park housing units? How many renters have rent stabilization or other rent protections? How have property values changed recently? How are they expected to change in the future with 7,500 to 8,000 new jobs? How will that impact the existing residential and local business community? What is the baseline housing condition regarding evictions and harassment? How are those numbers expected to change with the large increase in employment? What can be done to mitigate any increase? (Fontillas_019)

This thing is going to [make the] neighborhood unaffordable for the people to live in. They’re saying that they weren’t given this project to build it up by the neighborhood. This wasn’t a favor that they did for the neighborhood. Anybody could have done the same thing they did. They said they did such a great thing for the neighborhood. (Jacob_057)

Between 2002 and 2014, the Bloomberg administration implemented dozens of neighborhood-scale rezonings across New York. Having now the benefit, or curse, of hindsight, analysis conducted by MIT has demonstrated that on aggregate, the rezonings pushed minority and low-income communities out of New York, and the waterfront communities of Greenpoint, Williamsburg, Astoria, and Sunset Park, each have been rezoned, areas lost over 3,000 Hispanic residents despite the ten percent increase in the City’s Hispanic population during the time. When it comes to rent, rezoned neighborhoods experience rent increase of over 18,000 severely rent-burdened households, that is households with a rent to income ratio of over 50 percent. When considering incomes, Hispanic incomes decreased across the board and in particular in upzoned neighborhoods. According to DCP’s data, over 50 percent of residents of Brooklyn’s community District 7 are currently rent burdened and nearly a third live below New York City’s rent poverty threshold. (Camarena_061)

The application contains no housing, but it would be disingenuous to say that the development has no impact on housing and real estate in our community.

Everyone knows that economic development and housing are intimately connected. I have no expectation that Industry City solved the problems, but it must be held accountable for its current and future impacts. It doesn't even acknowledge the current impacts that the development currently has in the community. (Avilas_101)

Response: Chapter 3, "Socioeconomic Conditions," assesses the introduction of new uses and development activity in the neighborhood in order to determine whether there could be significant adverse impacts due to indirect business displacement. With respect to the potential for indirect residential displacement, the *CEQR Technical Manual* requires that the impact of a residential population added to an area be analyzed, and thus it is standard and consistent City practice not to include analyses of indirect residential displacement for non-residential projects. Based on *CEQR Technical Manual* guidance, residential development of 200 dwelling units (DUs) or less would typically not result in significant socioeconomic impacts due to indirect residential displacement. Since the Proposed Project would only displace a very limited number of residents, the potential to introduce a trend or accelerate a trend of changing demographic conditions that could result in significant increases in market-rate rents is very minimal.

The net increase in employment that would result from the Proposed Project is not expected to substantively affect residential market conditions in the surrounding neighborhood. New York City has already a highly mobile worker population. Nearly 60 percent of New York City's workers commute via public transit, compared with just 36 percent in Washington, D.C., 32 percent in Boston, and 23 percent in Philadelphia.³ Over 67 percent of New York City's workforce commute 30 minutes or more, compared with just 50 percent in Washington D.C., 52 percent in Boston, and 53 percent in Philadelphia.⁴ The far reach and flat-fare nature of the City's mass transit system allows workers—including those without access to person autos—to commute from all corners of the metro area, and substantially reduces the need to live in close proximity to employment opportunities.

Industry City is well-served by existing mass transit, with nearly 360,000 workers living within a 30-minute commute on mass transit from the site.⁵ Taken together, the D/N/R subway lines at 36th Street and the adjacent B35, B37, and B70 local bus routes serve more than 50,000 daily commuters.⁶ In Manhattan and Brooklyn nearly 15,000 new multifamily units have been constructed over the last 5 years

³ 2016 American Community Survey, 1-Year Estimates, as compiled by HR&A Advisors, Inc., December 13, 2017.

⁴ 2014-2018 American Community Survey, 5-Year Estimates, as compiled by AKRF, April 17, 2020.

⁵ RPA Access to Workforce, HR&A Advisors, Inc., December 13, 2017.

⁶ MTA, Average Weekday Subway/Bus Ridership, HR&A Advisors, Inc., December 13, 2017.

and another 9,000 units are currently under construction.⁷ Industry City is also within a 30-minute commute on public transit from some of the fastest-growing neighborhoods in the two boroughs, including the Financial District and Williamsburg. Citywide, just 5 percent of all workers live in the same zip code as their primary place of employment; in Brooklyn, the share is higher at 9 percent.⁸ While Industry City has helped spur significant local job creation in Sunset Park, such efforts have not increased the overall share of workers who also reside in the neighborhood. Between 2010 and 2015, the share of workers in Sunset Park also residing in the area declined slightly from 12 percent to 11 percent.

Also, the Proposed Project would continue efforts to expand economic opportunity in Sunset Park through connecting local workers with job opportunities at Industry City. As a result, it is anticipated that a large portion of the new jobs in a range of occupations and wage levels would be filled by existing area residents, given the anticipated preference of such residents to apply for local jobs over those requiring longer commutes. Assuming the same live/work share as exists in New York City and Sunset Park today, that would translate into increased demand for local housing on the order of 300 to 600 workers, or less than 2 percent of the current total residential population in Sunset Park. This level of incremental demand would not significantly affect the local housing market.

Rental housing prices in Sunset Park have grown in recent years at rates comparable to immediately adjacent neighborhoods in Southwest Brooklyn. They do not exhibit a “spike” related to Industry City’s recent investment and leasing activities, which have added roughly 4,500 workers to the campus since the Applicant acquired the site in mid-2013. Thus, the continuation of leasing activity and new construction for similar uses is not expected to result in significant increases in residential rents.

As shown in **Table 1**, residential rents in Sunset Park increased by 43 percent between 2010 and 2017, driven primarily by rent growth in the years preceding reactivation efforts at Industry City (i.e., pre-2013).⁹ This growth was in line with immediately adjacent neighborhoods, including Bay Ridge (a 48 percent increase) and Borough Park (a 50 percent increase),¹⁰ where rental rates (in dollar terms) are roughly on par. The rate of rent growth in Sunset Park exceeded that of nearby Park Slope/Gowanus (a 23 percent increase) and Red Hook (a 35 percent increase) over the same period. The rate of growth in Park Slope/Gowanus and Red Hook appears tempered in comparison to more recent emerging markets in

⁷ CoStar, HR&A Advisors, Inc., December 13, 2017.

⁸ U.S. Census Bureau, Longitudinal Employer-Household Dynamics, 2015, HR&A Advisors, Inc., December 13, 2017.

⁹ StreetEasy.com, as compiled by HR&A Advisors, Inc., December 13, 2017. Sunset Park includes the area within zip codes 11220 and 11232, north of where the Belt Parkway meets Interstate 278.

¹⁰ Data for Borough Park dates back to 2011.

Southwest Brooklyn primarily due to the former’s higher basis and limited capacity to absorb additional rent increases. Between 2018 and 2019 median rents in the Southwest Brooklyn submarket increased by approximately 5 percent, the same rate experienced in the Sunset Park neighborhood, but lower than experienced in other neighboring submarkets over the same period (e.g., 7 percent increase for Northwest Brooklyn, 7 percent increase for Borough Park, 5.4 percent increase for Prospect Park).

Table 1
Median Residential Rent Trends in Sunset Park¹
(2010 through 2017)

Year	Median Rent ²	Percent Change from Previous Year
2010	\$1,413	N/A
2011	\$1,413	0.0
2012	\$1,700	20.3
2013	\$1,775	4.4
2014	\$1,850	4.2
2015	\$1,913	3.4
2016	\$2,000	4.6
2017	\$2,025	1.3
2018	\$2,000	-1.2
2019	\$2,100	5.0

Notes:
¹ Sunset Park includes the area within zip codes 11220 and 11232, north of where the Belt Parkway meets Interstate 278.
² Median rent includes rental rates for studio, one bedroom, two bedroom, and three bedroom units within Sunset Park.
Sources: StreetEasy.com, 2010-2017 data compiled by HR&A Advisors, Inc., December 13, 2017; 2018-2019 data compiled by AKRF, Inc. March 11, 2020.

Lastly, the anticipated academic uses for the Proposed Project would primarily serve a commuter-based student population rather than an on- and off-campus student resident population typical of a traditional college campus. The approximately 627,700 gsf of academic space planned under the Proposed Actions is intended to closely integrate academic activities with existing and proposed Innovation Economy uses. Programs that focus more heavily on workforce development and technical skills typically attract higher commuter student populations as compared to the traditional college campus model that incorporates dormitories and off-campus housing and that therefore can generate greater demand for housing in the immediate neighborhood. This trend is observed throughout the CUNY school system, where the majority of students commute between thirty and sixty minutes each way.¹¹ This trend is further exemplified by the recent deliveries of New York University’s 310,000-square-foot (sf) Center for Urban Progress (CUSP) in Downtown Brooklyn in 2013 and the nearly 200,000-sf Brooklyn College Graduate School of Cinema and Carnegie

¹¹ CUNY Office of Institutional Research and Assessment, HR&A Advisors, Inc., December 13, 2017.

Mellon University Integrative Media Center that debuted at the Brooklyn Navy Yard in 2015. Given these trends, current Study Area students are expected to participate in, and benefit from, the contemplated academic programs, but students living outside the Study Area are not expected to seek residency within the Study Area in order to live closer to the campus.

The Proposed Project intends to support manufacturing uses within the Project Area, which is located within the Southwest Brooklyn IBZ. The Applicant values the industrial nature of the Project Area and Sunset Park and seeks to showcase manufacturing jobs that encourage industrial growth. As such, the applicant intends to protect manufacturing in the Project Area through the Proposed Actions by expanding the non-storage and warehousing industrial uses within the Industry City complex and by increasing the number of manufacturing jobs in the area.

Comment 80: This will increase wealth in the neighborhood and help current small business owners, but I also understand why residents are worried about displacement. I am, too, but this has been happening in Sunset Park for many years now. Shame on the homeowners and building owners that raise these rents, but that's something that Industry City is not completely at fault. The neighborhood is vastly changing with or without Industry City being there. (Reyes_073)

I don't believe that Industry City is causing substantial displacement. Gentrification and displacement started here long before Industry City came along, it is a scorch across the city, state and nation. I do not think that it's fair that we hold Industry City responsible for that. (Rolnick_063)

You heard from Marcella, I think she's still here, she is super credible when it comes to issues of displacement, and I respect her immensely. The work she does on the ground is key. The notion, however, that this project, which does not include any residential, is the perpetrator of all of the displacement is just wrong and it's false. (Peers_BCC_087)

Things are going to change all the time, a lot of people want to blame Industry City for the rent increase and all that. And I've said in other places in 2003, a lot of illegal money was coming in under the table, buying everything for cash, and nobody was saying anything. Everybody was happy and so forth, and that's what created a lot of the increases in the area. It's tough for a lot of young people. I've sat with young people where they are saving money to try to have a down payment on a house, a year later they have that money but now it's gone up so high they can't afford it either. But again, it's not Industry City. (Cardona_092)

I myself would be afraid of displacement, but we can't blame the City's issues on Industry City because we're going to be blindsided. We are not going to take care of the things that need to be taken care of. (Santiago_099)

Response: Comment noted.

INDIRECT BUSINESS DISPLACEMENT

Comment 81: [The] EIS analysis [should be updated] to determine [the] impact of [the proposed] rezoning on local businesses in an expanded trade area extending from 1st to 8th Avenues and from 15th Street to the LIRR Cut. (Fontillas_CB7_001)

Response: The study areas analyzed in the DEIS follow the guidance of the *CEQR Technical Manual* for each individual technical area and have been refined in consultation with the reviewing agencies. According to the *CEQR Technical Manual*, the socioeconomic study area typically reflects the land use study area, and should depend on project size and area characteristics. The land use analysis assesses a ¼-mile primary study area and a ½-mile secondary study area. Therefore, the study area for this socioeconomic assessment includes the area within approximately ½-mile of the Project Area boundaries (see Figure 3-1). Because socioeconomic analyses depend on demographic data, the *CEQR Technical Manual* states that it is appropriate to adjust the study area boundary to conform to the census tract delineation that most closely approximates the desired radius (in this case, a ½-mile radius surrounding the Project Area). The census tracts that constitute the “Socioeconomic Study Area,” or “Study Area,” are shown in Figure 3-1. The Study Area includes the following eight census tracts: 2, 18, 20, 80, 82, 84, 88, and 101, all within Brooklyn CD 7. Beyond this approximately ½-mile radius from the Project Area, other influences would be greater than those of the Proposed Actions in creating indirect business displacement pressures.

Comment 82: The rezoning’s impact on industrial businesses within the waterfront area was not studied due to the analysis limits mandated by CEQR. IC has not provided aggregate data on local hiring placements, skill and training level requirements, wage rates and benefits for jobs within the project area. This information along with space buildout projections, potential business rents, and their associated impact on neighborhood businesses is important information for the [Community] Board to assess as part of its review. The [Community] Board is concerned the rezoning will cause substantial rent increases to existing local and small manufacturing businesses in the waterfront IBZ and will lead to their displacement out of the district. (Fontillas_CB7_001)

Response: Chapter 3, “Socioeconomic Conditions,” includes a detailed analysis of the potential for significant adverse impact due to indirect business displacement; see the response to Comment 83.

The specific tenants of the Proposed Project have not yet been determined, and this level of detail is not necessary in order to determine the potential for significant adverse environmental impacts. The Socioeconomic Conditions analysis in the DEIS includes estimates of the number and types of jobs created by the Proposed Actions based on comparisons with a future condition without the Proposed Actions. However, it would be speculative to project information

regarding jobs generated at the level of detail requested by the commenter. *CEQR Technical Manual* methodology does not estimate the likely wages associated with jobs, nor does it make assumptions regarding local hiring or the technical/educational requirements for such jobs. It is noted, however, that the Applicant intends to add uses and activities that would create a sustainable employment cluster, such as local workforce development initiatives, research and entrepreneurship programs, and other community-supporting activities. These initiatives would build on the work of Industry City's Innovation Lab, which launched in 2016 to connect local workers to jobs with Innovation Economy tenants at Industry City, as well as to facilitate job creation, training, entrepreneurship, and technology transfers between tenants, workers, and academic partners.

Comment 83: The [Community] Board is concerned about manufacturing job loss and the closures of small businesses on 5th and 8th Avenues which employ many community residents. Neighborhood businesses are typically small storefronts or small industrial concerns, owned by a diverse group of immigrant and local residents focused on neighborhood or borough-based customers. Many of these businesses reinvest in the community and provide affordable shopping and living wages for the community. Retaining these neighborhood businesses and the community character they represent are vital to maintaining the social fabric of Sunset Park. (Fontillas_CB7_001)

Building ownership in Sunset Park is not dominated by large corporations; many buildings are owned by local families or individual owners. This business ecology has developed a unique blend of "Mom and Pop" and national retail brands, with few vacancies over the past decade. However, the [Community] Board has received reports of increased landlord harassment and a permit crackdown by the City, with many business-owners believing they are being forced out. The prospect of a large retail development that would draw customers away from local business districts is increasing speculation and the fear of rising rents, especially those businesses located in the waterfront district. (Fontillas_CB7_001)

The inflated cost of commercial land this project is already having with their assumed approval and their existing presence already means industries with lower profit margins, smaller entrepreneurs, manufacturers, green industry, and energy never get a chance to take hold in the region. (Sutcliffe_094)

I am against Industry City's rezoning proposal because if allowed, it will further exacerbate displacement of businesses. (Palermo_040)

The problem is ultimately [Industry City's] commitment is to their shareholders and not to the community. They wouldn't have all these people investing in them if they didn't think that the prices were going to rise. And how are they going to generate revenue that's more than it is before, unless they raise the prices to an amount that manufacturers [can't afford]. Ultimately most manufacturers that I

know have been displaced. The point is that we need to preserve manufacturing and industrial space in New York City. Sunset Park was one of the enclaves that you could get that space, and then after Jamestown acquired Industry City, that all went away. (Bland_004) (Bland_060)

You open the door to this retail and that is the end of Sunset Park. I know what that displacement looks like. I'm on Fourth and 20th, my neighbors are gone. They're not investing in us, they are investing in the Fourth Avenue rezoning and the Gowanus rezoning. They're investing in the luxury properties that are coming in. They are investing in whiteness that's coming in. (Hu_PSP_097)

For a lot of the innovation companies; design firms, architecture businesses, advertising firms, small tech startups, they are going to probably be able to pay somewhere between \$25 to \$40, \$45 a square foot. Manufacturers are more like \$15, \$20 a square foot, probably tops. And so in places where tech firms, creative businesses can no longer survive in the Flat Iron District of Manhattan, in DUMBO of Brooklyn, they are looking to places like Industry City and other places as affordable spots. But as they come in, in some cases there are fewer spaces for the companies that are only able to pay \$15 to \$20 a square foot. But by and large more so we're seeing that manufacturing is declining in New York City. (Bowles_CUF_075)

The analysis should include a hard look at indirect business displacement due to either increased commercial rents and/or retail market saturation. (Fontillas_019)

A clear pattern emerges in the commercial real-estate transactions of the past few years. As my research shows, Industry City catalyzed speculative real estate transactions and the displacement of small manufacturing businesses. Sunset Park's industrial infrastructure, composed of warehouses, factories, and garages, is being sold and refashioned into high-end commercial office space. Not surprisingly, the number of commercial real-estate sales increased by 30% in the post-Jamestown Properties period. There is "rampant speculation" as industrial land continues to fall "prey to hot real-estate markets." In fact, the NYC Council report (2014, p. 16) found that commercial land uses in the Southwest Brooklyn IBZ (largely comprising Sunset Park's waterfront) had more than doubled since 2005 with the "as-of-right" conversion of over 2.3 million square feet of industrial space. As the Mayor noted, "there's only so much land to go around" and he intended the press event to send a clear message that IBZs will be strengthened and non-conforming uses such as hotels and self-storage facilities will no longer be "as of right." As one of the city's few remaining industrial waterfronts, Sunset Park constitutes a test of whether the Mayor's plan has enough teeth to protect industrial businesses, especially since the "as-of-right" uses that threaten IBZs include industrial-to-commercial real-estate conversions. (Hum_024) (Hum_025)

Response: Chapter 3, "Socioeconomic Conditions," includes a detailed analysis of the potential for indirect business displacement due to increased rents, as well as an assessment of indirect business displacement due to retail market saturation (i.e.,

competitive effects). Both analyses identify the potential for some business displacement, but not to a level or extent that could result in significant adverse socioeconomic impacts as defined under CEQR.

With respect to indirect business displacement due to increased rents, as detailed in Chapter 3, “Socioeconomic Conditions,” the Proposed Actions would allow for up to 700,000 gsf of incremental retail space that would help meet unspent consumer expenditure potential—both by use category and diversity of store size—as compared to current Study Area retail offerings. Potential adverse effects on local retail businesses are expected to be limited, as Industry City’s own retail program is anticipated to capture much of the newly created demand introduced by the Proposed Project, thereby reducing the potential for rent increases at existing storefronts. In addition, a comparison of business compositions along the Study Area’s major retail corridors between 2007 and 2017 has shown that previous investments at Industry City had only a marginal impact on turnover and vacancies outside of the Project Area, and did not result in a change in character along the major avenues. The limited indirect retail displacement that could result from increased rents brought about by the Proposed Project is therefore not expected to lead to major changes in the composition of nearby commercial strips.

In addition to local retailers, the analysis in Chapter 3, “Socioeconomic Conditions,” found that traditional industrial and warehousing businesses may also be vulnerable to indirect displacement. Greater demand pressures on existing low-employment industrial space could result if the creation of a new Innovation Economy District encourages the co-location of other high-employment manufacturing and Innovation Economy businesses within the Study Area. Any loss in traditional industrial activity, however, would be more than offset by the growth of more job-intensive manufacturing and Innovation Economy uses facilitated through the adaptive reuse of existing vacant and storage/warehouse structures within or near to Industry City. Under the Density-Dependent Scenario, the Proposed Project would house approximately 750,000 gsf of incremental manufacturing space employing over 1,400 additional workers. In broader terms, based on Industry City’s existing tenants, manufacturing uses have employment density of approximately 1 job per 529 gsf, whereas storage and warehousing uses have an employment density closer to 1 job per 2,000 gsf. In addition, industrial rents within the Study Area have increased substantially over the past 10 years, indicating a major demand shift toward higher-value, upgraded industrial spaces that would be expected to continue with or without the Proposed Actions. Please also see the response to Comment 70.

With respect to indirect business displacement due to retail market saturation, as detailed in Chapter 3, “Socioeconomic Conditions,” the Proposed Project’s retail would primarily capture expenditures from consumers within an approximately 3-mile Primary Trade Area, one that is currently underserved by retail goods and services and that is projected to continue to be underserved in the future No

Action condition. Through a combination of maker-oriented retailers and large-format retail tenants, potential future retail uses within the Project Area would capture sales from incremental workers and visitors while helping to fill existing supply gaps among households within the Primary Trade Area. Given unmet retail demand across virtually every major category of goods, future uses would not “saturate the market” as defined by *CEQR Technical Manual* guidelines. It is therefore not expected that the Proposed Project would lead to vacancies and disinvestment on neighborhood commercial streets within the Primary Trade Area due to retail market saturation and competitive effects, nor would it affect overall land use patterns and the economic viability of neighborhoods within the Primary Trade Area. Rather, as detailed in the assessment of indirect business displacement due to increased rents, the Proposed Project could create new business opportunities for select firms, including those located immediately to the east of the Proposed Project that cater to a more regional destination crowd as well as those servicing the future expansion of Industry City.

Comment 84: The industrial real-estate “land grab” extends to the neighborhood’s extensive rent-stabilized housing stock. TerraCRG is a commercial brokerage firm founded in 2008 with a sole focus on Brooklyn. The firm has an office on 44th Street in Sunset Park. Their portfolio includes rent-stabilized, multifamily buildings such as 4103 Seventh Avenue and 4121 Seventh Avenue. The sales pitches for these properties reference proximity to Industry City in order “to capitalize on the large influx of tenants that will want housing on the Park to be close to jobs created by Jamestown Properties’ conversion of Bush Terminal into a high-tech office and retail business hub.”

Sunset Park’s expansive waterfront with a “180-degree to-die-for view” makes it unique among gentrifying Brooklyn neighborhoods. But the process of industrial gentrification and displacement is fairly standard. New property owners seek to extract profits by reducing operating costs and maximizing revenues in rent increases. Industrial tenants are especially vulnerable because many are unable to pay higher rents. Property owners who anticipate even greater profits through a “higher and better” use will seek a rezoning to change the “as-of-right” land uses and development parameters. (Hum_025)

Response: Please see the responses to Comment 79 and Comment 83.

Comment 85: Also how hard would it be for small businesses to keep their doors open when people can get their goods delivered right to them in the same neighborhood, same day. The impact of the real estate speculation and rising rents on manufacturing and industrial space could be analyzed and I think it’s within bounds of the community to ask for that information. It just requires valuing the loss of women- and minority-owned businesses and the loss of the South Brooklyn waterfront neighborhood character. When I first read the scope of work for this proposal, I

was struck at the framework used to analyze impact, particularly given the size of this project, the bounds that they are required to examine primary and secondary displacement are not enough. The size of this project means it has impacts on the entire neighborhood, and those should be looked at next to the other developments in the neighborhood. (Sutcliffe_094)

Response: Please see the responses to Comment 67 and Comment 71.

Comment 86: Warnings about outside negative effects on neighboring businesses in the IBZ are also claims waiting for evidentiary proof. (Murphy_098)

Response: Comment noted.

COMMUNITY FACILITIES

Comment 87: Sunset Park's lack of school seats and facilities has led to a crisis in accommodating its increasing school age population. The [Community] Board would like IC and local agencies to help fund and support new educational and early childhood facilities in the district and to expand after-school programming at existing school sites. (Fontillas_CB7_001)

Response: Comment noted. As detailed in the Final Scope of Work, the *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility or if it would have an indirect effect by introducing new populations that would overburden existing facilities. A schools analysis is required under CEQR for proposed actions that would result in more than 50 elementary/middle school or 150 high school students. The Proposed Project does not include any residential uses, and thus would not generate any new students. Therefore, based on the guidance of the *CEQR Technical Manual*, an analysis of community facilities is not warranted and therefore was not included in the EIS.

OPEN SPACE

Comment 88: The Brooklyn Waterfront Greenway transits across the waterfront. The [Community] Board would like IC to work closely with the Greenway and the city to create continuous access across the district and to the waterfront. (Fontillas_CB7_001)

Response: Comment noted. As detailed in Chapter 4, "Open Space," of the EIS, the Department of Transportation (DOT) has plans for a bike path along 2nd Avenue that would be adjacent to the Project Area and through the open space study area. These plans involve widening the west sidewalk to incorporate a two-way bike path alongside a wider pedestrian sidewalk, and is a part of the larger Brooklyn Waterfront Greenway. Under the Proposed Project, there is also potential for this

planned portion of the Brooklyn Waterfront Greenway to be extended through Building 25 of Industry City, so as to connect to the rest of the Bush Terminal complex to the south.

Comment 89: [The] Applicant [should] plan and implement improvements to waterfront access along its waterfront perimeter and partner with city agencies to improve and build public waterfront access. (Fontillas_CB7_001)

Response: The proposed special permit would establish a public access area requirement specifically tailored to the portion of the waterfront apron adjacent to Building 24. A public access area would be required to be developed in the event the applicant obtains an interest in the City-owned portion of the waterfront apron and develops, enlarges, or changes the use of Building 24 from predominantly industrial (UG 16, 17, or 18) to predominantly non-industrial. The new open space that would result would likely be passive in nature, similar to waterfront esplanades in other portions of the City, and could contain features such as benches and pathways.

Comment 90: [The] Applicant [should] provide funding to improve and maintain Sunset Park, Bush Terminal Park, D’Emic Playground, Gonzalo Plascencia Playground, and Pena Herrera Park. (Fontillas_CB7_001)

Response: Comment noted.

Comment 91: Safe and accessible waterfront space has been a pressing community concern. The DEIS concluded that even with Industry City’s plan to double the amount of workers currently on site by over 8,000 non-residents in the Density-Dependent Scenario, the passive open space ratio would be higher than the City average and therefore there would be no significant adverse impacts on the open space study area. Because the Industry City project does not include residential units, the open space analysis for residential users was not conducted. This limitation, justified by the suggested criteria in the *CEQR Technical Manual*, is not helpful in evaluating the impacts of this project on open space, neither with the suggested study area used, the refusal to look at impacts on residential users, as well as the assumptions about residents and nonresidents and the distances they are willing to walk to open space.

The method used is highly flawed. The lead agency must disclose impacts on residential users of open space in the Sunset Park community and provide a method that evaluates whether a percentage of the 8,000 workers will become new residents, which will have an impact on open space resources in the community. Even without accurate impacts disclosed by the Applicant and lead agency, the community clearly has recognized that the impacts on open space will likely not be localized to the use of the Industry City open space areas and will have significant long-lasting impacts on the use of open space in our community.

We have called for the creation of greater waterfront access and for the City to fund new public parks and additional playground and recreational space in the Community District. (Fontillas_019)

Response: The EIS analysis of open space follows the guidance of the *CEQR Technical Manual* as well as the Final Scope of Work. As detailed in Chapter 4, “Open Space,” the *CEQR Technical Manual* does not recommend conducting a residential open space analysis when a project would not introduce new residents to a project area. The non-residential open space analysis presented in the EIS followed the methodologies established in the *CEQR Technical Manual*, disclosed all potential effects on open space within the Proposed Project’s study area, and was reviewed and determined to not result in a significant adverse open space impact by DCP as lead agency in consultation with NYC Parks. Additional waterfront access is planned for the study area, as described in the response to Comment 89.

HISTORIC AND CULTURAL RESOURCES

Comment 92: [The New York City] Landmarks Preservation Commission [should] review the Finger Buildings (former Bush Terminal warehouses) for New York City Landmark designation and for the State to designate State and National Historic Register status. (Fontillas_CB7_001)

Response: Comment noted. LPC reviewed the EIS as the City’s expert agency for historic resources. In its comment letter dated January 18, 2018, LPC indicated that it had no interest in New York City Landmark designation of the buildings within the Project Area. See Chapter 6, “Historic and Cultural Resources,” and Appendix C.

HAZARDOUS MATERIALS

Comment 93: Industry City’s project area was inundated by Superstorm Sandy in 2012. Floodwaters were contaminated by the legacy of brownfield wastes from adjacent sites. What is IC doing to prepare their building complex, and what is the City planning to do to protect the entire waterfront IBZ district? The Board would like IC to contribute to greater sustainability and resilience for the waterfront and the neighborhood generally. The Board believes it is necessary to do a comprehensive study to remediate and develop mitigation strategies for brownfield sites within and adjacent to the project area. (Fontillas_CB7_001)

Response: The Phase I Environmental Site Assessment (ESA) and ESA Update, conducted in accordance with ASTM Standard E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice, included the Project Area and the surrounding area associated with the Proposed Actions identified in the Reasonable Worst-Case Development Scenario (RWCDS). Hazardous materials (E) Designations would be placed on

the Project Area lots that would have soil disturbance during construction activities under the Proposed Actions. Construction-related activities anticipated for the Proposed Actions could increase pathways for exposure to hazardous materials; however, possible health and safety impacts to construction workers, the community, and future occupants would be reduced by performing renovations and construction in accordance with the (E) Designation process, which includes further investigations for each building, where necessary, prior to redevelopment. The process starts with a current Phase I ESA. A subsurface investigation protocol (work plan) would then be prepared for agency review. The scope of the investigation would be determined by reviewing the findings of the Phase I ESA and any updates/changes in existing conditions specific to the work area. Upon approval of the work plan, the investigation (typically including laboratory analysis of soil, groundwater, and soil vapor samples from the work area) would be implemented and a report prepared for the agency along with a proposed remediation plan (i.e., measures to be implemented prior to and/or as part of construction to avoid impacts to the health and safety of workers, the community, and future occupants). The remediation plan would include a construction health and safety plan and may also include engineering and/or institutional controls to be included into the building design (i.e., a vapor barrier and the like) to ensure the health and safety of future building occupants. The hazardous materials issues on the Industry City sites will need to be addressed on a site-specific basis. The Applicant does not control areas outside of the Project Area, which are outside of the scope of the EIS. In regard to Industry City's contribution to the resiliency of the waterfront and the neighborhood, see response to Comment 141. See also response to Comment 51.

Comment 94: The DEIS does not adequately evaluate concerns around historic chemical contamination and current chemical uses in the proposed site for rezoning. The review of regulatory environmental databases as part of the City Environmental Quality Review was performed with 2012 and 2017 data which is considered data outside of the 6-month requirement. The DEIS recognizes environmental contamination as part of the SMIA's history but lacks sufficient information around specific potential pathways for chemical exposure or information regarding the remediation of existing chemical contamination. Lastly, as documented by NYC-EJA's Waterfront Justice Project, the proposed area is vulnerable to chemical dislodgement from climate change and extreme weather; this should be considered in the final EIS, as is required by the City's Waterfront Revitalization Plan. (Gilmore_NYCEJA_021) (Gilmore_NYCEJA_067)

Response: Prior to development of an (E) Designated parcel within the Project Area, a current Phase I ESA will be completed as part of the (E) Designation process. As part of the remediation design of such lots, future potential contamination/recontamination are taken into consideration. The remediation design of the developments will include a site cap, which could consist of building

foundations, pavement, and/or two feet of clean fill in non-paved (vegetated/landscaped) areas. As such, no hazardous materials will remain on the ground surface that could be dislodged due to extreme weather. Such caps would need to be maintained and if damaged, would require replacement to ensure integrity of the site cap. See also response to Comment 93.

SOLID WASTE AND SANITATION SERVICES

Comment 95: The [Community] Board would like IC to provide details of site-wide recycling and resource recovery programs. [The] Applicant [should] develop and implement [a] site-wide recycling plan, including sustainable waste and composting. (Fontillas_CB7_001)

Response: Comment noted.

Comment 96: [The] Applicant [should] participate in and provide funding for a new waterfront IBZ BID to manage security and sanitation on adjacent public and private streets. [The] City [should] assist in the organization of a BID to provide safety and sanitation services within the waterfront IBZ district. (Fontillas_CB7_001)

Response: Comment noted.

WATER AND SEWER INFRASTRUCTURE

Comment 97: To limit impact on constricted stormwater facilities, [The] Applicant [should] manage all site stormwater within [the] project area utilizing storm tanks to keep roof area available for Local Law 92/94 compliance. (Fontillas_CB7_001)

Response: As described in Chapter 9, “Water and Sewer Infrastructure,” the Proposed Project is not anticipated to result in any significant adverse impacts on the City’s water supply, wastewater, or stormwater conveyance and treatment infrastructure. Construction of each development site would follow all applicable federal, state, and local laws for building and safety, as well as local noise ordinance, as appropriate. Furthermore, prior to construction, the Proposed Project would need to seek building permits from the New York City Department of Buildings (DOB) which ensures the Proposed Project complies with all necessary local laws and regulations.

Comment 98: NYCDEP [should] provide a list of improvements to project area sewer system and combined sewer outflows at the waterfront and the schedule for their completion. (Fontillas_CB7_001)

Response: Comment noted. No such list of improvements has been provided for incorporation in the analysis provided in Chapter 9, “Water and Sewer Infrastructure.”

Industry City

Comment 99: NYCDEP [should] study existing water and sewer distribution systems inclusive of percentage maximum capacity throughout the district, develop recommendations for improvement, and provide report to CB7. (Fontillas_CB7_001)

Response: Comment noted.

ENERGY

Comment 100: Con Ed and National Grid [should] study existing electric and gas distribution systems inclusive of percentage maximum capacity throughout the district, develop recommendations for improvement, and provide [a] report to CB7. (Fontillas_CB7_001)

Response: Comment noted.

Comment 101: [The] Applicant should comply with Energy Efficiency Local Laws, in particular Local Law 97 in its entirety, adhering to the 2030 requirements starting in 2024, mandating biannual reporting of progress to [the Community] Board. To manage resource needs, the Board recommends all new construction at IC [should] conform with Local Law 97's 2030 requirements for energy and emission performance immediately. (Fontillas_CB7_001)

Response: The Applicant intends to redevelop its existing as well as new construction consistent with the City's Local Law 97 and the State's Climate Leadership and Community Protection Act.

Comment 102: The [Community] Board would also like IC to explore use of a co-generation plant to provide campus energy needs. (Fontillas_CB7_001)

Response: Comment noted. See response to Comment 104.

Comment 103: [The] Applicant [should] study and report on alternative and renewable energy sources to serve new and renovated spaces in the complex, in order to reduce reliance on existing energy infrastructure, such as construction of a co-generation plant to serve entire campus' summer peak heating demand for process and domestic hot water production or use of Upper New York Bay water for heat exchange for heating/cooling for compressorized systems. (Fontillas_CB7_001)

Response: Comment noted. See response to Comment 104.

Comment 104: [The] Applicant [should] comply with Local Laws 92 and 94 whereas solar coverage shall be the predominant means of compliance. (Fontillas_CB7_001)

Response: The Applicant intends to assess the feasibility of incorporating the various renewable energy measures available at the time that redevelopment of the various buildings is undertaken.

TRANSPORTATION

Comment 105: NYPD [should] step up enforcement of local traffic laws in [the] project area: double parking, truck routes, etc. (Fontillas_CB7_001)

Response: Comment noted. This comment does not pertain to the EIS.

Comment 106: [The] City [should] provide [a] schedule of implementation of roadway improvements listed in CB7's Community Needs Assessment. (Fontillas_CB7_001)

Response: Comment noted. This comment does not pertain to the EIS.

Comment 107: [The Applicant should m]arket the IC Shuttle as free to the public. (Fontillas_CB7_001)

Response: The Industry City shuttle is currently free and available to the public. Industry City will consider this suggestion to further market the shuttle to the public. This comment does not pertain to the EIS.

Comment 108: [The project will create] added traffic congestion and pollution, especially cancer-causing diesel emissions. (Daly_Demos_014) (Daly_Demos_095)

Response: The EIS analyzes and comprehensively documents the impacts of the Proposed Project on traffic conditions on the street and highway network in Chapter 11, "Transportation," Chapter 18, "Construction," and Chapter 20, "Mitigation." The mobile source air quality analysis prepared for the EIS determined that with the Proposed Project, concentrations of carbon monoxide and particulate matter less than 10 microns in diameter (PM₁₀) would not result in any violations of air quality standards. With respect to project-generated impacts due to particulate matter less than 2.5 microns in diameter (PM_{2.5}), the EIS determined that with the analyzed traffic mitigation measures, no significant adverse air quality impacts would be predicted.

Comment 109: I formally request that the Department of City Planning conduct an analysis of the effects of traffic congestion on emergency vehicle response time, and the consequent impacts on life and health of Sunset Park's residents. (Camarena_008) (Camarena_061)

Response: Comment noted. This is beyond the scope of the EIS as defined in the Final Scope of Work. As detailed in the Final Scope, the ability of health care facilities, the

fire department, and the police department to provide services for a new project usually does not warrant a detailed assessment under CEQR, as projects that do not directly affect the physical operations of, or access to and from, a hospital or public health clinic, fire station house, or precinct house, and do not create a sizeable new neighborhood where none existed before (e.g., Hunters Point South) are not considered to have the potential to significantly impact such services and facilities.

Comment 110: A transportation analysis [should be undertaken] of the cumulative impacts ICs distribution center will have on the neighborhood in terms of travel demand, local street networks and highways, parkings, transit, pedestrian, and safety, together with Sunset Industrial Park (the largest proposed distribution hub in the country) and the last mile distribution hubs set to be built in the close-by neighborhood of Red Hook. (PSP_047)

Response: Comment noted. The Proposed Project does not include any distribution centers.

TRAFFIC

Comment 111: With the proposed rezoning, the community is rightfully concerned that traffic impacts will become untenable. The environmental review shows that many existing intersections already have poor levels of service and that the proposed rezoning will lead to 14 intersections with unmitigated impacts, again using data from 2016, not current data. I believe that more current data would show that current traffic is worse than in 2016 and that there will likely be more intersections impacted. The DEIS provided a narrow look at transportation, traffic impacts, and solutions to the impacts that are disclosed. With the introduction of thousands of new workers, Sunset Park needs a more holistic plan to deal with the transportation needs of Industry City and the surrounding community. (Fontillas_019)

Response: Contrary to the comment made, the DEIS provided a comprehensive examination of the local street network and access to and from the project site via the Gowanus Expressway, fully addressing the needs of the City's CEQR review agencies per the Final Scope of Work. All traffic data conducted for the project, including supplemental counts conducted in 2017 and 2018, were reviewed and approved by traffic reviewers from NYCDOT and DCP.

Comment 112: T[he t]raffic impact analysis should include [a] review of the South Brooklyn Marine Terminal (SBMT) and Made in NY Campus developments and how many additional trucks will serve these sites. Activation of SBMT as an intermodal logistics yard will result in increased connections between the waterside port and ship traffic with landside truck and rail traffic. The confluence of these activities will have a huge effect on neighborhood streets such as 39th Street and 2nd

Avenue. Pedestrian and retail activities will need to be designed carefully so they can coexist with manufacturing traffic across this 40-acre site. (Fontillas_CB7_001)

Response: The traffic impact analyses include the South Brooklyn Marine Terminal (SBMT) and Made in NY campus developments. Pedestrian and retail activities have been taken into account during the planning and design of Industry City's transformation over the past few years and as it continues to plan ahead. Industry City has coordinated its planned redesign of 2nd Avenue with NYCDOT's planned Brooklyn Waterfront Greenway Project and has included pedestrian crossing and safety treatments along 2nd Avenue, geometric and signalization improvements at a key intersection of 2nd Avenue with 39th Street, and along 39th Street between 3rd Avenue and the waterfront.

Comment 113: The [Community] Board is concerned about current truck congestion and increased congestion due to the rise of e-commerce/last-mile distribution warehousing. Three proposals for last-mile warehouse facilities have been publicized in the past year within or adjacent to the district. Many of these delivery trucks will add to the street network directly. The [Community] Board is actively seeking to deter these last-mile facilities due to the lack of street capacity necessary to accommodate them in the neighborhood. (Fontillas_CB7_001)

[There should be] studies on truck distribution hubs planned for the community district. (Fontillas_019) (Fontillas_CB7_058)

I'd also like to bring up that over the last-mile tracking facility, there's also four to five other sites being proposed as-of-right in the neighborhood, too. (Hu_PSP_097)

Response: The Proposed Project is not proposing any warehousing facilities nor any truck distribution facilities. The analysis considers other nearby projects as part of the No Action assumptions, which accounted for future planned projects as well as the addition of general background growth factors.

Comment 114: Another contributor to truck congestion is the lack of ramps onto the Gowanus Expressway at 39th Street. Although this has been studied since the late 1980s, access improvements to this stretch of the expressway have not occurred since it was expanded in the late 1950s. With no on-ramps between 65th Street and Hicks Street, large numbers of trucks are stuck navigating the narrow streets of Sunset Park to get to the highway. This is another project that requires the involvement of city, state, and federal agencies. These ramps are 50 years overdue and the streetscape of our neighborhood suffers greatly from the inability to get trucks out of the neighborhood. NYSDOT [should] provide [a] study for additional vehicular ramp entrances onto southbound and northbound BQE at 39th Street. (Fontillas_CB7_001)

Response: Comment noted. The comment refers to a regional issue of concern to the entire Gowanus Expressway/Third Avenue/Hamilton Avenue corridor which, as noted by the commenter, lies within the purview of NYSDOT. The Proposed Project on its own would not warrant construction of new on-ramps. The project is expected to generate approximately 100 to 200 vehicles per hour (vph) in the peak hours on to the existing off-ramps, and demand for new on-ramps would be expected to be similar.

Comment 115: [The] DEIS must include new schools, potential bike lanes, ferry stops, and impacts related to recent 4th Avenue improvements. The Board would like to call attention to the DEIS's report of 14 un-mitigatable intersections made worse by the project. This will lead to significant impacts beyond the study area. (Fontillas_CB7_001)

Response: The EIS' traffic analyses have included newly installed and proposed bike lanes, and newly installed and proposed traffic engineering improvements within the EIS' traffic study area, as identified together with New York City DOT and DCP traffic reviewers. The EIS' traffic impact analyses have also identified significant traffic impacts and, wherever possible, traffic improvements that NYCDOT would implement to mitigate those impacts. Up to 14 of the 41 intersections would not be mitigatable. Some of these 14 intersections could be mitigated with the implementation of parking restrictions during peak hours but, after consultation with NYCDOT, it was determined that allowing curbside parking at several key locations was more important than mitigating significant traffic impacts at those locations. It should also be noted that the EIS is a disclosure document; EISs for many large development projects such as this have documented unmitigatable traffic impacts at a number of locations as well.

Comment 116: [The] Applicant [should] pay for traffic studies prior to and at 1-year, 3-year, 5-year, 10-year and 15-year time periods post-rezoning showing impacts to street network and traffic conditions, including further mitigation, including but not limited to adjustments to signal phasing and timing, traffic management strategies, and parking regulation changes. (Fontillas_CB7_001)

Response: The New York City Department of Transportation (NYCDOT) has reviewed all of the traffic analyses contained in the EIS and has not identified the need, nor requested, a traffic monitoring program.

Comment 117: Are existing truck routes appropriate? Will they be able to function as intended with an expanded Industry City? NYCDOT [should] provide [a] comprehensive truck route study of CD7. (Fontillas_CB7_001) (Fontillas_019)

Response: Comment noted. This comment does not pertain to the EIS. NYCDOT regularly maintains and improves its "New York City Truck Route Map," which includes truck routes along 1st Avenue, 3rd Avenue, and 39th Street in Sunset Park.

Comment 118: NYCDOT [should] conduct future traffic studies including truck distribution hub traffic planned or under construction in CD7 and CD6, EDC-managed developments and properties such as Made in NY campus, Brooklyn Army Terminal and SBMT, commercial waste hauling, congestion pricing, and new schools opening along the 3rd Avenue corridor. (Fontillas_CB7_001)

Response: Comment noted. This comment does not pertain to the EIS.

Comment 119: The applicant should be required to disclose its master leasing plan to better identify expected changes in the traffic plan. The community is especially concerned about last-mile warehouse facilities and formula retail, which encourage an increase in commercial traffic, exacerbated by the lack of improvements to the Gowanus Expressway. The analysis provided by the lead agency simply is not sufficient to disclose the entirety of the impacts of Industry City on the traffic in the surrounding neighborhood. (Fontillas_019)

Response: Comment noted. The EIS transportation chapter is consistent with the Final Scope of Work. As detailed in the Final Scope of Work, the EIS transportation chapter analyzes the Density-Dependent Scenario, which would account for an additional 173,874 sf of Innovation Economy use and an additional 241,128 sf of academic/community facility use and thus would be expected to generate more transportation activity than the Baseline Scenario or the Overbuild Scenario. Chapter 11, "Transportation," analyzes an increment of approximately 1.5 million sf of Innovation Economy use, 628,000 sf of Academic use, 420 hotel rooms, 581,000 sf of destination retail, 79,000 sf of local retail, 40,000 sf of food store use, and 33,000 sf of event space over the No Action condition. The Proposed Project is not proposing any warehousing facilities nor any truck distribution facilities.

Comment 120: There are a few things that are of great concern to me, the biggest being traffic. According to the Environmental Impact Statement, Industry City will increase traffic across all uses; however, the increase with destination retail is astronomical. (Rolnick_063)

Response: Comment noted.

TRANSIT

Comment 121: MTA [should] review additional exits from the 36th Street subway station, as well as reopening existing secondary entrances at all stations in CD7. (Fontillas_CB7_001)

Response: Subway station analyses were conducted by Industry City's EIS consultants during the period between certification of the DEIS and the FEIS, in consultation with representatives of MTA New York City Transit. These analyses determined

that it was neither practicable nor economically feasible to add entrances/exits to the 36th Street station. NYCT determined that widening of the S3 stairway at the 36th Street station—which would serve the volume of subway patrons heading to the north end of the Industry City campus—in conjunction with widening of the M1A/M1B mezzanine level stairway would be required to mitigate the Proposed Project’s transit impact. The 36th Street station is identified by the MTA as one of the stations that would potentially receive accessibility improvements under the Americans with Disabilities Act (ADA) within the MTA’s 2020-2024 Capital Plan, which would include the installation of elevators and relocation of station elements to accommodate the elevators. NYCT has determined that the S3 and M1A/M1B stairway widenings would need to be funded by the Applicant following completion of the accessibility improvements. This mitigation has been determined to be financially impracticable. Therefore, the adverse impact to the 36th Street station would remain unmitigated. Reopening existing secondary entrances at all stations in CD7, as noted by the commenter, is not within the purview of this project nor would other stations be affected by this project.

Comment 122: MTA [should] provide [a] study of capacity improvements to existing bus lines serving the project area. MTA should also review bus service capacity and schedules to increase intermodal connections. (Fontillas_CB7_001)

Response: The DEIS provides an analysis of bus ridership and capacity for each bus line serving the project sites (see Pages 11-38, 11-57, and 11-81). The DEIS identifies the need for one additional bus to serve the B70 route in the weekday AM peak hour, and bus stop improvements including bus shelters with real time information at two bus stops have been agreed to by the applicant between the Draft and Final EIS. In terms of intermodal connections, the MTA/New York City Transit regularly reviews its bus routes to determine adjustments needed to bus schedules and connections to better accommodate its riders.

Comment 123: The [Community] Board would like NYCDOT to review the location of a Ferry Terminal adjacent to the project area to provide transit connections to the NYC Ferry network. NYCDOT/MTA [should] provide [a] study for ferry transit hub (bus to ferry) at the foot of 39th Street or other locations on the Sunset Park waterfront. (Fontillas_CB7_001)

Response: According to the latest information available, the New York City Economic Development Corporation (NYCEDC) is proposing to implement an expansion of the Citywide Ferry Service (CFS). As of March 2020, NYCEDC operates a ferry landing at Pier 4 of the Brooklyn Army Terminal (BAT) in Sunset Park. Per the Draft CFS EIS, service to the Sunset Park neighborhood on the South Brooklyn route would be shifted to a new landing at Bush Terminal. The modified South Brooklyn route is expected to begin service in 2021.

Comment 124: NYCDCP [should] review transit entrance improvement FAR bonus for development sites along 4th Avenue from 37th Street to 32nd Street. (Fontillas_CB7_001)

Response: Comment noted. This comment does not pertain to the EIS.

Comment 125: Our main subway at the 36th Street station has exits and entrances only at one end. (Rolnick_063)

Response: Comment noted.

PARKING

Comment 126: The [Community] Board believes parking demand is driven primarily by retail uses; therefore, it seeks to limit the amount of retail generating uses and restrict other uses in order to reduce the number of cars stored near the site. The [Community] Board also believes that the amount of parking at IC should be limited as much as possible and the tenants at the complex should encourage their workers and patrons to use public transit. The [Community] Board is concerned about induced demand; more parking will encourage more trips by car to IC. (Fontillas_CB7_001)

Response: The destination retail component of the development program is expected to generate the largest amount of the project’s overall parking demand. That said, as described in detail in Chapter 11, “Transportation,” the Proposed Project is expected to fully accommodate the development program’s full parking demand. Industry City is prepared to encourage its users to use public transportation to the maximum extent feasible and has coordinated with City agencies on alternative transportation improvements such as the redesign of 2nd Avenue for the planned Brooklyn Waterfront Greenway Project, shuttle service between the 36th Street subway station and the Industry City campus, implementation of CitiBike service at the Industry City campus, and support for ferry service to Bush Terminal.

Comment 127: NYCDOT [should] provide [a] study for elimination of parking along right side of southbound 3rd Avenue and improved access to and circulation in the parking fields under the Gowanus Expressway. (Fontillas_CB7_001)

Response: Comment noted.

PEDESTRIANS

Comment 128: [The] Applicant [should] develop and implement [a] pedestrian streetscape plan focused on improving pedestrian amenities, safety, accessibility, and security at private and public streets adjacent to IC sites. (Fontillas_CB7_001)

Response: This comment does not pertain to the DEIS or the environmental review of the Proposed Project more generally. However, it should be noted that Industry City has long been active in implementing streetscape improvements and amenities throughout its campus. This has included improved truck loading/unloading areas alongside the “Finger Buildings” to reduce prior street blockage issues and conflicts with pedestrian and vehicular traffic, improved midblock pedestrian crossings between the finger buildings, and large planters along 39th Street between 1st and 2nd Avenues. As Industry City’s plans for continued redevelopment are approved, 2nd Avenue’s redesign will include additional streetscape and pedestrian safety treatments in conjunction with the City’s planned Waterfront Greenway including shortened crossings of 2nd Avenue, improved crosswalks, and improved channelization and signalization to improve pedestrian movements.

PEDESTRIAN SAFETY

Comment 129: The [Community] Board’s most important concern is the impact of increased traffic resulting from this rezoning application on pedestrian safety. The Vision Zero program tracks the impacts of traffic on 3rd Avenue. Unfortunately, it has recorded five pedestrian deaths in past year, the 4th highest in districts measured. CB7 has already tested potential traffic mitigation changes in the district. Changes to 4th Avenue reduced traffic lanes but improved flow. Based on this experience, the [Community] Board wants to increase safety by reviewing and modifying 3rd Avenue’s road design as well. (Fontillas_CB7_001)

We are suffering in Industry City and the Sunset Park neighborhood from truck traffic that Third Avenue, five people died last year, pedestrians walking across the street. The influx of 20,000 new workers in the last-mile distribution storage facilities, if all that comes to pass, would only serve to increase the danger to people who live in the neighborhood. (Fontillas_CB7_058)

Our neighborhood is congested already with several projected as-of-right projects in the area that will further exacerbate traffic. There have been several cycling and pedestrian deaths on Third Avenue recently. (Rolnick_063)

Response: The Vehicular and Pedestrian Safety Analysis prepared for the EIS contained a breakdown of all crashes that occurred within the traffic study area for the most recent three-year period for which such data were available, 2014–2016, per NYCDOT and *CEQR Technical Manual* criteria. As shown in Table 11-28 of the DEIS, there were no fatalities at the 42 intersections analyzed during that three-year period. Per the commenter, unfortunately, there were five pedestrian deaths last year (locations not identified).

The Proposed Project does include several pedestrian improvements as part of the project including a traffic signal at the intersection of 1st Avenue and 39th Street that would facilitate pedestrian crossings at that location, crosswalk widenings,

implementation of high-visibility crosswalks, corner bump-outs that would shorten the distances that pedestrians would need to cross along select locations on 2nd Avenue adjacent to Industry City, and lane-re-stripings. This is in addition to safety improvements such as high-visibility crosswalks, bike lanes, and corner bulb-outs that NYCDOT, NYCDDC, and NYCEDC are already implementing at other locations in the area. Also, per the commenter, the Community Board wants to increase safety by reviewing and modifying Third Avenue's road design; this can be done by the Community Board with NYCDOT independent of the EIS process.

Comment 130: The private property owners are asking the City of New York to modify zoning and they have an unequivocal responsibility to do their part ethically to keep the residents safe. For the aforementioned reasons I oppose the rezoning of Industry City. If they are slashing safety positions now prior to a rezone I can't imagine how emboldened they will become to make cuts if it is approved with significant more traffic and pedestrians descending there it will be a recipe for accidents. Cameras on streets will not suffice to keep the public safe. Eyes and ears will. (Stevens_053)

Response: Comment noted.

Comment 131: One growing concern is the safety of children crossing 3rd Avenue to schools located near or west of the Avenue. As these facilities add students, the [Community] Board demands that the city and state review the conditions of 3rd Avenue and the Gowanus Expressway structure to create safe, secure and accessible paths to school. (Fontillas_CB7_001)

With increasing traffic and congestion will existing routes to school be safe? Are there additional mitigation measures beyond alleviating traffic that can be used to ensure that children are safe in their journey to school? (Fontillas_019)

Response: Comment noted. The transportation analysis provided in Chapter 11 of the EIS incorporated planned roadway improvement projects in the area that focused on safety along the 3rd Avenue corridor including the 3rd Avenue and 36th Street Safety and Streetscape Enhancements, DOT School Safety Program 4, and Reconstruction of Sunset Park projects. Measures identified in these projects include conversions of standard crosswalks to high-visibility crosswalks, implementation of corner curb bulb-outs, and closure of the slip ramp at 3rd Avenue and 39th Street. Industry City also coordinated its planned redesign of 2nd Avenue with NYCDOT's planned Brooklyn Waterfront Greenway Project, which includes pedestrian crossing and safety, geometric, and signalized improvements at the 2nd Avenue off-ramp intersection.

Comment 132: Access for people with disabilities is missing at key IC intersections, with a lack of safety measures, such as crosswalk ramps and bumpouts at street corners.

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NYCDOT was ordered to improve intersections, but we do not know what the schedule for improvements is in the project area. (Fontillas_CB7_001)

Response: Comment noted. This does not pertain to the EIS.

Comment 133: Bike safety is a major concern because of a recent spate of injuries and deaths. There is also a lack of CitiBike facilities in district. The only two stations are located at IC which are often full, forcing riders to return their bikes to the nearest open stations in Gowanus to complete their rides. Related to the [Community] Board's request for traffic calming, the [Community] Board would like the City to review a dedicated bike route along 3rd Avenue. (Fontillas_CB7_001)

Response: The commenter notes that there are two CitiBike stations currently in-place at Industry City. This comment does not pertain to the environmental review of the Proposed Project.

Comment 134: NYCDOT [should] complete a Safe Routes to School study for schools along the 3rd Avenue corridor. (Fontillas_CB7_001)

Response: Comment noted. This does not pertain to the EIS.

Comment 135: NYCDOT [should] provide [a] schedule of installation of pedestrian crossing improvements throughout CD7. (Fontillas_CB7_001)

Response: Comment noted. This does not pertain to the EIS.

Comment 136: NYCDOT [should] provide [a] study for pedestrian safety measures within waterfront IBZ area, including curb bumpouts, traffic calming devices, painted curbs vs. steel, wider, higher visibility crosswalks, American with Disabilities Act (ADA) accessibility at all crosswalks in the area, accessible markers, sound and visibility aids, cane detection, widening sidewalks on key pedestrian routes, planters, and protected bike lanes. (Fontillas_CB7_001)

Response: Comment noted. The request for studies to be prepared by NYCDOT does not pertain to the EIS. The EIS analyzes the potential impacts of the Proposed Project on pedestrian safety in Chapter 8, "Transportation."

Comment 137: 2nd Avenue could use more pedestrian direction and driver surveillance, but unless the waterfront is opened there is not much reason to walk along this avenue. (Davis_015)

Response: Comment noted.

AIR QUALITY

Comment 138: NYSDEC [should] conduct [the] study proposed by Assemblymember Felix Ortiz to measure air pollution changes around CD7 school locations. (Fontillas_CB7_001)

Response: Comment noted. This does not pertain to the EIS.

Comment 139: An analysis [should be undertaken of] the cumulative air quality, greenhouse gas emissions, and climate change impacts ICs distribution center will have on the neighborhood, together with Sunset Industrial Park (the largest proposed distribution hub in the country) and the last mile distribution hubs set to be built in the close-by neighborhood of Red Hook. (PSP_047)

Response: The Proposed Project is not proposing any truck distribution facilities. The mobile source air quality analysis presented in the DEIS was based on the conservative transportation assumptions developed under the Density Dependent Scenario. The DEIS considered cumulative impacts of existing traffic in the Sunset Park community, and other nearby projects as part of its No Action assumptions, which accounted for future planned projects as well as the addition of general background growth factors. Also, both the mobile and stationary source air quality analyses accounted for the contributions of existing sources of air emissions in the area by using conservative ambient background concentrations as monitored and reported by NYSDEC. These analyses demonstrated that maximum concentrations of pollutants would not result in any significant adverse air quality impacts. Consistent with the *CEQR Technical Manual*, the GHG and climate change analysis evaluated the GHG emissions that would be generated by the construction/renovation and operation of developments that may occur as a result of the Proposed Project and the consistency of the Proposed Project with the citywide GHG reduction goals, and also evaluated the resilience of the Proposed Project developments to climate conditions throughout their lifetimes.

Comment 140: The quality of life of Sunset Park residents is fully tied to the quality of its environment. In the past few decades, residents have suffered from the effects of the 3rd Avenue and Gowanus Expressway corridors. A 2012 SUNY Downstate study showed elevated levels of asthma, emphysema, and advanced lung diseases in the Sunset Park population especially in children 0–5 years old. Daily traffic counts along the Gowanus average 200,000 vehicles, with traffic often diverted to local streets below. High levels of truck and traffic emissions are leading to high levels of pollution in the district. Deceptive environmental assessments have consistently underreported impacts on the community. Air quality analyses often focus on regional models rather than local health impacts. Environmental assessments show that lower-income neighborhoods experience larger exposure to emissions and higher health burdens. (Fontillas_CB7_001)

Response: The air quality analysis evaluated potential impacts at those intersections most effected by Project-generated sources of emissions. The analysis used conservative models to predict maximum concentrations of regulated pollutants (specifically CO, PM₁₀ and PM_{2.5}). As described in the DEIS, the mobile source analyses determined that in the With Action condition, concentrations of CO and PM₁₀ due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards. However, at all three intersection sites analyzed, the maximum annual incremental PM_{2.5} concentration at each site is predicted to exceed the *de minimis* criteria. Traffic mitigation measures were examined at the affected intersection locations, which determined that the measures would fully mitigate the predicted significant adverse air quality impacts. Therefore, no significant adverse mobile source air quality impacts are predicted from the Proposed Project.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Comment 141: The plan promoted by Industry City proposes changes that could harm our city's and our region's ability to adopt the changes necessary to address these threat related to climate change and rising sea levels. I am not an alarmist, I am a community-based urban planner that sees the need to immediately initiate a plan to assess and implement what our land use policies should be to avoid a catastrophic future to our city, region and country. This response cannot and should not be postponed. We need to make sure that the land needed to carry out these functions are not rezoned and their uses surrendered to today's perception of highest and best use—one of higher profit margins—at the cost of being able to meet our future needs.

The item before you warrants a deeper look at the role that areas like Sunset Park can and play to adapt to that threat. A threat that requires that we harden our shoreline, modify the way we produce and consume, how we retrofit our buildings and keep open the water borne options to assure that our supplies of food and water are not interrupted. We need new products and ways of production that are not dependent on extended means of transport to help adapt to new and emerging climactic conditions. Absent a strategic plan to address land use issues concerning climate change, the city will be inviting irreparable harm. A strategic climate adaptation plan based on further study is needed to discern the full impact of the proposed action. Industry City is NYC's largest privately owned industrial holding, and as such is a unique resource, and absent city policies to protect against climate change and to safeguard industry, this project should not proceed. Approving this application absent a plan to deal with our coastline would be an abdication of the "planning" role of the City Planning Department abetted by the Commission. As a former member of the City Planning Commission, I urge you to table this application until a coastal plan/strategy to adapt to this existential

threat is developed. (Shiffman_UPROSE_050) (Shiffman_UPROSE_051) (Shiffman_UPROSE_052)

Industry City’s proposal is not only disrupting social cohesion and eliminating well-paid working-class jobs, but also prevents us from moving forward with utilizing the industrial waterfront to prepare for climate change. The mandates in the CLCPA will help shift our energy systems and economy in a just and equitable process from an extractive one to a regenerative one that is aligned with the Just Transition Model. The enactment of the CLCPA will reduce economy-wide greenhouse gas emissions 85% by 2050 with net zero economy-wide emissions. Similar to local and federal policies, the CLCPA offers opportunities for funding a green economy. The CLCPA mandates that 35% of benefits go to “disadvantaged” or frontline communities. The CLCPA lays the groundwork for equitable renewable energy development; it calls for a 250% increase in solar capacity by 2025 to achieve a 70% renewable energy portfolio by 2030. Industry City’s proposal is not only inconsistent with these policies, it threatens funding sources that will support a Just Transition. (Sandoval_048)

[The proposed project] ignores the urgent need for aligning economic development with climate goals as ratified in the city’s Climate Mobilization Act and the statewide Climate Leadership and Community Protection Act. Further, and no less urgent, the rezoning proposal is deeply misaligned with the state’s new climate law, The Climate Leadership and Community Protection Act (CLCPA). The CLCPA codifies strong, economy-wide GHG emissions reductions and establishes equity standards in policy implementation, prioritizing protections and benefits for vulnerable communities like Sunset Park. The proposed commercial rezoning flies in the face of such goals and promises a significant setback for the kind of equitable and sustainable development envisioned by the CLCPA as well as by related local and citywide planning efforts that give voice and choice to community leaders and residents. (Daly_Demos_014) (Daly_Demos_095)

We would love to see more incorporation of green initiatives in this rezoning. (Taylor_074)

The proposed Industry City rezoning goes against community concerns, but is in opposition to building a truly climate resilient waterfront. Sunset Park has an opportunity to lead a just transition as a front line community that is already facing the impacts of a changing climate. (Gilmore_NYCEJA_067) (Gilmore_NYCEJA_021)

Response:

With the exception of Building 24, none of the Industry City campus buildings are located directly on the water. The development of a strategic climate adaptation plan would encompass a larger area than the Applicant controls. To the extent that the Proposed Project can address climate change and resiliency issues, the Applicant is committed to ensuring compliance with Local Law 97 and the State’s CLCPA as discussed in Chapter 14, “Greenhouse Gas Emissions and

Climate Change.” Should a comprehensive coastal resiliency plan be developed for the Sunset Park waterfront, the Applicant would be amenable to integrating its buildings within a larger systemwide solution.

Furthermore, as described in Chapter 2, “Land Use, Zoning, and Public Policy,” the Proposed Actions would be consistent with current policies, including those related to climate change and sea level rise, such as OneNYC, DEP’s Green Infrastructure Plan, the NYC Special Initiative for Rebuilding and Resiliency, and the WRP. See response to Comment 51. Also, see response to Comment 58. Additional city or region-wide climate change and sea level rise planning is beyond the scope of this EIS.

It should be noted that the majority of space in the Proposed Project is already built and would be retrofitted for new uses, which is consistent with best practices of sustainability. In addition, the Proposed Actions would result in the construction of three new buildings, which would allow for the implementation of building wide systems to minimize wastewater runoff. The Proposed Actions would also facilitate the continued retrofitting and upgrading of a substantial amount of square footage in existing century-old buildings. While the retrofitting of existing buildings provides fewer opportunities to develop new stormwater management systems, the Proposed Actions would facilitate continued investment in building upgrades, such as additional building courtyards with permeable surfaces, green roofs and other rooftop wastewater management upgrades where feasible, and low-flow bathroom fixtures. As described in Chapter 14, “Greenhouse Gas Emissions and Climate Change,” the Proposed Actions have been developed taking into consideration the lifespan of the buildings, mechanical, electrical, and plumbing equipment located in the buildings, and sea level rise projections outlined by the New York City Panel on Climate Change (NPCC). To account for current flood conditions, new Buildings 11 and 21, both located in the current +12-foot floodplain, have been designed with a Design Flood Elevation (DFE) of +13.0 feet NAVD88, which is about 1 foot above the current BFE (accounting for current conditions, including freeboard). Existing buildings, including Buildings 22/23 and 26 located in the +12-foot floodplain near the waterfront, would be retrofitted with flood protection features at the time of construction to account for potential future conditions. Renovations for the Finger Buildings in the +11-foot and +12-foot BFE floodplains would incorporate dry flood proofing measures in vulnerable locations upland of 1st Avenue to account for potential future conditions. Specific measures may include aluminum shielding and/or flood gates at entryways within the floodplain, and/or other appropriate methods that would be determined at a later point in the design process and incorporated at the time of construction. All proposed new critical infrastructure (i.e., electrical, plumbing, mechanical equipment) would be elevated above the projected future flood levels in each building, and basement uses would be limited to storage and parking only. Elevators would also be flood-proofed. Connections and systems would be either

located above this elevation or sealed. The vast majority of the Directly Affected Area is not on the waterfront and therefore those portions would not include any coastal protection measures that would affect other sites or open space areas. The small portion of the Directly Affected Area that is on the waterfront—specifically Building 24—contains an existing building which would be retrofitted in consideration of future sea level rise and flooding considerations. In addition to the resiliency measures, the Proposed Actions would introduce a number of sustainability measures consistent with policy. As a participant in the New York City Carbon Challenge, Industry City has voluntarily pledged to reduce its building-based emissions by 30 percent over the next decade. A reduction of carbon emissions would be the result of sustainability measures and energy infrastructure upgrades—LED lighting, window replacements, cool roofs, on-site waste management, and modern heat distribution systems—as well as the adaptive reuse of underutilized buildings and materials.

Comment 142: From exacerbating rapid displacement and loss of well-paid working-class industrial jobs to ignoring the ever-intensifying impacts of climate change, the Industry City rezoning plan as proposed by Jamestown Properties is destructive because it rejects community needs and its climate resilience. The proposed rezoning is also inconsistent with existing community, city, and state plans that emphasize the immediate necessity to transition into a more climate resilient and sustainable future. Industry City’s development does not fit into the Just Transition model as its existing campus and proposed expansion is rooted in the extractive economy that only prioritizes short-term profits and compromises all consideration for community, climate, or health. Unfortunately, the Industry City plan does not create the environmentally sustainable employment opportunities as contemplated by the new Climate Leadership law. This zoning proposal falls woefully short of Borough, City, and State plans in creating Green Jobs for area residents and is another reason to reject the rezoning application. (O’Laughlin_350.org_002)

I am not opposed to development but as a working waterfront community, we need to develop for climate adaptation. Sunset Park is one of the few remaining SMIA’s we have in New York—to convert this area for purposes other than climate adaptation would be foolish. Building for green energy will create local, climate jobs and utilize the area for green industry. (Maya_031)

Response: The Applicant is requesting to broaden the permitted uses to allow for academic use would provide a venue for innovators and scholars to interface on research, design, training, and education, and provide a feeder of educated and trained employees to serve Innovation Economy uses on site and elsewhere in the City. They believe that this could encourage, rather than preclude education and training that could be applicable for green employment. Furthermore, the Proposed Actions would not preclude the potential for some of the industries identified in the GRID plans to locate within Industry City, should such

appropriate type of businesses express an interest and can be accommodated on the campus.

Comment 143: We would love to see the off-shore energy come to pass but there's also five million square feet of existing buildings that have no air condition, have no heat, have no infrastructure, that have to be modernized. How are those areas going to be done in environmentally sustainable ways? The] Applicant [should] develop design guidelines for tenants to encourage sustainable building practice for energy efficiency in all new construction and interior renovations. We would hope that the Applicant really thinks through that this could be an innovation towards a new type of industrial district, that they put their money where their mouth is and we look at ways to keep the energy use low to make sure that sustainability and resiliency, because it's in a floodplain, are respected as any new development moves ahead. (Fontillas_CB7_058) (Fontillas_CB7_001)

Response: Regarding off-shore energy, see response to Comment 9. As described in Chapter 14, "Greenhouse Gas Emissions and Climate Change," the Proposed Project would adaptively re-use millions of square feet of space, consistent with best practices of sustainability. In addition, it would include a number of sustainable features, which would, among other benefits, result in lower GHG emissions. The existing Industry City leasing office is certified LEED CI Silver and hopes to continue to encourage energy efficiency and sustainable buildout by new tenants. Furthermore, the Applicant is committed to ensure compliance with Local Laws 92, 93, and 97 of 2019. This would result in rooftop installation of green roof or solar photovoltaic electricity generating systems where practicable and emissions of GHGs. Additional details on energy efficient upgrades and sustainability measures are detailed in Chapter 14, "Greenhouse Gas Emissions and Climate Change."

Comment 144: As further described in my original response to Chapters 10 and 14 of the rezoning's DEIS, as submitted by the CCCE, the current application is glaringly lacking any clear acknowledgement, understanding, or commitment to mitigating or adapting to climate change. (Ponce_046)

Much of Sunset Park's industrial waterfront is located in a floodplain, but Industry City's proposal does not integrate any climate adaptation or mitigation strategies to protect the community from the threats of climate change. The floodplain and sea level rise maps emphasize the urgency and necessity to prioritize climate preparedness in all development especially on our industrial waterfront. (Sandoval_048)

The entire IC footprint sits in a floodplain or storm surge area, but the proposal doesn't address the consequences of the next climate event. The increased burden on clean water supplies, sewage lines, and energy supplies, electric and gas to the upland, that this rezoning will unleash it will greatly exacerbate the already

present number and frequency of flooded basements, backed up sewers, and power failures, particularly in warm weather days. (Roca_102)

As currently proposed, this rezoning will diminish one of New York City's last remaining Industrial waterfront neighborhoods. It also represents a lost opportunity for a frontline community to advance innovation, inclusion, and resilience in the face of climate change. (Hum_025)

I'm not opposed to development but as a working waterfront community, we need to develop for climate adaptation. Sunset Park is one of the few remaining SMIA's we have in New York and to convert this area for purposes other than climate adaptation would be foolish. Building for green energy will create local climate jobs and utilize the area for green industry. (Turner_UPROSE_071)

Response:

As discussed in Chapter 14, "Greenhouse Gas Emissions and Climate Change," the ground floor elevations for all buildings (new and renovated) within the entire Project Area with the exception of Building 25 were identified to be located in areas within the projected future 1 percent annual-chance floodplain (an area of high flood risk subject to inundation by the 1 percent annual-chance flood event) by the end of their 80-year lifespan (by around 2100).

In order to protect against the consequences of such an event, the proposed new buildings have been designed with a Design Flood Elevation (DFE) of +13.0 feet NAVD88, which is about 1 foot above the current BFE (accounting for current conditions, including freeboard). Existing buildings, including Buildings 22/23 and 26 located in the +12-foot floodplain near the waterfront, would be retrofitted with flood protection features at the time of construction to account for potential future conditions. Renovations for the Finger Buildings in the +11-foot and +12-foot BFE floodplains would incorporate dry flood proofing measures in vulnerable locations upland of 1st Avenue to account for potential future conditions. Specific measures may include aluminum shielding and/or flood gates at entryways within the floodplain, and/or other appropriate methods that would be determined at a later point in the design process and incorporated at the time of construction. All proposed new critical infrastructure (i.e., electrical, plumbing, mechanical equipment) would be elevated above the projected future flood levels in each building, and basement uses would be limited to storage and parking only. Elevators would also be flood-proofed. Building 24 is already within the 1 percent annual chance floodplain; as such, specific wet flood proofing measures would be determined at a later point in the design process and incorporated into the renovation. As the ground floor of Building 24 would periodically be subject to flooding, ground floor uses would be substantially limited. Uses proposed for the ground floor of Building 24 would be of temporary nature with the ability to be relocated in the event of flooding. Addressing the larger community and upland resiliency issue would entail a broader group of stakeholders include the City itself, who controls the areas and public corridors surrounding Industry City (Bush Terminal, DOT streets, SBMT).

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Comment 145: The Industry City rezoning proposal puts the whole Sunset Park waterfront at heightened risk of climate hazards by not addressing resiliency, mitigation, or adaptation measures. The Industry City DEIS does not fully describe what measures it currently has taken or proposes to take to address resilience. (GRID_UPROSE_105)

Response: The need to address resiliency and climate change-related hazards applies to a broader area and would entail other stakeholders besides Industry City. The proposed discretionary approvals would apply to predominantly to Industry City parcels, most of which are already occupied with large existing warehouse structures. Existing buildings, including Buildings 22/23, 26, and the Finger Buildings located near the waterfront, would not be demolished and redeveloped but rather renovated with potential additions, which is consistent with best practices of sustainability. The Proposed Project contemplates new construction of three parcels (Buildings 11, 21, and Gateway). The Applicant will address climate-related issues for its campus buildings (both existing and new), consistent with Local Law 97 and CLCPA, and would be amenable to integrating with a larger system-wide network.

Comment 146: The existing buildings are a different challenge, and I do believe Industry City has invested quite a bit of money to be able to raise critical infrastructure, electrical panels, and mechanical equipment above all the basements which were flooded during Sandy. Are there opportunities in the public realm above and beyond the scope of the Industry City rezoning? Yes, there probably are. There are projects currently underway for both civil engineering and some of the street scape along Sunset Park in the area. The projects that are currently being conducted by EDC in the area. But I will restate what I mentioned before, there's really no resiliency without economic resiliency. And to be able to have a mix of jobs and a mix of market sectors that are supported by a variety of companies so you're not only having one type of market sector that's in that particular area. (Gonzalez_100)

Response: Comment noted.

PUBLIC HEALTH

Comment 147: The *CEQR Technical Manual* limits Public Health assessments to CEQR subject areas: air quality, water quality, hazardous materials, and noise. The analysis is so narrow that it is of extremely limited utility and, frankly, should not be called an assessment of impacts on Public Health, as it is so narrow. For example, the only unmitigated impact disclosed in a public health subject area is construction noise, and the only public health impacts studied are related to this construction noise. The impacts of a rezoning as large as the Industry City proposal should require a public health assessment that goes beyond the very limited topics studied

in the *CEQR Technical Manual*, which should be prepared in consultation with public health professionals, who have an understanding of Sunset Park and its issues. (Fontillas_019)

Response: The EIS analysis of public health follows the guidance of the *CEQR Technical Manual* as well as the Final Scope of Work. As detailed in Chapter 16, “Public Health,” the Proposed Project would not result in unmitigated significant adverse effects to air quality, water quality, hazardous materials, or operational noise but could potentially result in unmitigated temporary significant adverse construction-period noise effects at receptors in the vicinity of the Proposed Project’s work areas. However, construction of the 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 EIS concluded that construction of the Proposed Project would not result in a significant adverse public health impact.

Comment 148: In addition to environmental concerns, socioeconomic factors also lead to negative health outcomes. Socioeconomic factors contributing to negative health outcomes in Sunset Park include the high number of residents living without health insurance or are underinsured and the variety of barriers to health services faced by immigrants due to language and communication barriers. Widespread overcrowding and housing instability are contributing to serious mental health issues throughout the neighborhood. Of the City’s 59 Community Districts, Community District 7 had the second highest rate of housing code violations in 2018. Poor housing conditions have serious health consequences, particularly for children in Sunset Park. Negligent landlords in the neighborhood fail to maintain apartments, leading to a variety of health risks. (Fontillas_CB7_001)

Response: Comment noted.

NEIGHBORHOOD CHARACTER

Comment 149: The DEIS found that Industry City’s proposal would not result in any significant adverse impacts on neighborhood character. This finding cannot be accurate given the deficiencies in the methodology and analysis of other DEIS categories, such as land use, zoning, and public policy, socioeconomic conditions, open space, and transportation. The community, in CB7’s response to the Industry City proposal, has highlighted a myriad of adverse impacts to the neighborhood’s character and provided substantial, thoughtful, and relevant recommendations to implement the community’s plan for the area as envisioned in the district’s 197-a plan. Even the Landmarks Preservation Commission provided recommendations on new building heights proposed by Industry City, understanding the enormity of impacts. The result of the lead agency not

providing the required hard look in many other study areas in the DEIS has led to an absurd finding in the category of neighborhood character. The lead agency should reevaluate the sections, as proposed above, to provide an accurate assessment of the change in neighborhood character and to suggest possible mitigation to preserve the aspects indicated in CB7's response and the 197-a plan. (Fontillas_019)

Response: The methodologies utilized in the EIS for the analysis areas of land use, zoning, and public policy, socioeconomic conditions, open space, and transportation—as well as neighborhood character—are as defined in the Final Scope of Work for the EIS and are consistent with the guidance of the *CEQR Technical Manual*. According to the *CEQR Technical Manual*, an analysis of neighborhood character begins by determining whether a proposed project has the potential to result in significant adverse impacts in any relevant technical area (land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise) or if a project would result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character. As described in Chapter 17, “Neighborhood Character,” the Proposed Actions are not expected to result in significant adverse impacts related to neighborhood character as the Proposed Project would not substantially change the character of the neighborhood. The Proposed Project would not result in any significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; open space; shadows; or urban design and visual resources. Although the Proposed Project would result in significant adverse impacts to historic and cultural resources, traffic, air quality, and noise (both operational and construction-related), the majority of these impacts could be fully mitigated with standard mitigation measures, which have been detailed in the EIS and have been found to not adversely affect any character-defining feature of the neighborhood. Additionally, the Proposed Project would not result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character. Therefore the Proposed Project would be consistent with the existing character of the neighborhood and would not result in any significant adverse impacts on neighborhood character.

Comment 150: I'm here to testify against Industry City rezoning as it stands since it's of no value to Sunset Park's community. (Gomez_UPROSE_070)

Response: Comment noted.

Comment 151: The [Community] Board is extremely concerned about the precedents shown by recent rezonings of Williamsburg and Long Island City. These former waterfront manufacturing districts were also remade and their neighboring communities lost long-time residents, diversity and community culture. The destructive change in neighborhood character was tangible and profound. In contrast, the changes

described in the introduction to Sunset Park were organic changes resulting from waves of immigration and succession. The rezoning stokes community fears of loss and displacement. Many believe change will come at them directly and will attack those most vulnerable. (Fontillas_CB7_001)

Response: Comment noted. Regarding the potential for displacement, please see the responses above in “Socioeconomic Conditions/Indirect Residential Displacement” and “Socioeconomic Conditions/Indirect Business Displacement.”

Comment 152: We need slower human scale development, neighborhood scale at the pace of the neighborhood scale development. We don’t need more rapid development. Owning a business in the neighborhood is great, and there’s a lot of folks who do. They might not be the type of businesses that Jamestown and Belvedere and Industry City prioritize, but those are the jobs that make good, not just working class, but middle-class wages. The average manufacturing job makes \$56,000 a year and it includes benefits. (Bland_004) (Bland_005) (Bland_060)

Response: Comment noted.

Comment 153: I oppose Industry City’s rezoning and special district application because I love Sunset Park and want to protect this neighborhood as an affordable home for working-class, immigrant families like my own. Industry City’s rezoning and special district application promotes commercial real estate development that caters to a global elite, and a vision of Sunset Park’s future that excludes working-class, immigrant New York families. Industry City and Eighth Avenue Center’s rezonings will undoubtedly catalyze transformative neighborhood change. Augmented by Opportunity Zones, Sunset Park is facing a potential financial superstorm that will supercharge gentrification and displace the multiracial, multi-ethnic working class populations and small businesses including industrial businesses that have long defined this neighborhood. Sunset Park is at a crossroads and its future depends on Mayor Bill de Blasio and Deputy Mayor Alicia Glen recognizing that protecting industrial and maritime-related jobs and land uses are as critical as affordable housing in sustaining the vibrant, diverse neighborhoods that have always made New York City a place of possibilities for working-class families. (Hum_024) (Hum_025)

Response: Please see the responses to Comments 69 and 79.

Comment 154: With 6.5 million square feet spread out across nearly 7 city blocks and a rezoning proposal to add several hundred thousand square feet of luxury retail, hotels, office, and academic space, Industry City is a behemoth driving the wholesale obliteration and remaking of Sunset Park’s working class community of color. The imperative of an innovation economy, as advanced by commercial real estate financiers and developers, is to appropriate and repurpose industrial buildings to

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accommodate commercial tenants who can pay premium rents. The ripple effect on Sunset Park's industrial real estate—including the city's extensive portfolio—does not bode well for local manufacturing businesses. (Hum_025)

Response: Chapter 3, "Socioeconomic Conditions," includes a detailed analysis of the potential for significant adverse impact due to indirect business displacement; see the response to Comment 83.

Comment 155: Industry City's proposal threatens the character of the Sunset Park community, and will exacerbate displacement and climate issues. Industry City's proposal does not reflect community needs and is a short-sighted plan for private developer profit. Industry City's proposal is not "innovative," and will benefit private developers at the expense of the Sunset Park community. We need to keep our industrial waterfront industrial and utilize it to build for climate adaptation, mitigation, and resilience. (O'Laughlin_350.org_002)

Response: See responses regarding displacement, climate change, and resiliency above in "Socioeconomic Conditions" and "Greenhouse Gas Emissions and Climate Change."

Comment 156: These types of developments are not only detrimental to the industrial character of our working waterfronts, but also puts the Sunset Park community in harm's way of climate impacts. Industry City's current rezoning proposal is unacceptable. As it stands, it proposes to further de-articulate the existing and historical character of the industrial waterfront, while displacing existing businesses and the potential to build for the City and region's climate needs. (Sandoval_048)

Response: Chapter 3, "Socioeconomic Conditions," includes a detailed analysis of the potential for significant adverse impact due to indirect business displacement; see the response to Comment 83. Regarding climate change and resiliency, see the response to Comment 141.

Comment 157: This project is just going to ruin for the people that lived in Sunset Park. The neighborhood was always a good neighborhood and that place could have been built up many years before. What about the people that lived in that neighborhood for their whole life? These are outsiders, there's people that could qualify for those high-level jobs. So they are talking about building a hotel for them, what about the people of the neighborhood? The neighborhood is what counts in this issue. There's Latinos that have lived there for over 75 years, what about those people? There's also other people that don't have money in that neighborhood. Meanwhile, there's no housing in New York so you're going to give them extra acres, that don't make sense. What about the neighborhood people with the small little houses and residents. The Coalition of the Rockaways and Southeast Queens

will always fight for anybody and all over New York because we care about the people, the people of this city not just the developers. (Jacob_057)

Response: Comment noted.

Comment 158: I'm here today providing testimony because I'm concerned about the fact that the Industry City rezoning proposal would disrupt the character of the Sunset Park working waterfront. (Waxman_UPROSE_069)

There's a need for further study of how this proposed rezoning will fundamentally change the character, the diversity and makeup of the neighborhood. (Mitayres_077)

This proposal includes provisions for development of hotels and an increase in retail uses among other provisions, a character very different from what currently exists on the industrial city plan of Sunset Park. (Fu_UPROSE_078)

The Industry City rezoning proposal will negatively affect Sunset Park's character as an industrial working waterfront with working class jobs by bringing in retail and entertainment uses and highly paid, skilled tech workers (GRID_UPROSE_105)

Response: As described in Chapter 17, "Neighborhood Character," the Proposed Actions are not expected to result in significant adverse impacts related to neighborhood character as the Proposed Project. The Proposed Project would not result in any significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; open space; shadows; or urban design and visual resources. Although the Proposed Project would result in significant adverse impacts to historic and cultural resources, traffic, air quality, and noise (both operational and construction-related), the majority of these impacts could be fully mitigated with standard mitigation measures, which have been detailed in the EIS and have been found to not adversely affect any character-defining feature of the neighborhood. Additionally, the Proposed Project would not result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character. As described in Chapter 1, "Project Description," by the 1990s traditional and heavy manufacturing had begun to evolve through the use of new technologies, allowing for small-scale production and niche manufacturing that blended with industries not generally associated with manufacturing, such as film and television production, design, engineering and fashion. New York City has strived to be flexible in response to this rapidly changing economic landscape by investing in and seeking a wide range of tenants for City-owned facilities to ensure that job-generating uses can thrive in New York, regardless of short-term trends, and Industry City intends to achieve similar goals through the redevelopment of its privately owned industrial complex. Therefore the Proposed Project would be consistent with the existing character of the neighborhood and would not result in any significant adverse impacts on neighborhood character.

MITIGATION

Comment 159: The [Community] Board understands that the MTA has announced an ADA station upgrade for the 36th St. Subway station. This capital program project is very important for users of this station. The [Community] Board would also like the MTA to review the size and capacity of station stairs up to street level. With only two narrow stairways from the station towards IC, these stairways cannot accommodate the potential future worker flow projected by IC. (Fontillas_CB7_001)

Response: The DEIS analyzed the 36th Street subway station's street-to-mezzanine level stairs, mezzanine level-to-platform stairs, fare control area, and platforms, determines its volume-to-capacity-ratios, and identified significant impacts per *CEQR Technical Manual* criteria. Between the Draft EIS and the Final EIS, mitigation measures were studied in conjunction with NYCT. NYCT determined that widening of the S3 stairway in conjunction with widening of the M1A/M1B mezzanine level stairway would be required to mitigate this impact. The 36th Street station is identified by the MTA as one of the stations that would potentially receive accessibility improvements under the Americans with Disabilities Act (ADA) within the MTA's 2020-2024 Capital Plan, which would include the installation of elevators and relocation of station elements to accommodate the elevators. NYCT has determined that the S3 and M1A/M1B stairway widenings would need to be funded by the Applicant following completion of the accessibility improvements. This mitigation has been determined to be financially impracticable. Therefore, the adverse impact to the 36th Street station would remain unmitigated..

Comment 160: The lack of clear benefits to Sunset Park community [from the Industry City proposal] to offset all of the above hardships is a concern as there is no evidence of mitigation measures. (GRID_UPROSE_105)

Response: As detailed in Chapter 20, "Mitigation," practicable mitigation has been identified for significant adverse impacts identified in the EIS.

Comment 161: The DEIS offers fairly standard boilerplate text on mitigation by signal phasing and timing modifications. (Fontillas_019)

Response: Comment noted.

CONCEPTUAL ANALYSIS OF SCHOOL USE

Comment 162: Industry City's proposal does not integrate any climate adaptation or mitigation strategies to protect the community from the threats of climate change. Instead,

Industry City is proposing to locate a high school on the industrial waterfront, which would put young people of color in harm's way. (Sandoval_048)

Industry City proposes to develop hotels and a school at the waterfront. These pose direct risks to the community that will be using these facilities since it is located in floodplains and brownfields. (Sandoval_048)

Industry City plans to build a school in the rezoning proposal. This is concerning due to the fact that we are situated so close to the water, it would be an environmental risk to students if another Superstorm were to occur. (Gonzalez_022)

We do not need schools in a flood zone and brownfield, they need to be further inland to ensure the safety of minors. It does not make any ethical sense for minors under 18 to be obligated to attend a school in a brownfield/flood zone. (Maya_031) (Turner_UPROSE_071)

We stand with UPROSE in rejecting a proposed technical high school at Industry City. The overall majority of Sunset Park's industrial waterfront is in storm surge zones, floodplains, and are designated brownfields. New York City must protect all of its citizens and must not destroy the health of our youngest and most vulnerable citizens by placing a school in Industry City. It is long past time that the environmental impacts on health of BIPOC communities and thoughtful and holistic considerations be given to the siting and planning of youth educational institutions. (O'Laughlin_350.org_002) (Bequm_UPROSE_086)

Response: The Proposed Project does not currently include a high school, which would require additional approvals and environmental review in the event it were to locate at Industry City. The Applicant is not currently proposing a high school use as part of its proposal. However, because a high school could be an allowable use under the Proposed Action, the EIS provided a conceptual analysis of the potential effects of such use in Appendix A-2 in response to a request from Councilmember Carlos Menchaca. Should a high school be further considered feasible, it would be subject to additional environmental review that evaluate the effects based on its actual programming and location. See also response to Comment 10.

Comment 163: The academic campus touted by Industry City can be housed in the still-vacant part of their property if they are totally honest and pure of heart about providing us with another high school. (Roca_102)

Response: Comment noted. The Proposed Project does not currently include a high school use.

PUBLIC REVIEW PROCESS

Comment 164: Community Board notice and review of any City Planning Commission decisions relating to the neighborhood, including special permits, special districts, variances, etc. [should be ensured]. (Fontillas_CB7_001)

Response: Comment noted.

Comment 165: There have been many community meetings and rallies where Sunset Park residents have made it abundantly clear that they want “No Rezoning! No Conditions!” but Industry City, The Department of City, Planning and Councilmember Carlos Menchaca have ignored this. (BAN_007)

The community has engaged consistently in town halls and hearings to share their concerns with this proposal since Industry City filed their application in 2017. Despite sharing these concerns with Industry City, and Industry City promising to address them in their application, the applicant submitted an application nearly identical to the scope of work they submitted two years earlier, triggering the ULURP clock right before a busy holiday season. Industry City has proved itself to be uncompromising and untrustworthy as a community development partner in this process. Their track record in the community affirms that their presence is not necessary to fulfill—and their expansion will certainly prohibit—the community’s vision for our home. (PSP_047)

Response: Comment noted. The project has been the subject of multiple public meetings. All public review was conducted in compliance with the requirements of ULURP and CEQR.

Comment 166: This hearing has also, by design, prevented the most impacted communities (working-class families, immigrants, and communities of color) from providing in-person testimony. (Camarena_008) (Camarena_061)

You’ll notice there’s not a lot of manufacturers here today because hearings like this are happening at a time when they cannot afford to be off work, so you’re not hearing the important voices of Sunset Park’s industrial and manufacturing community directly from them. (Bland_060) (Bland_004)

There’s a lot of people in the community who can’t come here, this isn’t very accessible to the public, given the fact that I have to bring my child here and I don’t have time or the expenses to find childcare services at the last minute. (Kaplan_090)

I don’t think the neighborhood really had much of a say in this. I don’t think the neighborhood could come out to this. (Jacob_057)

Response: Comment noted. The project has been the subject of multiple public meetings. All public review was conducted in compliance with the requirements of ULURP and

CEQR. Following the project's public hearing on February 19, 2020, written comments were accepted via email and hard copy through Monday, March 2, 2020, to provide multiple modes of input on the EIS from the public.

Comment 167: [The applicant has] attended every session that we've organized. We've had very strong conversations with them, but I would say that the application that we received in November was 3,000 pages and as you know the board only has 60 days to review it during the holiday period. This really constrained us, it was very difficult for us to really react and try to go through all the different pages of text. (Fontillas_CB7_058)

Response: Comment noted. The regulated timeframes of the ULURP process are not specific to the Proposed Project.

Comment 168: The ULURP process is broken and the January public meeting that we had in Community Board 7 is just another example of how broken the process is. I believe that it's rigged in favor of developers. I absolutely believe in development. I believe there's a place for it, I believe developers can do meaningful work in our communities. But more importantly than development, I think community engagement is something that is by far as important or more important than the actual development. We understand that land is a finite resource, we're not going to get anymore of it so whatever we build on the land that exists has to be done in a smart and sustainable way for the future of the community. I think we've come to a place where the status quo is continuing, as has been historically the case, to leave out segments of the community. How is it possible that a development the size of Industry City is the same process for someone who wants to build an eight- or ten-story building, right? How is it that we have the same process to accomplish both things? Understanding the jargon and technicalities of the rules, and most importantly how they will impact the character of the community, requires a level of resources and expertise that a community and community board simply doesn't have. We are composed of volunteers. (Zuniga_CB7_059)

A lot of the issues here are—aside from the fact that the ULURP process is broken, but it's also what we have—we should have better coordinated planning, but we don't have that. And so a lot of the discussion is asking for things that completely outside the process and can't be gotten in any kind of timely manner for the needs of this rezoning consideration. There's not an upfront negotiation process. Everything is kind of back loaded in terms of commentary. So the community doesn't necessarily get to have the input. But also the community doesn't necessarily have the resources to fully understand. I think that's a big thing, it's a matter of not just time limitations but also understanding limitations. These are complex issues. And the other thing is that even in the process we often get diverted by talking about what should be, which is a valid thing to talk about, but also completely outside the context of the process of what is possible in

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ULURP. And it's not constrained in a way that's useful, but also it doesn't empower the community in ways that can be useful both by focusing it, but also giving it more delivery of power. (Wong_064)

As a manufacturing tenant in Industry City, we feel caught right in the middle of this rezoning. It's pretty clear to me without being an expert in urban zoning issues that the process is broke. We would love to see better community-wide planning. We would love to work with the community to make this a better zoning process, and the current process does not seem to allow for that. (Taylor_074)

A few people have said that ULURP is broken. ULURP is actually working really well if you're a developer, if you're Industry City. It ain't working well if you're a working person, especially a person of color, who lives in the area. But everybody here knows that already. (Rosen_EarthStrike_079)

While Industry City's president and lawyers and other staff have come to all the meetings, they have not fully responded our community questions. Industry City has ignored repeated requests. They have ignored changes to the application. They have denied requests for a modified timeframe that the community needed to engage in this process. And they have not fully responded to questions. We asked for numbers that substantiate the jobs, we never got information that made sense. We never got the data. It's interesting because Andrew Kimball actually told us very directly that they don't have those numbers because they are just the landlord and yet they're capable of paying their lawyers and marketing firms to post 30,000 jobs that they are going to bring all over the city. So there's a real lack of information that the community is working with at this point and this is why I really implore that as the application is presented with its inadequacies, I would encourage a "no." I think we need fuller, more meaningful answers and we need real answers.

In terms of current engagement with our City Council person, obviously our community is deeply divided on the issue and there is a lot of questions that still have yet to be answered, and I think people are both individually and in group engaging with the Council members and other Council members. But sadly our only entry point, right, was with this application in this 45-day period with holidays. That was the period that we were given the input for the most significant development that's happening in New York City, we were given 45 days. We asked for more time because we needed it and Industry City and their bullying tactics just rammed it through. And so we see diminishing opportunity here, right, we know the vote is going to happen in June. There's so much to be answered and we want a full application. We feel that they should fully respond to the many questions that were put forward in order to make the best determination. We are not against development, but we are against an incomplete and inadequate application. (Avilas_101)

Response: Comment noted.

MISCELLANEOUS

Comment 169: IC proclaims the solution to the community's needs is through a single perspective, that of jobs, regardless of the type of job it is. This limited focus on jobs is to be accomplished through rezoning for use, bulk and area. The [Community] Board soundly rejects this narrow vision of planning. Zoning is a blunt land use tool. It does not comprehensively address underlying social and economic issues and furthers a type of top-down planning at odds with a well-rounded community plan built through consensus. (Fontillas_CB7_001)

Response: Comment noted.

Comment 170: I think it would be great to open up a dialogue between Protect Sunset Park (a community coalition) and IC in order to incorporate residents' hopes and concerns into the rezoning. (Davis_015)

Response: Comment noted.

Comment 171: 350.org supports UPROSE and its recommendation to create a CB7 interdisciplinary subcommittee to review the plan for consistency with new policies and make recommendations for its update. (O'Laughlin_350.org_002) (Bequm_UPROSE_086)

Response: Comment noted.

Comment 172: Examine Industry City's track record employing, training, and leasing to Sunset Park native residents to contextualize the applicant's promises to bring jobs and prioritize manufacturing on this land. Examine Industry City's record with the Brooklyn Letter Carriers Branch 41 and A Team security unions, particularly grievances brought forth to the National Labor Relations Board, to contextualize the applicant's promises to work with unions to implement this proposal. (PSP_047)

Response: Comment noted.

Comment 173: It is essential to develop strategies to assist industry in the Sunset Park waterfront IBZ, such as providing funding to a non-profit with a mission to improve conditions in the IBZ (BID or LDC). Another important means to assist would be to fund STEAM education facilities in CD7 to ensure local employment by providing training programs, apprenticeship programs and continuing education for adults. (Fontillas_CB7_001)

Response: Comment noted.

Comment 174: The [Community] Board insists Industry City (IC) should publicly promote the neighborhood's immigrant character and history if it is seeking approval of its rezoning request from the community. IC is part of Sunset Park and vice versa. It is not an island detached from the neighborhood. Its fortunes are directly tied to the quality of life in Sunset Park. This community connection should be publicized in the project's marketing and leasing materials and these materials should be published in the four primary languages spoken in Sunset Park: English, Spanish, Cantonese, and Arabic. The community must see evidence that Industry City is invested in the goals of the entire neighborhood and fully embraces the aspirations of its residents. [The] Applicant [should] provide public commitment of support of Sunset Park's immigrant community and to feature the community's location and neighborhood as part of its marketing and leasing materials. (Fontillas_CB7_001)

Response: Comment noted.

Comment 175: Thirty percent of all parking spaces [at Industry City should] support electric car charging. Multiple contiguous parking spaces must each support charging even if they are all filled at once. Each charging adapter should be considered as supporting only one parking space. (Fontillas_CB7_001)

Response: Comment noted.

Comment 176: To support the community, the Board wants a commitment from IC to hire locally, to provide a living wage to its employees and to work with its tenants to do the same. The Board would like IC to commit to strengthening participatory employment goals to foster Minority/Women-owned Business Enterprises (MWBE), Living Wage and Work Safety Protections in its construction, marketing, and leasing activities. (Fontillas_CB7_001)

Response: Comment noted.

Comment 177: [The] Applicant [should] partner with local community-based organizations to provide information on partnerships and services. (Fontillas_CB7_001)

Response: Comment noted.

Comment 178: [The] Applicant [should] provide transparency as to which businesses they are leasing to by providing a report of marketing and leasing activities biannually to the [Community] Board. [The] Applicant must provide an up-to-date Master Leasing Plan showing ground floor public spaces, primary and secondary public entrance locations, loading and service dock areas, street and service access doors, mechanical equipment areas and areas dedicated for lease by use. The [p]lan [should] show square footage for all areas indicated. [The] Applicant [should] review [its] lease structure to attract triple bottom line businesses and encourage

green leases to improve levels of corporate social responsibility. [The] Applicant [should] provide mandatory mediation procedure when IC renegotiates leases with existing businesses and tenants within the project area. (Fontillas_CB7_001)

Response: Comment noted.

Comment 179: [The] Applicant [should] do outreach to local Sunset Park businesses for construction, maintenance, and leasing subcontracts in the project area. (Fontillas_CB7_001)

Response: Comment noted.

Comment 180: [The] Applicant [should] provide donations, sponsorships, and assistance as requested by local community organizations in CD7 to help support and enhance neighborhood cultural and social programs. (Fontillas_CB7_001)

Response: Comment noted.

Comment 181: [The] Applicant [should] meet MWBE, Living Wage and Safety Protection Local Laws during construction/fitout of spaces. (Fontillas_CB7_001)

Response: Comment noted.

Comment 182: [The] Applicant [should] provide significant contributions to a community-led and -controlled housing fund for preservation of existing affordable units and construction of new affordable units. (Fontillas_CB7_001)

Response: Comment noted.

Comment 183: [The] Applicant [should] provide funding to support residential and business anti-harassment legal services, enforcement of tenant protections, and legal services against unjust evictions. [The] City [should] provide additional anti-harassment legal services, enforcement of tenant protections, legal services against unjust evictions, and funding for such initiatives to affected residents in CD7. (Fontillas_CB7_001)

Response: Comment noted.

Comment 184: [The] Applicant [should] fund [a] third-party, neighborhood-wide climate impact analysis and brownfield site remediation and mitigation strategies study for [the Community] Board. (Fontillas_CB7_001)

Response: Comment noted.

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Comment 185: [The] Applicant [should] provide [a] report and analysis of Private Equity Fund/Opportunity Zone proposal to provide funding for preservation of affordable units in CD7. (Fontillas_CB7_001)

Response: Comment noted.

Comment 186: The New York City Department of Housing Preservation and Development [should] fund [an] analysis report prepared by a third-party community organization selected by the [Community] Board examining preservation of existing affordable housing units, home and property sale price changes for homeowners from 2013 to present, identification of possible potential development sites for new affordable housing and/or preservation purchases. If NYCHPD has not funded and completed [the] study within 1-year post-rezoning, [the] Applicant [should] fund [the] report. (Fontillas_CB7_001)

Response: Comment noted.

Comment 187: Per NYC Department of City Planning Executive Director Anita Laremont's letter to Council Member Menchaca and CB7 Board Chair Cesar Zuniga, NYCHPD [should] provide a list of the 18 locations of Certificate of No Harassment program properties in CD7, and locations of 448 homes in CD7 where affordability has been preserved and to what extent. NYCHPD [should] provide record of outreach in CD7 where information about relevant housing affordability and tenant protection programs or services have been provided to homeowners and renters (in English, Spanish, Cantonese, and Arabic languages). (Fontillas_CB7_001)

Response: Comment noted.

Comment 188: Per Anita Laremont's letter to Menchaca/Zuniga, NYCHRA Office of Civil Justice (OCJ) [should] provide a list of the 300 Council District 38 households served in FY2019, breaking down households by Community District. Provide a hard count of the number of evictions avoided among these households. OCJ [should] provide [a] record of outreach in CD7 where information about these programs have been provided to homeowners and renters (in English, Spanish, Cantonese, and Arabic languages). (Fontillas_CB7_001)

Response: Comment noted.

Comment 189: [The] City [should] develop a community-specific strategy to mitigate displacement pressures with input from the [Community] Board and to provide funding to implement the results of the study. (Fontillas_CB7_001)

Response: Comment noted.

Comment 190: [The] pilot program by NYCHPD to fund basement conversions into legal dwellings in CD7 [should be expanded]. (Fontillas_CB7_001)

Response: Comment noted.

Comment 191: [The] City [should] ensure stricter review and community notice of DOB applications as it applies to changes in FAR usage and/or deductions and variances. (Fontillas_CB7_001)

Response: Comment noted.

Comment 192: NYCHPD and NYCHDC [should] create a public-private partnership for purposes of affordable housing development and preservation, as well as procurement of existing 2–3 family houses to be placed into affordable housing stock in CD7 (HPD Pillars, NYC Acquisition Fund). (Fontillas_CB7_001)

Response: Comment noted.

Comment 193: [The] City [should] fund targeted outreach for NYCHPD homeowner repair and retrofitting programs and to make a concerted effort to make these programs known to residents in CD7. (Fontillas_CB7_001)

Response: Comment noted.

Comment 194: [The] State of New York Mortgage Authority (SONYMA) and NYCHPD [should] fund and provide outreach for their down-payment assistance programs for purchasing of co-operative and or condominium type units and rental assistance programs within CD7. (Fontillas_CB7_001)

Response: Comment noted.

Comment 195: Per Anita Laremont’s letter to Menchaca/Zuniga, DCP [should] provide a schedule of implementation and completion regarding environmental infrastructure as listed in CB7’s Community District’s Needs. (Fontillas_CB7_001)

Response: Comment noted.

Comment 196: NYSERDA [should] provide technical assistance to companies in the waterfront IBZ to implement clean energy as part of their business plans and services. (Fontillas_CB7_001)

Response: Comment noted.

Comment 197: [The] Applicant [should] commit to creating a finance mechanism such as a property tax assessment that would enhance industrial business creation—an

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industrial BID—similar to efforts at West Shore Staten Island, Brownsville, and JFK Airport. (Fontillas_CB7_001)

Response: Comment noted.

Comment 198: [The] Applicant [should] market and provide leasing preference to businesses that comply with CLCPA (Climate Leadership and Community Protection Act). (Fontillas_CB7_001)

Response: Comment noted.

Comment 199: [The] Applicant [should] provide [a] public commitment to expand Clean Energy Job uses/employment on site. Clean energy jobs are preferred compared to retail employment. Analysis shows jobs in these industries provide better pay for residents with lower educational levels. The Board wants a broad public commitment from IC to grow and expand these industries at the complex. (Fontillas_CB7_001)

Response: Comment noted.

Comment 200: [The] Applicant's construction, maintenance, and purchasing activities [should] comply with City wage rules, MWBE preference, safety protections, and collective bargaining rules. (Fontillas_CB7_001)

Response: Comment noted.

Comment 201: [The] Applicant [should] provide [a] plan to maintain and increase [the] local resident population served by the Innovation Lab over next 20 years. [The] Applicant [should] commit to partnership with [a] non-profit organization to provide supportive employment services for underserved people, including older adults and adults with disabilities. The [Community] Board would like to see a commitment from IC and its tenants to support work and training for persons with disabilities. This underserved population is a large and stable population and efforts to expand their participation would advance the community's goal of employment for all. (Fontillas_CB7_001)

Response: Comment noted.

Comment 202: NYCSBS [should] target deployment of programs and incentives, such as the Commercial Lease Assistance Program, to local Sunset Park businesses, both within and beyond the project area. Provide record of outreach (in Sunset Park's four primary languages: English, Spanish, Cantonese, and Arabic). (Fontillas_CB7_001)

Response: Comment noted.

Comment 203: NYCEDC [should] provide information on use of HireNYC and NYCIDA benefits by IC or tenants in the complex. (Fontillas_CB7_001)

Response: Comment noted.

Comment 204: City Council [should] pass [a] Small Business Jobs Survival Act to protect and strengthen negotiation positions of small businesses in lease renewals and protect against displacement due to demolition and new construction—Council Intro 737-2018. (Fontillas_CB7_001)

Response: Comment noted.

Comment 205: The Industry City proposal offers an opportunity to address community needs regarding youth employment and education indicators. The skills gap for the community's young people needs to be closed in order for them to access careers in advancing manufacturing on the waterfront. The [Community] Board would like IC to favor local youth for training, although it understands the lack of current training in the population makes this goal difficult. However, for the sake of the community, it is important to try and provide resident youth with opportunities for advancement. (Fontillas_CB7_001)

Response: Comment noted.

Comment 206: Sunset Park is one of the city's largest walk to work communities and this relationship is the foundation of the community. It is essential that Sunset Park's young people find means to participate in local waterfront businesses. We must provide ways for young people to connect with mentors, make social and business connections, and develop marketable employment skills. (Fontillas_CB7_001)

Response: Comment noted.

Comment 207: Existing educational opportunities are limited because of the lack of wealth in the community. Afterschool programs, technology in schools, and other supportive resources that are common in higher income neighborhoods are in short supply in Sunset Park. Parents do not have the time and monetary resources to contribute to these programs. To prepare children for future jobs, assistance is needed from the city and business sector. The [Community] Board would like IC to commit funds to assisting local educational programs. The Innovation Lab is doing great work, but it needs to increase its capacity to support young people from across the neighborhood. [The] Applicant [should] commit to continuing collaborative partnerships with public schools within CD7. The City must expand vocational training, certificate programs, internships and other skill enhancement programs. The City must expand afterschool programs and 18–24 age job training. (Fontillas_CB7_001)

Response: Comment noted.

Comment 208: Children and adults with disabilities are bussed out of the neighborhood to find opportunities in employment/education. There is a lack of services for children with disabilities, at schools, and other programs. There is a lack of services for adults with disabilities, even though one-third have college degrees and two thirds have high school degrees. The [Community] Board would like IC to partner with organizations that support children and adults with disabilities for long term success. (Fontillas_CB7_001)

Response: Comment noted.

Comment 209: [The] Applicant [should] commit to and implement local and first source hiring policies focusing on local zip codes to target specific community needs and strengths and agree to penalties if these benchmarks are not met. (Fontillas_CB7_001)

Response: Comment noted.

Comment 210: [The] Applicant [should] provide public commitment and funding support for vocational training, adult education, ESL, and literacy programs. (Fontillas_CB7_001)

Response: Comment noted.

Comment 211: [The] Applicant [should] provide tech training programs, with focus on encouraging women, persons of color, persons with disabilities, and other underrepresented group participation. (Fontillas_CB7_001)

Response: Comment noted.

Comment 212: [The] Applicant [should] prioritize explicit living wage provisions for all businesses within and including landlord management and operations personnel. (Fontillas_CB7_001)

Response: Comment noted.

Comment 213: [The] Applicant [should] identify potential Community Facility partners and educational tenants to Board prior to lease signing. [The] Applicant [should] not lease to for-profit education providers. (Fontillas_CB7_001)

Response: Comment noted.

Comment 214: [The] Applicant [should] include [a] Corporate Social Responsibility Pledge with leases. Companies leasing space [should] commit to pro-diversity measures,

corporate social responsibility measures, and community engagement.
(Fontillas_CB7_001)

Response: Comment noted.

Comment 215: [The] Applicant [should] lease classroom space in [the] project area to CUNY and SUNY to provide programs in green jobs and specialized skills training.
(Fontillas_CB7_001)

Response: Comment noted.

Comment 216: [The] Applicant [should] hire locally and provide a living wage and benefits, health care, paid time off, retirement savings, and professional career development for contracted and internal employees, and work with its tenants to do the same. (Amendment) (Fontillas_CB7_001)

Response: Comment noted.

Comment 217: DOE [should] explore founding of a vocational/technical high school in CD7 modeled on STEAM program at Brooklyn Navy Yard, with programs for children and adults. (Fontillas_CB7_001)

Response: Comment noted.

Comment 218: CUNY, SUNY and local community colleges [should] explore location of programs and services at IC. (Fontillas_CB7_001)

Response: Comment noted.

Comment 219: [The] City [should] provide fiber optic broadband STEM education funding in local schools. (Fontillas_CB7_001)

Response: Comment noted.

Comment 220: [The] City [should] fund new local public parks, additional playground, and recreational space. (Fontillas_CB7_001)

Response: Comment noted.

Comment 221: Sunset Park's waterfront should be at the forefront of climate change resiliency innovation and resource recovery and management. Significant public properties in the area mean that public interest projects and investments can help build a significant hub for these activities, for manufacturing industries and workforce training as well. Fitout of the Bush Terminal building area to meet contemporary space needs will increase energy use and flows to sewer and water infrastructure.
(Fontillas_CB7_001)

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Response: Comment noted. See responses to comments above in “Greenhouse Gas Emissions and Climate Change,” “Energy,” and “Water and Sewer Infrastructure.”

Comment 222: [A] Community Advisory Committee organized by the Community Board [should] receive biannual updates on Industry City’s goals, commitments and progress regarding Local Laws and Special Permit findings. (Fontillas_CB7_001)

Response: Comment noted.

Comment 223: Industry City should create a marketing strategy that prioritizes green uses on its campus, including but not limited to green design and technology. (GRID_UPROSE_105t)

Response: Comment noted.

Comment 224: The UPROSE Green Resilient Industrial District (GRID) report identifies the Industry City site as Subarea C, “Green Manufacturing and Design Area.” Within this area the report states that the City Planning Commission must preserve existing zoning; limit retail and commercial uses as accessory to industrial uses; limit eating and drinking establishments and entertainment facilities; prohibit hotels in M2 or M3 districts; and require at least 50 percent of the area in Industry City to be occupied by industrial uses. (GRID_UPROSE_105)

Response: Comment noted. See response to Comment 244.

Comment 225: There’s a lot of other issues that we should address and not put everything on Industry City, ‘cause then we’re closing ourselves to opportunities, not only for the people that are there but for our children. I saw the video, some of these people are just one sided because they don’t have enough information so they are going to talk behind fear. (Santiago_099)

Response: Comment noted.

AS-OF-RIGHT DEVELOPMENT

Comment 226: What concerns us as manufacturers in Industry City is as-of-right. As-of-right includes office buildings. As-of-right includes last-mile usages, especially last-mile usages would be very negative for us as manufacturer. The traffic that that would bring would have a significant impact on our ability to take suppliers—deliveries of supplies and our ability to send out deliveries. There’s a lot of issues in this rezoning that can go either way. Let us work together with the community to make this a better proposal, ‘cause blind opposition will cause the status quo to become frozen. And that status quo includes as-of-right and office buildings

and those will have a far more negative impact on manufacturing businesses than anything that's proposed in this rezoning. (Taylor_074)

Response: Comment noted.

Comment 227: A couple of months ago, Industry City was quoted as stating they'd go a hundred percent office, something they can do as-of-right. And now I'm hearing that they may be planning a last-mile distribution hub. Their future model and plan seems inconsistent and hard to follow. In fact, Andrew Kimball has recently stated in the Wall Street Journal as stating bright prospects for the future will be at Industry City regardless of the rezoning. (Martinez_088)

Response: Comment noted.

Comment 228: As-of-right they can build that last mile. As-of-right they can do offices. So the fact that they are asking these rents that the manufacturers can't pay for, let's not make them heroes or villains, it's more the fact that, well, office can pay more. If you really want to have that, then you don't have zoning where you can have offices and manufacturing, but that's not the case and so the argument is besides the point. If the zoning categories did not allow office and these last mile uses or any other thing and it was just industrial, then it wouldn't be crowded out like this. You wouldn't have that expansion. But as I said, that's not part of the zoning proposal, that's just what they can do now. And so when we talk about these rising rents, it's not really relevant to the issue because that's already happening. So a lot of the diagnoses are correct, but the recommendation about what we should do doesn't really address the problems. So a lot of what's happening is correct, but also besides the point, not because it's not important, but because it's the wrong place to address it. For instance, there's no residential zoning in this proposal whatsoever. That said, there's a small amount of grandfathered residences in there, but they have no protections. If right now they wanted to demolish them and build last-mile hubs, they can. But—and that's part of the point, is that that's already there and that's not being addressed. But in theory if we rezoned, we could have a contingency fund for any kind of relocation. Gentrification is an issue but then the issue is why aren't politicians building more residences. This is not a part of what's going on in this rezoning. What is going on with this rezoning is what can actually happen. (Wong_064)

Response: Comment noted.

Comment 229: Examining this proposal has really highlighted for me how broken our zoning laws are. My hope is that the city can move forward to build stronger protection for manufacturing zones so that developers like Industry City can't hold as-of-right development over the heads of a community looking to ensure comprehensive and responsible planning takes place. (Martinez_088)

Response: Comment noted.

COMMUNITY BENEFITS AGREEMENT

Comment 230: The NYCDCC is of the opinion that further limitations or restrictions will hinder ongoing efforts by a “Coalition” of community based organizations, of which we are one, to negotiate the maximum benefit for our community in the short term. (Colon_NYCDCC_011)

Response: Community Benefits Agreements, including any entered into between the Applicant and one or more local community organizations, are agreements between private parties that are outside the scope of the ULURP and CEQR process. While such agreements may provide a mechanism to ensure the Applicant takes additional measures in conjunction with project development in order to provide amenities to the community, the EIS does not assume any such measures would result in additional mitigation for any significant adverse impacts beyond the measures identified in this EIS. Thus this EIS presents an independent assessment of the potential of the Proposed Project to result in significant adverse impacts, and identifies any practicable mitigation for such impacts, irrespective of other private agreements which may or may not be entered into.

Comment 231: OBT is part of a group of local stakeholders who believe that a flat out “no” to the rezoning is truly a missed opportunity for the community to benefit from any potential development; and a community benefits agreement is an important tool in exerting community control over a project of this magnitude. As part of the Coalition seeking to craft a Community Benefits Agreement, OBT believes that a path forward includes ways of holding Industry City accountable to promises of quality jobs, preserving industrial uses, dedicated spaces to and outfitted for training in current and future growth sectors, entrepreneurship and growth opportunities for local residents and business owners, education and training for local residents of all ages and in multiple languages, and a quantifiable, long-term commitment to the local workforce. We also recognize the intersectionality among key issues: affordable housing, immigrant rights, etc., and their impact on the someone’s ability to access and sustain employment. OBT views this as an opportunity to engage and expand what’s possible. The youth and adults we serve are depending on us to open more doors, at IC and beyond. (Polo-McKenna_OBT_043) (Polo-McKenna_OBT_103)

Response: Comment noted. Please see response to Comment 230.

Comment 232: A Community Benefits Agreement (CBA) will not prevent the negative impacts of Industry City’s rezoning proposal. CBAs are designed as tools to buy the community’s favor, but fall short of enacting protections to mitigate the negative effects of rezonings. There are many examples throughout the city where CBAs

are not realized because they are very difficult to enforce. Another issue with CBAs, is the timeline of receiving the said “community benefits.” If any benefits are realized, they often do not benefit the existing community due to the loss of social cohesion. A CBA is not a viable solution to ensure community input in Industry City’s rezoning process. (Sandoval_048)

Response: Comment noted.

Comment 233: This time a CBA is not going to cut it. Community benefits agreements are a heavily exploited tool that has left communities throughout the City on the back burner. Developers use misinformation and the lack of community expertise to cut deals with organizations in order to facilitate bottom-line goals. It pains me to see community organizations and stakeholders, who currently receive funds from Industry City, lead an effort to negotiate a CBA. They have conflicts of interests, are providing misinformation, and are turning their backs on our working-class and immigrant community. A CBA will not protect the waterfronts industrial manufacturing uses or leverage the climate economy. If this rezoning goes through it will continue to permanently cripple the City’s ability to sustain its infrastructure. (Gomez_UPROSE_070)

In the next few days we will see how they reuse the bait as a community benefits agreement to achieve their goals. (Fu_UPROSE_078)

Response: Comment noted.

Comment 234: That’s why this project is important. We should be talking about a community benefits agreement. The community board, the Council member initially had focused on what types of community benefits are needed. The question is: Why are we not talking about a community benefits agreement? I think we should be talking about a community benefits agreement that prioritizes workforce development, both in terms of the resource in investment that we can bring to the bear for the of community, as well as the training providers that we can engage, both CUNY and others—and it’s not just a CUNY scenario here because there are local groups like Opportunities For a Better Tomorrow, like Center For Family Life, that can do this work on the ground and can certainly do the outreach on the ground, and make those connections in a meaningful way. And I think if we were in a position where we were really having a community benefits conversation, which is what we were planning to do from the beginning of this process until it was sidetracked, I think we would have been in a much better position to really sort of flesh that out. (Peers_BCC_087)

Response: Comment noted. See response to Comment 230.

Comment 235: Sunset Park deserves more than just a community benefits agreement plan of which is compromised because Industry City serves on the board of one of the nonprofits looking to participate. (Martinez_088)

Response: Comment noted.

Comment 236: Earlier my community board colleague mentioned a community benefits agreement, it's not part of the conditions that was put forward to the planning board, there is a separate group that's interested in that. (Avilas_101)

Response: Comment noted.

Comment 237: All responsibility of the government to provide, not for a group of self-appointed negotiators to promote privatizing public tax-funded services. That is why we pay taxes, not to give that over for somebody else to as if we need to beg. That cap reduces us to beggars and it's an insult to even come up with that concept that we have to negotiate with a private equity firm. (Roca_102)

Response: Comment noted.

NEIGHBORHOOD RACIAL AND ETHNIC COMPOSITION/RACIAL IMPACT STUDY

Comment 238: The Application and DEIS do not analyze the project's impact on housing. In particular, [there is] no racial/ethnic impact study conducted examining impact of proposed rezoning on inequity, direct/indirect residential displacement, direct/indirect business displacement, etc. in CD7. [The] Applicant [should] provide [a] racial/ethnic impact study prior and post rezoning that includes a more diverse and comprehensive data set (school attendance, churches, etc.) for purposes of determining the true nature of primary and secondary displacement of residents and businesses. [The s]tudy [should] be modeled on [City] Council legislation Intro 1572-2019. (Fontillas_CB7_001)

Response: With respect to analysis of indirect residential displacement, please see the response to Comment 79. With respect to racial/ethnic impact study, it would be speculative to project the racial composition of the project-generated workforce and is not relevant to the demographic analyses required under CEQR. Race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts.

Comment 239: The impact of speculation and rising rents on Sunset Park leads to gentrification of the neighborhood. There is increased risk of many current low-income units coming out of rent protection and families who have lived there for generations being replaced with wealthier families. Those vulnerable families are faced with stark choices of where to relocate to, often to neighborhoods at a distance that do not provide the same social and cultural support that Sunset Park does.

Commutes to work become longer. Childcare expenses become a necessity because of the longer commute and family and trusted neighbors who could have helped out are now far away. Home stability is threatened when faced with the pressure to move into a smaller, often more expensive apartment. Sunset Park's immigrant community has more vulnerabilities and fewer protections against being displaced. The barriers of language, culture, and knowledge of services works against those at risk of displacement. As many of these immigrant families also fall below the area median income, much of the affordable housing and preferential rents available are still priced beyond their reach. These conditions result in the disproportional displacement of working-class families in Sunset Park, further contributing to the segregation of the city along income and racial lines. (Fontillas_CB7_001)

Response: Comment noted. Responses to comments in the Socioeconomic Conditions section above address the potential for residential displacement with the Proposed Project.

Comment 240: Despite his numerous visits to announce public investments in industrial infrastructure and job creation, Mayor de Blasio's policies may be deepening the occupational and residential segregation of Sunset Park's working class Chinese and Latino residents. (Hum_025)

Response: Comment noted.

Comment 241: There is no racial ethnic impact study conducted examining impacts of proposed rezoning on equity, direct and indirect residential displacement, direct and indirect business displacement in Community Board 7. (Mitayres_077)

Will indirect displacement lead to a change in the racial and ethnic makeup of Sunset Park? (Fontillas_019)

I formally request that the Department of City Planning conduct: an evaluation of the racial impact analysis of displacement of people from their homes that may result from this rezoning; an analysis of the impact of displacement on minority and women-owned businesses; an examination of the disparities between past predictions and real-world results in the City's predicted impact of prior rezonings, that that the City can know whether its fundamental predictions of growth and displacement, upon which the entire environmental impact review is premised, have a basis in reality. (Camarena_008) (Camarena_061)

A neighborhood-wide analysis [should be undertaken] of racial and economic displacement, as observable by changes to demographics of the community. Data to be fact-checked and replicated by third party. (PSP_047)

Considerable research in urban anthropology, geography, and urban planning have highlighted the ways in which rezoning processes of this scale threaten the continued existence of nearby communities and that these have occurred

disproportionately in low-income communities of color and this is certainly the case here... An analysis of the potential impacts cannot rely on what does not yet exist and which may never come to fruition (as was the case with the Atlantic Yards CBA) but should instead be based on a detailed critical analysis of specific conditions in which the rezoning is being proposed and through a careful comparative case with the impacts of similar projects after 5 years. Doing so would show that recent rezonings of a similar scale and in similar and adjacent neighborhoods have resulted in large-scale displacement of non-White communities and a simultaneous rapid increase in the number of White residents. In nearby Park Slope, there was an overall decrease of about 5,000 Black and Latinx residents despite an overall population growth of 6,000 during the same 10-year period. This demographic change corresponded with a loss of nearly 1,000 rent stabilized apartments, which are already scarce in the Affected Area. As it stands, the Industry City ULURP application offers nothing but a threat to Sunset Park and its residents. (Mullenite_034)

Response:

Neighborhoods throughout the city are experiencing a high demand for housing, which is placing significant upward pressure on residential rents. In response to this strong demand for housing, the City has undertaken multiple initiatives to increase the supply of housing for households of all incomes, including neighborhood planning, Mandatory Inclusionary Housing, and creating as well as preserving an unprecedented number of affordable housing units. The City and State have also actively enacted measures to protect existing tenants against harassment, eviction, and deregulation.

When land use actions are part of a private rezoning application, a socioeconomic analysis is conducted to assess the potential for impacts in accordance with the requirements of SEQRA and CEQR. Consistent with the methodologies set forth in the *CEQR Technical Manual*, the potential for indirect residential displacement is assessed by considering whether a proposed project would lead to increases in rents that existing tenants would be unable to afford. As detailed in the response to Comment 79, the Proposed Actions do not have the potential to lead to increases in rents that, in turn, could lead to significant adverse impacts due to indirect residential displacement. In cases where the potential for such significant adverse impacts cannot be ruled out, the risk of displacement is determined for all households at or below a certain income because displacement negatively impacts a household regardless of the household's racial composition. Therefore, analyses that warrant assessment of potential indirect residential displacement do not break down the analysis of potential displacement based on the race of particular residents.

Further, there is no reliable method to accurately assess the race or other characteristic of individuals who may be at risk of indirect displacement at the neighborhood level. The needed data are only available for larger geographies and not at the neighborhood rezoning level in order to protect the privacy of

residents. The racial composition of potentially indirectly displaced households cannot be imputed with accuracy from the housing and demographic data available for larger geographies because of the variance in the racial composition of households within similar income ranges at the neighborhood level and larger geographies. As such, there is not a reliable method to determine the racial composition of households that are potentially vulnerable to indirect displacement households within the study area, nor to assess the potential for differential effects on any demographic subgroup.

Comment 242: I'm not trying to compare Industry City to ICE [Immigration and Customs Enforcement], but I'm comparing that they are from the same branch and tree of racism. That in order to better Sunset Park, we need to displace the black and brown people who have lived there for a very long time. (Hu_PSP_097)

Response: Comment noted.

UPROSE GRID PLAN

Comment 243: UPROSE and the Protect Our Waterfront Alliance put together an amazing alternative proposal. It's the first time a community-based organization has done this and it's called the Green Resilient Industrial District, or the GRID. The GRID supports that 197-A Plan and an updated vision of a just transition for Sunset Park, all the while taking advantage of the new climate legislation that puts us on the path to a renewable economy. The City Planning Commission should vote no on Industry City's rezoning proposal or vote yes with the condition that Industry City modify its proposal to incorporate all of the GRID's recommendations for the area where their property is located. (Waxman_UPROSE_069)

Sunset Park has an alternative proposal, real and not based only on existing community vision plans, but also on climate consideration that the city and the state have recognized as a priority. Under [GRID], the manufacturing, construction and carpentry industries will not only have the same volume of work but with more since there are funds committed to development of green industry and the modernization of structures to meet the new climate standards. These works and funds covered by the Climate Leadership and Community Protection Act, CLCPA, and the Climate Mobilization Act, CMA, will be available at least until 2050. Moreover, under the GRID proposal none of the industries currently residing in Industry City or the seafront will be affected. It's not true that if the ownership of Industry City is not rezoned, the area will become a wasteland. (Fu_UPROSE_078)

The GRID plan proposed by UPROSE puts forth a viable response to the impending climate crisis. Today, if given the chance, Sunset Park can once again respond to an existential threat facing our community, country and the planet- the threat of sea level rise and climate change. If we heed the voices of the people of

Sunset Park and reject this rezoning and instead adopt the alternative plan before us—the GRID Plan—we can turn this threat into an opportunity. The plan promoted by Industry City proposes changes that could harm our city’s and our region’s ability to adopt the changes necessary to address the threats related to climate change and rising sea levels. Land at the water’s edge needed to carry out these functions should not be rezoned and their uses surrendered to today’s perception of highest and best use— one of higher profit margins—at the cost of not being able to meet our future needs. (Shiffman_UPROSE_050) (Shiffman_UPROSE_051) (Shiffman_UPROSE_052) (Sandoval_UPROSE_068)

UPROSE’s GRID Proposal is the community-led alternative for Sunset Park. The Green Resilient Industrial District plan or GRID was developed through years of community planning, organizing, and engagement. It positions Sunset Park’s industrial sector as the economic engine we need to build for climate adaptability, and train local businesses and residents for a green economy. The Brooklyn Anti-Gentrification Network opposes Industry City’s short-sighted plan and instead endorses UPROSE’s GRID Proposal for a sustainable future that will position Sunset Park as the economic engine to support a Just Transition into a green economy. (BAN_007)

The Green Resilient Industrial District or GRID developed by UPROSE and the Collective for Community, Culture, and the Environment does just that; while being rooted in social equity and climate justice, and is a superior alternative to the proposed Industry City rezoning. (Gilmore_NYCEJA_021)

There is a hopeful future for the waterfront that is struggling to be born. UPROSE has a plan that takes the climate crisis seriously: the GRID (Green Resilient Industrial District) plan. As Ting Ting said, as other people from UPROSE said, what they want is GRID. They want good paying jobs that are good for the planet, jobs in solar and wind, not just slapping a wind farm or solar panel on a corporate development, but things that are actually owned and controlled and designed by the community. GRID is also about the connection between urban residents and farms upstate, and it’s really simple. There has already been legislation that has passed to fund this, and you know that if what’s his name gets out of office in November, there’s going to be more funding for it. (Rosen_EarthStrike_079) (EarthStrike_017)

The alternative proposal by UPROSE, called the GRID, proposes a green industrial district in New York City’s largest SMIA. (Barry_003)

Industry City’s proposal asks policymakers to put luxury hotels and high-end retail before the needs of Sunset Park residents and to ignore the community leadership and visioning of Sunset Park advocates and residents as expressed in the GRID proposal of UPROSE and Protect Our Working Waterfront Alliance. My recommendation is that you reject the rezoning application and take up the GRID proposal instead, which, in addition to creating better jobs, is much better

aligned with city and state climate laws, sustainability policies, and investment priorities (Daly_Demos_013) (Daly_Demos_095)

Please look into the UPROSE's GRID proposal to envision what a comprehensive plan for the waterfront could look like with climate adaptation, green energy and green jobs at the forefront. This is what we need for the future and it will help Sunset Park's local economy with climate-ready job opportunities for residents. (Turner_UPROSE_071)

Sunset Park has the opportunity to become New York City's first GRID and be a national model for local grassroots planning and implementation of a Just Transition economy as called for by climate justice advocates and global environmental groups like 350.org. As a community-proposed alternative to Industry City's plan to rezone 1.5 million square feet of Sunset Park's M-3 zoned industrial waterfront into luxury big box retail, this GRID proposal is a bold, holistic and comprehensive vision that strategically plans for existing and anticipated climate impacts in Sunset Park, Brooklyn. (O'Laughlin_350.org_002)

My friends and neighbors are advocating for their neighborhood for the right as renters and as the green industrial plan to both have successful policies passed through Albany, thinking about the collective future of our neighborhood. (Palerno_096)

Response: The Applicant does not control all the properties discussed in the GRID plans. Furthermore, the Proposed Actions would not preclude the potential for some of the industries identified in the GRID plans to locate within Industry City, should such appropriate type of businesses express an interest and can be accommodated on the campus.

Comment 244: I support UPROSE's alternative proposal which is the GRID (Green Resilient Industrial District) because this ensures that working class people can live in Sunset Park and have meaningful wages. (Maya_031) (Turner_UPROSE_071)

Response: Comment noted.

Comment 245: CB7 should vote no on Industry City's rezoning proposal, or vote yes with the condition that Industry City modify its proposal to incorporate all of the GRID's recommendations for the area where their property is located. (Nieves_038)

Response: Comment noted.

Comment 246: SEQRA guidelines state the EIS should consider a range of reasonable alternatives to the project that have the potential to reduce or eliminate a proposed projects impact and that are feasible. Yet the DEIS omits another feasible alternative, one based on the provision of the GRID, subarea C, proposed by UPROSE. This alternative, which allows for diverse uses, calls for development

and innovation that addresses New York City's greatest threat, climate change, it should also be evaluated. (Hanhardt_085)

Sunset Park has the Green Resilient Industrial District, or the GRID, a viable rezoning alternative meant to protect industrial manufacturing uses and leverage to jobs of the future to make sure that existing residents can earn a living wage and afford to live in Sunset Park. We need Sunset Park, the City's largest significant maritime industrial area, to lead New York and the region into a renewable economy. As a forward looking elected official, I urge you to publicly back the community led GRID and demand that Industry City amended their application to incorporate Subarea C. (Gomez_UPROSE_070)

Compare the impacts of the applicant's private rezoning proposal to alternatives developed by the community in this process, as required by task 19 of the Environmental Impact Analysis framework. Specifically, compare the cumulative impacts of Industry City to the Green Resilient Industrial District plan put forth by UPROSE, and to the 197a plan put forth by the community over a decade ago. The community has an alternative, comprehensive plan to sustainably develop the neighborhood without compromising its character and preparing the land for imminent climate change. (PSP_047)

Challenge Industry City's proposal as another 197-C Plan that implements a community-led vision. The GRID is a viable alternative rezoning proposal that integrates community input. Industry City's proposal does not consider or integrate aspects of community-based planning. If Industry City wants to develop in Sunset Park, they must do so in context. They must amend their proposal to incorporate the recommendations of GRID that are based on existing community-based plans; years of community engagement, organizing, and community planning; and current State and City policies that address the urgency to transition to a renewable economy and centered in equity. Amend Industry City's proposal with necessary changes that establishes restrictions on use and bulk in accordance with Sub Area C of the GRID. The GRID has specific recommendations and zoning guidelines for each of the four sub areas. The zoning and land use restrictions recommended for Sub Area C, or Industry City's proposed rezoning area, would limit non-industrial uses such as retail and commercial spaces in order to enhance the manufacturing use of the M3 zone. (Sandoval_048)

Response: Alternatives selected for consideration in an EIS are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. The DEIS discussed in Chapter 19, "Alternatives," the No Unmitigated Impact Alternative, which would only partially eliminate the Proposed Project's unmitigated impacts to historic and cultural resources, transportation, and construction-period noise. No reasonable alternative could be developed which eliminates the unmitigated impacts without substantially compromising the stated goals of the Proposed Project. With respect to the GRID plan, the Applicant

believes the Proposed Actions would broaden the permitted uses that could encourage, rather than preclude education and training that could be applicable for green industrial employment. Furthermore, the Proposed Project does not preclude the potential for some of the green industries identified in the GRID plan to locate within Industry City, should such appropriate type of businesses express an interest and can be accommodated on the campus. In addition, it is not clear what other potential discretionary land use actions may be required to facilitate the components of the GRID plan that are not covered under the Proposed Actions, and would be out of scope of these approvals. It is anticipated that implementation of the GRID plan proposals for Subdistrict C would require a ULURP application and would make a number of uses that are currently as-of-right at Industry City impermissible.

GENERAL OPPOSITION

Comment 247: I oppose the rezoning of IC. I was born raised and still live in Sunset Park. (Gregory_023)

Response: Comment noted.

Comment 248: I am submitting testimony today in opposition to M2-4 Mixed Use Rezoning Application by Jamestown Properties. As the largest global climate organization with over 150 local groups within the United States we support of our movement partner UPROSE and its efforts to prevent the rezoning of Industry City to M2-4 mixed use. (O’Laughlin_350.org_002)

Response: Comment noted.

Comment 249: I am opposed to the Industry City rezoning and special district application. The reasons for my opposition to this application are detailed in numerous research articles and Gotham Gazette opinion pieces. This massive rezoning will fundamentally and irrevocably alter the industrial working waterfront. It would greatly increase the density of commercial uses and allow three new buildings with 1.27 million square feet of market-rate, destination retail, hotel, and academic office space. For the right of Sunset Park’s Latinx-Asian working class to remain in the neighborhood, we must end the craziness of zoning in the service of the private market and enrichment of real estate development rather than its intended purpose to protect the health, safety, and welfare of the public. While substantive, long-term benefits to Sunset Park’s working class and working poor communities are questionable, the scale of real estate speculation and private investment unleashed by Industry City’s reactivation and related public relations hype is not. Kimball notes the rezoning will facilitate a \$1 billion investment and add 1.3 million square feet of new development to Industry City by 2026. (Hum_025)

Industry City

Response: Comment noted.

Comment 250: Mindful that Industry City is NYC's largest privately owned industrial holding, and as such is a unique resource, and absent city policies to protect against climate change and to safeguard industry, this project should not proceed. (Shiffman_UPROSE_050)

Response: Comment noted.

Comment 251: I am against Industry City's rezoning application. (Barry_003)

Response: Comment noted.

Comment 252: On behalf of the New York City Environmental Justice Alliance, I stand in solidarity with our member organization UPROSE in opposing the proposed Industry City rezoning. (Gilmore_NYCEJA_066)

Response: Comment noted.

Comment 253: Commissioner Ortiz I believe you said a bit ago that maybe Industry City is a safety valve. It's not a safety valve, it's a freight train that's trying to run over the communities that live in Sunset Park. If you're voting with Industry City, you're going to be voting on the side of Amazon, against the people of Queens, against the people of New York City. (Rosen_EarthStrike_079)

Response: Comment noted.

Comment 254: I'm submitting testimony today in opposition to M2-4 mixed-use rezoning by Jamestown Properties. As the largest global climate organization with over 150 local groups within the U.S., we support our movement partner UPROSE and its efforts to prevent the rezoning of Industry City to M2-4 mixed-use. (Bequm_UPROSE_086)

Response: Comment noted.

Comment 255: From the standpoint of equity, shared prosperity, sustainability, the proposal before you is fundamentally misguided. As we've heard from many community planning experts, it follows a mostly "business as usual" playbook of economic development; one that is designed for the benefit of developers, corporations and entrepreneurial elites, while providing consistently bad results for communities and their residents. I urge you to listen to the voices of Sunset Park's own community leaders. There is a better way forward for Sunset Park. (Daly_Demos_095)

Response: Comment noted.

Comment 256: I oppose Industry City and also share solidarity with Mr. Jacob [who] came and represented the Rockaways. (Palerno_096)

Response: Comment noted.

Comment 257: I urge the Commission to say no to this current application and implore that the commissioners require Industry City to fully address the many problems that have been outlined today, such as their use of outdated data, their anemic responses to issues around climate mitigation, and many of the other limitations in the ULURP process that they should [be] responsible [for]. (Avilas_101)

Response: Comment noted.

Comment 258: I categorically oppose the Industry City proposed rezoning under consideration. The CEO of Jamestown touts a greater than 20 percent return on investment, ROI, to potential investors at public forums. That level of ROI is not realized without great pain to the natural environment and well-being of the workforce. (Roca_102)

Response: Comment noted.

GENERAL SUPPORT

Comment 259: While we are known for our historic store on Atlantic Ave, we have had a facility in Sunset Park for decades. I run that facility. Instead of closing or moving, we decided to adapt our business around a new start in Industry City. This was not about opportunity for me, but for our next generation. This is about encouraging businesses, like Sahadi's, to invest. Instead of listening to self-serving concerns, and sudden new plans for the waterfront, I implore you to help this job engine continue. (Whelan_055)

Response: Comment noted.

Comment 260: I am a full supporter of the initiative to rezone Industry City. I believe in adding 20K+ jobs and new businesses, and I believe that in the long run, this will only make Brooklyn as a whole a better place to live and work. (Campbell_009)

Response: Comment noted.

Comment 261: My practice, The Dermatology Specialists, is opening a new location in Sunset Park [and I] support the creation of new local jobs. (Choudhury_010)

Response: Comment noted.

Industry City

Comment 262: I am saying “Yes” to this because Industry City means community reinvestment, jobs, and opportunity, and I love what it has added to the community thus far! (Divito_016)

Response: Comment noted.

Comment 263: I support the vision of this project and the economic impact it will create for the surrounding neighborhoods. This will be nothing but positive for the surrounding neighborhoods and Brooklyn as a whole. The opposition from local council members are short sided and appear very self-serving. NYC cannot afford the NIMBYism that is occurring, we need more projects like this that will support jobs and we need more affordable housing. Councilman, please propose something that will fund affordable housing development instead of opposing projects that will add thousands of jobs to NYC. (Freeland_020)

Response: Comment noted.

Comment 264: I am in favor. There are huge improvements that need to be down to our borough, and that change is not quick enough. Crime is high and goes unreported. The cause of these crimes in our Brooklyn is due to the lack of work. (Ibarra-Borroto_026)

Response: Comment noted.

Comment 265: I am in favor. 1. Nothing wrong to create job in this area; 2. Housing issue is nothing about business to respond, it’s government job only; 3. People follow rule to apply, no way give them difficulty. (Kwok Au_028)

Response: Comment noted.

Comment 266: I’m in favor of this project. (Lanfranchi_029)

Response: Comment noted.

Comment 267: I am for progress in Sunset Park. (Miranda_033)

Response: Comment noted.

Comment 268: Industry City is an anchor for the rebirth of Sunset Park. I support their expanded mission to improve the neighborhood. (Plese_042)

Response: Comment noted.

Comment 269: Industry city’s goal to create 20,000 jobs. I am a home owner in the community and see the need for this community to grow and improve our schools and neighborhood businesses. (Zimmerman_056)

Response: Comment noted.

Comment 270: I am a Representative for the New York City & Vicinity District Council of Carpenters (NYCDCC) submitting testimony on behalf of 198 Union Carpenters living in the immediate vicinity of Industry City, hundreds of unaffiliated, voiceless, resident Carpenters in the area, and as a Son of the Sunset Park Community, myself. We wish to express our Support for the Industry City Project with no further limitations or restrictions with one voice. ... In the long term, the NYCDCC is concerned that further limits or restrictions may serve to stifle the community's future potential for economic growth and opportunity with far reaching negative implications for the whole of Southwest Brooklyn. Thus far, Industry City personnel have shown, in our opinion, a willingness to work with the community in good faith for the betterment of all concerned parties. The NYCDCC, myself, and those I represent are adamant that the potential for opportunity, growth, and the creation of Middleclass Union Jobs within our community should not be squandered. We thank you in advance for allowing us to voice our opinion and concerns. (Colon_NYCDCC_011)

Response: Comment noted.

Comment 271: I am testifying in support of the proposed changes at Industry City. I am doing so because I strongly believe that Industry City is crucial to producing the good, accessible jobs of the future. I have been impressed with the significant investment Industry City has already made in workforce training programs that connect local residents to the innovation jobs being created at the facility. In fact, my colleagues and I at the Center believe Industry City is a model of the place-based workforce programs that need to be replicated and expanded citywide. New York needs more, not less, of these high-wage, innovation economy jobs but it won't happen if the city doesn't have the flexible and affordable commercial spaces that innovation economy firms need to start and grow, and surprisingly there are few of these spaces in the city. That's why the investments that Industry City is making are so crucial for New York's economic future. With investments like these, Industry City can play a key role in helping New York build both a larger innovation economy and a more inclusive innovation economy. (Bowles_006_DD) (Bowles_CUF_075)

Response: Comment noted.

Comment 272: 32BJ is the largest property service union in the country. We represent more than 85,000 workers in New York City, including more than 1,032 workers who live and work in Sunset Park. New investment in [the] Industry [City] site will provide an opportunity to lift up the current building service work[ers] 32BJ represents, many of whom live and support families in the Sunset Park community. This job could be life changing for members of the Sunset Park community. Personally I

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know the impact a prevailing wage job can have on a family. To make sure that the good jobs created by Industry City benefit residents, we fully support plans for local hire and workforce development. (Hernandez_32BJ_062)

Response: Comment noted.

Comment 273: I, and many of my neighbors, support Industry City. It has been a vast improvement to our neighborhood, providing jobs and a lovely place for people to gather. I often see my neighbors and their children enjoying Industry City concerts and events. (Rolnick_063)

Response: Comment noted.

Comment 274: I'm here to support the zoning. Industry City has been a game changer for our business. We can work near where we live, we have a landlord who supports our efforts to hire and train local folks for jobs through The Innovation Lab. It's hard for us to find experienced electricians; because we don't have an HR department, we're able to go to The Innovation Lab and request if they know of anybody in the neighborhood like electricians or laborers or project administration or administrators where they can work for us. We recruit from [them] almost on a weekly basis. We're always looking for new staff. I would say at least 30 to 40 percent of our staff can actually walk to work because they live in the Sunset Park area.

As local residents we get to enjoy all the amenities that IC has brought to Sunset Park, including new open space to waterfront, restaurants and community events that brings the community together. We've joined scores of other businesses supporting Industry City at the community board with local Council member, and we are counting on elected officials to support jobs opportunity at Industry City by supporting the rezoning application. DS Electric and hundreds of other businesses are counting on your support. (Capriles_065)

Response: Comment noted.

Comment 275: The decline and disinvestment in Industry City mirrors the citywide collapse of traditional manufacturing as you know. The revitalization in the past six years under current leadership, innovation companies, food and beverage production, architecture and design, media and product fabrication have all helped Brooklyn return to a strong position in New York's economy. We should be doing everything we can to further this transformation. We must continue to create affordable space for small business. Small businesses are finding the ability to locate in Brooklyn in Industry City. We do not have that many modern places of scale other than the Navy Yard that are bringing this—and not only bringing these spaces on, but also really nurturing them, and this is exactly what we need to do. We can't do this in Downtown Brooklyn where we have commercial rents at a

different office level. Industry City has grown from 190 to over 550 businesses in just six years. The rezoning will facilitate a doubling of that number to over 1,000, meaning thousands of new jobs for Brooklynites. Industry City's plan to modernize outdated zoning roles of the 50's and 60's is critical to supporting job creation and keeping Brooklyn at the forefront of today's economy. I urge the City Planning Commission to support this rezoning without reservation. (Myer_DBP_072)

Response: Comment noted.

Comment 276: Trust me when I say that this could not have been possible anywhere else due to rent. I wanted to open up my business in Brooklyn and Industry City made this affordable for me. Not only am I grateful to Industry City for this but also for how they have cleaned up Third Avenue. I know this area very well as my mom worked at Bush Terminal for over 30 years; very sketchy and full of drugs for many, many years. (Reyes_073)

Response: Comment noted.

Comment 277: What we do know, as manufacturing tenants, is Industry City has made it possible for us to stay in the city. Six years ago when we moved there, we only had 30 employees. Right now this December we peaked at 72 employees; that would not have been possible without Industry City. No matter what problems there may be with the rezoning, it is better than the status quo. We would love to work with the community to make this a better proposal. (Taylor_074)

Response: Comment noted.

Comment 278: I'm here to support the growth of Industry City. I surely cannot understand why someone would not support the growth in that area. My question is: If the community of Sunset Park, if I go and knock on their door and I say, Hey neighbor, I need a job, can you give me one? No. Industry City gave me the opportunity to receive a job and that's why I support Industry City. (Villegas_076)

Response: Comment noted.

Comment 279: I'm here to offer testimony in full support of Industry City's rezoning application. With Industry City, we found the perfect partner who shared our vision for South Brooklyn Marine Terminal and all of the goals we have set for hundreds of new green jobs; a state-of-the-art fully upgraded facility; job training; workforce development; and a commitment to the industrial maritime and working waterfront for the coming decades. Our new partnership, Sustainable South Brooklyn Marine Terminal, or SSBMT, is well positioned to achieve and exceed the goals we have committed to with the New York City Economic Development

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Corp. for South Brooklyn Marine Terminal, both short- and long-term. (Stamatis_082)

Response: Comment noted.

Comment 280: We support the rezoning of Industry City. It's a critical component to our growth in the media business. I think the very scale of the project offers a unique opportunity to build more components of the media ecosystem that are needed here, where artists and artisans are welcomed and nurture and workforce is developed. (Abel_083)

Response: Comment noted.

Comment 281: Whether we just moved here or our families have been here for generations, we're here because of opportunity. We are counting on the elected officials to support this opportunity. We're counting on the almost 100 families that make up Sahadi's, and together we're counting on Industry City to provide that opportunity. (Whelan_084)

Response: Comment noted.

Comment 282: I also would like to take the opportunity to thank Industry City for giving me and my company a home, a beautiful new space we recently moved into, and it's much bigger and effective. You guys have thought of everything that we would need to further our goals for years to come. (Jones_089)

Response: Comment noted.

Comment 283: We are here on behalf of Cresilon to express our enthusiastic support for the Industry City's rezoning application. (James_Cresilon_091)

Response: Comment noted.

Comment 284: I'm totally in favor with the rezoning for Industry City. Over the past seven years, Industry City has created jobs and the environment for our communities, so now I can bring my kids to spend a weekend over there, sometimes get some lunch. And they also have a lot of kids for playground for outdoor activities and indoor. (Kenny_093)

Response: Comment noted.

Comment 285: I can testify that Industry City has for seven years worked with upland neighbors, civic organizations, business affiliations, elected officials, and individual activists to broadcast investments and improvements and to gather continuous feedback from its neighbors. These are businesses looking to take a role and benefit from

change while remaining in Sunset Park. We're rooting for them to stay, grow and hire more people. (Murphy_098)

Response: Comment noted.

Comment 286: I'm here to testify in favor of the rezoning as proposed. We are in favor of the rezoning because we're investing in the young people in Sunset Park High School. We have hired them over the last three years. We have offered internships, and as somebody who remembers his first job. I'm first generation in the U.S. and I remember moving plywood sheets on construction sites for a lot less than \$10 an hour. (Gonzalez_100)

Response: Comment noted. *